

SUFFOLK COUNTY LEGISLATURE

GENERAL MEETING

EIGHTH DAY

APRIL 24, 2001

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

MINUTES TAKEN BY ALISON MAHONEY AND LUCIA BRAATEN, COURT STENOGRAPHERS  
MINUTES TRANSCRIBED BY ALISON MAHONEY, COURT STENOGRAPHER

(\*The meeting was called to order at 9:37 A.M.\*)

P.O. TONNA:

I'd ask all Legislators please come to the horseshoe. I'd ask that all the aisles have to be cleared, all right? The Fire Marshal is here and I don't know what constitutes an aisle clear, but I'm sure there are people out there who will be able to direct them. We have to keep those aisles clear. Thank you. There are spaces for handicapped. The people for -- so that they can move those chairs in. Okay.

I'd like to recognize Legislator Dave Bishop to salute the flag. Oh wait, you want to do a roll call? All right, let's do a roll call. We're going to do an exercise program here. I know you're going to do some arm pumping today and probably a few, you know, murmurs from the peanut gallery. But let's start with the roll call, Henry.

MR. BARTON:

Good morning, Mr. Chairman.

P.O. TONNA:

Good morning.

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

LEG. CARACCIOLO:

Here.

LEG. GULDI:

Here.

LEG. TOWLE:

(Not Present)

LEG. CARACAPPA:

Here.

LEG. FISHER:

(Not Present)

LEG. HALEY:

(Not Present)

LEG. FOLEY:

Present.

LEG. LINDSAY:  
Here.

LEG. FIELDS:  
(Not Present)

LEG. ALDEN:  
Here.

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LEG. CARPENTER:  
Here.

LEG. CRECCA:  
Here.

LEG. D'ANDRE:  
Here.

LEG. BISHOP:  
Here.

LEG. BINDER:  
(Not Present)

LEG. COOPER:  
Here.

D.P.O. POSTAL:  
Here.

P.O. TONNA:  
Here.

MR. BARTON:  
13 present.

P.O. TONNA:  
Okay. Let's all rise for the salute to the flag led by Legislator Dave  
Bishop. Thank you.

[SALUTATION]

Thank you very much. Today I would like to recognize Legislator Jon  
Cooper for the introduction of the Clergy.

LEG. COOPER:

The invocation today will be given by the Reverend James Byrum. Father Byrum is the Pastor for St. John's Episcopal Church in Huntington which is one of the largest Episcopal Churches on Long Island. St. John's Episcopal Church was founded in 1745 and celebrated its 250th Anniversary in 1995. The church is located in the heart of the business district of Huntington Village. St. John's is a very active parish with a wide range of services and social organizations that provide outreach programs for the community, particularly for the elderly, the sick and other families in need. It's my pleasure to introduce Father Byrum.

FATHER BYRUM:

Mr. Chairman, Legislators and distinguished visitors. What a remarkable experience it is for me today to come and be with you. I certainly understand the importance of this day, as all of us do, and I pray that God will be with each one of us as we seek to express ourselves. I know there's a lot of passion surrounding this very complex issue, I pray there's also great compassion surrounding this

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difficult issue. And now let us pray and ask God's blessings upon this time.

Most gracious God, we thank you that we live in a country where people have the freedom to come and share their thoughts and their visions and their hopes with one another. We thank you for those who must lead and make difficult decisions. We pray your blessings upon them today and each day that they would be guided with wisdom and discernment about not simply issues but about people and the effect the decisions that we make, how they effect the lives of so many. We pray today that in the midst of the passion there would be charity, honesty and that there would be listening. In the midst of the things this we can't always understand, we pray for your mercy and your guidance. May your spirit this day so fill the hearts of each one of us, that we might seek to do your will. We ask this in your name. Amen.

P.O. TONNA:

Okay. I'm going to make a few announcements, so my Legislative Aide tells me. We have to keep the aisles clear. We're going to do -- we're going to break for Volunteer Awards led by Legislator Carpenter, you're going to break us into that in a couple of minutes. We're going to -- the way that we're going to do today, because of the large numbers of cards which are over a hundred right now and there's more in line, basically what we're going to remind everyone is that you have three minutes to speak, after those three minutes I'm going to

announce the next three speakers in a row so that you'll be prepared to speak. At eleven o'clock the Legislators are going to have to vote to extend the public portion. At that point, the next break is from 12:30 to 2:30, there will be a lunch break as we've always had, and then at 2:30 the public portion begins --

MR. SABATINO:  
Public hearings.

P.O. TONNA:  
The public hearings begin which basically might take any period of time and then from there, then we go back to the public portion. Okay. I'm first with the proclamation? Okay, Larry, are you around?

MR. COOLEY:  
Right here.

P.O. TONNA:  
Oh, Larry, okay. Just to my colleagues in the Legislature and to our audience, it's a great privilege and pleasure for me to give this proclamation to Larry Cooley, a very good friend of mine, who has just been named now as the President of the AWCI. Basically it's a union contractors council that is a national organization. He's been part of the Association of Wall and Ceilings and Carpentry Contractors of New York. And this is a very, very prestigious basically title position for somebody from our own Long Island area in the Greenlawn area. So Larry, congratulations.

MR. COOLEY:  
Thank you very much, Paul.

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(Applause)

P.O. TONNA:  
Thank you. Okay, Legislator Carpenter?

LEG. CARPENTER:  
Good morning. We're going to logistically work this out a little differently this year because of the length of what this meeting is projected to be today and everything that's on the agenda. What we will do is introduce the Legislator to come out in front of his or her place and then the volunteer will come and stand next to the Legislator, this way we can get some shots and get group shots of all of the volunteers.

Volunteer Recognition Month is something that we instituted at the Suffolk County Legislature about four years where we honor volunteers

from across Suffolk County. Each Legislator in his or her district has gone through a process and selected a volunteer that he or she feels deserves that little extra recognition. We have had some extraordinary accomplishments by volunteers across this County. You know, sometimes they say that the Suffolk County Legislature is a little ahead of the curve and I think we are because this year the UN has declared the year 2001 the Year of the Volunteers. So I don't know if we had anything to do with that, but it really is wonderful to see the volunteers being recognized for their efforts. I think no volunteer steps up to do what she or she does thinking that they're going to be recognized, they do it from the heart because they want to and they make such a difference in the lives of our residents. So we just want the public to know that as a body, the Suffolk County Legislature is very much indebted to the volunteers across this County.

So let me begin with our first Legislator, if he would come out; I don't see him, Legislator Guldi. So I will move next to Legislator Caracappa and his volunteer, Diane Caudullo-Rudilosso from Centereach who is a member of the Middle Country School Board and a coach with the Middle Country Softball Team. So I know we know full well that she certainly impacts the youth of our County.

LEG. CARACAPPA:

Thank you, Legislator Carpenter. It's with great privilege and honor that I stand here today to recognize Diane. And as I always do every year, I'd like to first recognize Legislator Carpenter. For those of you who don't know, she was the Legislator that instituted this recognition day here at the Legislature and I believe we're in our fifth year. And as always Legislator Carpenter, we, or I as one Legislator and one of your colleagues, do appreciate your initializing this so we as Legislators can recognize our constituents.

LEG. CARPENTER:

Thank you, Legislator.

LEG. CARACAPPA:

Diane Caudullo-Rudilosso is a friend of mine. And it's fortunate because as Legislators we forge a lot of relationships, both good and bad, but we also make some very good friends and I'm happy to say that

Diane Rudilosso-Caudullo -- or whatever, it's backwards -- is a friend of mine.

Diane is currently the President of the Centereach Civic Association which we know, those of you who have been Presidents of civics or even belong to civics, is a tough job. She cares about the hamlet of

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Centereach on all of Suffolk County and she's been not only involved in Centereach but many other hamlets such as Selden, Lake Grove, Setauket, Yaphank, the list goes on. She was, of course, a school board member and those of you who served on school boards know that's a thankless job and volunteer job and she did a great job as a school board member for the Middle Country School District.

As was said by Legislator Carpenter, she's co-founder of the Middle Country Youth Association in 1994. She served as softball coach for Middle Country Softball from '90 to '97. Of course, she is Centereach Civic President. She also volunteers for St. Jude's Annual Teddy Bear Ball Fund-Raiser. Those of you who know what the St. Jude Organization is, it's worthy, and to volunteer for that organization makes you a special person absolutely. She also volunteers for the Muscular Dystrophy Telethon, so many different committees for the Middle Country School District in an effort to better our children's educations and lives.

So without -- I could go on for an hour but we do have a big meeting. So without going any further, Diane, I would like to present this proclamation to you and thank you for all the service to the community Centereach.

MS. CAUDULLO-RUDILOSSO:  
That's very nice. Thank you.

(Applause)

LEG. CARPENTER:  
Next I would ask that Legislator Lindsay come forward into the front with his volunteer, volunteers, Beverly and John Carpenter of Sayville, no relation, who are very involved in national health care reform with the Gray Panthers. And John especially is no stranger to this Legislative body who's been here advocating on health care issues many, many times in the past.

LEG. LINDSAY:  
Ladies and Gentlemen, we have with us today John and Beverly Carpenter which I would like to think epitomizes the citizens of the 8th Legislative District.

These two people have been active in multiple organizations within our community including the Gray Panthers and Epilepsy Foundation and the Boy Scouts and the Long Island Progressive Coalition. They're just wonderful people and I'm really honored that we could honor them today. Thank you.

(Applause)

LEG. CARPENTER:

Thank you. Next we have Legislator Vivian Fisher and her volunteer, Marsha Laufer of Setauket.

LEG. FISHER:

I have the distinct pleasure today of introducing you to Marsha Laufer who is just the model of what a community member is. Marsha enters a room and she lights it up. She calls people to action and they willingly come forth and help out because of her own dedication, her energy, her enthusiasm. Stony Brook and Setauket are areas where we truly enjoy wonderful, cultural diversity and we celebrate the arts and Marsha has been a tremendous, tremendous help in the area of the arts. The {Bacharia} Festival which is something that my children and my family has enjoyed for so many years, Marsha serves with the {Bacharia} Festival group. The Stallar Center that's become such an important cornerstone of culture in our County, Marsha serves with the Stallar Center. But she goes further than that because with social action, Marsha has been a driving force, a supporter and a patron of Planned Parenthood for many years; in fact, that's where we first met, at a Planned Parenthood meeting and you hosted the wine tasting which is a major fund-raiser for them.

And so I celebrate Marsha's dedication. I commend her on her enthusiasm and her leadership in our community and I proudly present her with the proclamation today as Volunteer of the Year for the 5th Legislative District. Congratulations, Marsha.

MS. LAUFER:

Thank you very much.

(Applause)

LEG. CARPENTER:

Thank you, Legislator Fields -- Fisher. Next we have Legislator Brian Foley who is recognizing Ed Hernandez.

LEG. FOLEY:

Thank you, Legislator Carpenter. And good morning, Ladies and Gentlemen. It's my distinct pleasure today to introduce as the Volunteer of the Year for the 7th Legislative District Mr. Ed Hernandez.

Ed has been an 18 year resident of the Farmingville community. He has demonstrated over that period of time a commitment to those in need, both in the public and civic arenas. Mr. Hernandez has been active in a number of planning and advisory groups. Currently he serves as the Chair of the Board of Directors of the Nassau Suffolk Coalition of the Homeless. He was appointed by the Governor of the State of New York to serve on the Sagamore Children's Psychiatric Center's Board of Visitors. Suffolk County Executive board to the Community Mental Health Board, Mental Retardation and Developmental Disabilities Planning Advisory Board. And in the past, he has served as the Chair

of the Suffolk County Hispanic Advisory Board and the Foster Grandparents Community Advisory Board. Mr. Hernandez is a certified Social Worker and has had several other training certificates. He and his wife Ann have two lovely children in the hamlet of Farmingville.

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Also, Ed, for a number of years, was the past President of the Farmingville Civic Association. And I look fondly upon the time when he was chair since that was a period of time when one were to attend the civic meetings, they not only would be civically minded but they also were very civil. Where there would be a number of occasions where people would speak, there would be, let's say, spirited opinions back and forth on a variety of issues, but during his tenure as civic leader in that community, he always respected those who either agreed with him or didn't agree with him. It's that kind of civility, it's that kind of respect that should be extant throughout Suffolk County. And because Ed over the years has demonstrated those qualities that are so important for volunteers, I thought it was well past time, high time if you will, that we recognize Ed for his great work and the great work that he's continuing to do, because not only has he shown the civility, not only has he shown the respect, he's also shown the courage to stand up for his convictions. So for all those reasons, Ed, I'd would like to congratulate you as the Volunteer of the Year in the 7th District. Congratulations.

(Applause)

LEG. CARPENTER:

Thank you, Legislator Foley. Okay, next we have Legislator Ginny Fisher -- Fields, I'm sorry -- I'm not the only one -- recognizing Hank Carney from Central Islip, President of the Civic Council and the Downtown Alliance and Chamber of Commerce.

LEG. FIELDS:

Thank you. Good morning. It is an honor to be here today. And thanks to Legislator Carpenter for enabling us to have the ability to thank the people who don't earn any money for doing the good will and all the work and services that they provide to the community for the betterment of our communities.

Hank Carney is a member of the Central Islip community, he's been a fundamental force in that community. He's been President of the Central Islip Civic Council and under his leadership, the Civic Council has built and rehabilitated affordable homes and run successful youth programs. Hank also formed the Main Street Alliance for the purposes of improving the business district and the community. He has been on the Main Street, Central Islip Main Street Alliance's Executive Committee, the Chamber of Commerce, he's a board member,

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he's been the President of the North Great River Civics Club where he organized the North Great River Beautification Committee, a member of the Multi-School PTA, a cofounder and sponsor of Central Islip Summer Tennis Program and arranged various community events and also is an active member of the St. Peter the Apostle Church Council.

On behalf of my myself and the enablement of allowing us to congratulate our volunteers, you are certainly a person that deserves accolades and congratulations. We really appreciate you. Thank you.

(Applause)

LEG. CARPENTER:

Next up we have Legislator Alden and his volunteer, Robert Haedrich

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from Islip, who's Chairman of the Islip Hamlet Restoration Group. Legislator Alden and Robert's lovely, lovely family, how wonderful.

LEG. D'ANDRE:

Look at them, they're beautiful children.

LEG. ALDEN:

This is truly an honor for all of us to take one day out and honor people that have given so much back to their communities. In my case, I live in the Hamlet of Islip and Rob's right down there, too, and just year after year, if something needs to be done, Ron's the guy that steps up to the plate. There is a Restoration Trust, as Legislator Carpenter mentioned, he's the President of that and they have done all types of projects and things like that in downtown Islip. Also, just to mention, in 1998 Rob was Suffolk Life's Person of the Year. So my congratulations to him and as well to his family. Thanks, Rob.

(Applause)

LEG. CARPENTER:

Next we have Legislator Andrew Crecca with his volunteer, Irving Ball of Lake Ronkonkoma, a volunteer at the Nesconset Nursing Home. And I think we're going to hear a truly remarkable, brief story.

LEG. CRECCA:

I'm going to start as Mr. Ball makes his way around the horseshoe. Mr. Ball is truly amazing and earns our respect this morning as volunteer of the month. He's 86 years old. Mr. Ball -- 86, even has Legislator D'Andre beat.

(Applause)

Mr. Ball arrives at Nesconset Nursing Home 8 A.M. each morning seven days a week. During a recent ice storm when it was difficult for anyone to navigate the icy roads here in Suffolk County, Mr. Ball showed up at the center at his usual time bringing with him a smile and a cheer that has become his trade mark at the nursing home. Mr. Ball takes the initiative. He's been described as the sunshine walking around Nesconset Nursing Home. Each day he spends time with patients, especially those in the special care unit, he sorts mail, updates realty boards, recreation calendars in the hallways and visits and comforts many residents there handling all the small details at the nursing home. He is known for having a talent for making people happy and teaching them by example how to accept life's challenges. His philosophy that any talent not shared is a wasted one, just as a gift not given, is evident in his every day approach to life.

Nesconset Nursing Center and Suffolk County are truly blessed that Mr. Ball is in our lives and we thank him for his precious gift of sharing. Thank you.

(Applause & Standing Ovation)

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LEG. CARPENTER:

Thank you. Yes, I think we all could use some of that sunshine. Thank you so much, Mr. Ball. Thank you, Legislator Crecca. Next we have Legislator Mike D'Andre and his outstanding volunteer, Lou Pacinello from Kings Parks, a St. Joseph's Volunteer and I'm sure we'll hear many more things. Legislator D'Andre?

LEG. D'ANDRE:

Bring your family up.

LEG. CARPENTER:

Front and center.

LEG. D'ANDRE:

Oh, they're beautiful family. Good looking daughters, wow. Lou, for the record, let me tell you about this young man. He's a volunteer in King Parks, he takes care of lot of seniors and Lou does not take any money. In fact, when the seniors were out in the cold without a shelter, Lou got to work on me, I wouldn't say he threatened me but he made it miserable if I didn't help him. He said he wants a shelter for the senior citizens who can't take a bus or wait for the bus outside of the store, and we went to work. Eddie and I and Carol and

low and behold, we got a shelter for these seniors, so now they can wait for the bus rain or shine. Lou, that was very courageous and very domineering of you. But let me say this, the Seniors are our leading citizens. And I have to look at your family again, they're beautiful, they're a beautiful family, Lou. I congratulate you for raising a beautiful family and the beautiful wife. You've been with the railroad 22 years?

MR. PACINELLO:  
Twenty-seven.

LEG. D'ANDRE:  
Twenty-seven years, I beg your pardon. So Lou is helping his community by working for free with the seniors, and that's quite a thing to do when he's got his own family obligations. But then again, that's Lou's and that's why we selected him as Man of the Year for this year and all years to come, as long as he's taking care of our seniors and our citizens without pay. You can't do enough, you can't say enough for Lou. So where's the photographer, let's get this picture.

(Applause)

Okay, thank you. Thank you, Lou. Good luck to you.

LEG. CARPENTER:  
Thank you, Legislator D'Andre. Next we have Legislator Maxine Postal and her outstanding volunteer, Carol Wilder of Copiague, who's involved with League of Women Voters and other activities. Carol?

LEG. POSTAL:  
Carol, it's a real pleasure to be able to present to someone who has for more than 32 years served people in her home hamlet of Copiague, in the Town of Babylon, in Suffolk County and actually across the whole metropolitan region in the fields of education, in environmental

preservation and conservation, youth activities, the electoral process. She's been both an active member and a leader in the League of Women Voters both in Suffolk County and in the whole metropolitan region, and also with her work for young people as President of the Board of the Copiague Youth Council which is a remarkable agency that serves that community very, very well. And also, her contributions to Judaism through her active participation and leadership in Sisterhood of the Lindenhurst Hebrew Congregation and as congregation president of the Lindenhurst Hebrew Congregation. Carol does this without ever thinking about being recognized or thanks, so it's really a delight to present this proclamation recognizing her as Volunteer of the Year for the 15th Legislative District and I'm privileged to have her as a

personal friend. Thank you, Carol.

LEG. CARPENTER:

Thank you, Legislator Postal. Next we have Legislator Allan Binder and his outstanding volunteer, Sheila Saks of Dix Hills.

(Applause)

LEG. BINDER:

Thank you. The clapping really should be for the person that I have the honor of bestowing this volunteer honorship to Sheila Saks of Dix Hills and the President of Dix Hills House Beautiful; kind of a funny name but it really denotes something that's important.

The reason that Dix Hills houses are beautiful is because it has a community that has stayed together through adversity, through assaults on the community, and the person who is the glue to all of that for years, 15 years to be exact, whenever something has happened in the Dix Hills community has been Sheila Saks. I have known Sheila for the little more than a decade that I've have a Legislator for 12 years and I have never known anyone in any civic group anywhere on Long Island that has spent more time and more effort and devoted more of their time to protecting not only their own house and their own property but way beyond that, protecting a whole community and a whole way of life.

The one thing that I know that you can never get back, you can invest money, you can invest resources, you can invest in a lot of things, the one thing you'll never get back is your time; once you spend that it's gone. Sheila has spent an inordinate amount of time on everything in Dix Hills for everyone else. The most recent project has been the project at the Long Island Developmental Center, 430 some odd acres where the State said they were going to excess it, we're going to sell it and we're going to turn it over into something. Well, right in the middle of a residential community that something could make a big difference. Sheila Saks made sure not only that it was compatible with the nature of the surrounding community, that what's going to go there is compatible, but more than that, she has a special place in her for senior citizens. And because we have such a problem in Suffolk County, and in Huntington particularly, with building affordable housing and generally housing for senior citizens so those who have done so much for Suffolk County could stay with us, stay here, she made sure that that's how the project went. And I have to say that I am proud to have known her.

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and papers, but I can tell you something that they always know, when she comes and speaks she has the goods, she has the information and she's done her homework and she's done it right. So I want to thank the from the 16th Legislative District, from all of Dix Hills where I grew up, that's my home from the time I was a child, I want to thank her for keeping the community what it is and ensuring its future because of all her tireless efforts. Thank you.

(Applause)

LEG. CARPENTER:

Thank you. Next we have Legislator Tonna, the Presiding Officer, and his volunteer, Joyce Peisker-Ratushny from Deer Park who among other things has the dubious distinction of being able to say that she taught the son of one of the Legislators, my son, in sixth grade, and Legislator Crecca in sixth grade. Do tell us about Legislator Crecca.

P.O. TONNA:

That's not all, right? He did that grade twice with your class? It is -- where are you, Andrew? I'd much rather say it in front of his face.

It is my pleasure to award you with the Volunteer of the Year in the 17th Legislative District. As you know, Joyce Rotushny is one of most dedicated volunteers in the community, in a community like Deer Park, in a town like the Town of Babylon. She was involved in many different activities including helping raise money for the American Cancer Society, arranging blood drives for women and serves on a number of different things like the Deer Park Business and Professional Women's Club, the {Constant For Media Lodge}, the Ladies Auxiliary and the Dix Hills/Deer Park Good Samaritan Guild. Joyce, it's an absolute pleasure for somebody when I came to Deer Park seven years ago that you were the very first to welcome me. So thank you very much.

(Applause)

LEG. CARPENTER:

Thank you.

LEG. CRECCA:

And the only reason I did the class twice was because she was such a good teacher, Paul.

LEG. CARPENTER:

Next we have Legislator Jonathan Cooper and his volunteer, Dick Manning of Northport who is a former New York City Police Department member and past President of the Northport/East Northport School District. Legislator Cooper.

LEG. COOPER:

It's a real pleasure for me to honor Dick Manning today as Volunteer of the Year for the 18th Legislative District. Dick embodies all the attributes of a good American citizen. Through his volunteer activities, he sets an example not only for his children and

grandchildren but for all of us. A former New York City Police Officer and World War II Veteran, Dick has always made time to serve the community at large. The following are just some of his many accomplishments.

Dick was the past President of the Northport/East Northport School Board and has served as a trustee for the past 27 years. He served as past President of the Rotary Club and commander of the Northport American Legion. Dick is the founder of the Northport/East Northport Youth Center. Dick's strong belief that it is an honor to be an American citizen led him in 1990 to introduce the first New Citizenship Ceremony at Northport High School for children and adults; he worked with high school students, Federal courts and the U.S. Immigration and Naturalization Service to accomplish this. This special ceremony has become a tradition at Northport High School as well as in other school districts across Long Island.

On behalf of the Suffolk County Legislature, I welcome this opportunity to pay a tribute to Dick Manning for his wonderful volunteer activities. Congratulations, Dick.

(Applause)

P.O. TONNA:

Last we're going to recognize Legislator Angie Carpenter and her volunteer. Vickie?

LEG. CARPENTER:

Thank you very much. I told you we'd hear some incredible stories today and standing next to me is another incredible story, Vickie {Zamoka} who volunteers, is an extraordinary volunteer in Bay Shore in her community, is responsible for overseeing the Bay Shore Arts Endowment Fund, and this is an initiative that brings to -- it brings the arts into the lives of children who might never have had an opportunity to experiencing some of the things like a Broadway production. She's also worked on the Code of Conduct Committee at the school and numerous, numerous other committees. And it was a number of years before I realized that Vickie was just that, a volunteer and not a staff member, because she's there at meetings at eight in the morning and there at meetings in the evening and always in a very, very professional, caring, caring way. So Vickie, it really is an honor for me to recognize you with this honor as the outstanding Volunteer of the Year for the 11th Legislative District. Thank you for all you do and thank you for your friendship.

(Applause)

P.O. TONNA:

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Okay, we're going to begin the public portion. The first speaker today is Margaret Connor; Margaret? And then after that we have the next three speakers, just to prepare yourself, will be Chief Bill Biondi, Talin Menniti and Terry Sherwood. Okay, Margaret?

LEG. CARACAPPA:  
Mr. Chairman? Mr. Chairman?

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P.O. TONNA:  
Yes.

LEG. CARACAPPA:  
Before we start, I make a request as our volunteers are leaving --

P.O. TONNA:  
Okay.

LEG. CARACAPPA:  
-- and more members of the public are going to fill in more quickly, that we just hold off on the first speaker for about two minutes.

P.O. TONNA:  
Sure. Okay, we're just going to wait a few moments for everyone to get organized here. A few speakers are allowed -- I guess, Sheriffs, I guess you could let a few people in, right, to fill those spots? Thank you. I'd ask everyone one to sit down please and we have to close the doors in the back.

Okay. Young man, you have a seat there? Go right ahead, sit right down. Find a seat for that young man. Are you getting out of school for this? Is this extra credit or something? Thank you very much. Are you out of school for this?

UNKNOWN BOY:  
Yes.

P.O. TONNA:  
Oh, not bad, right? Okay, anyway. Margaret? Margaret Connor, please. Thank you very much.

MS. CONNOR:  
Good morning. About one month ago I had the privilege and honor of speaking before you as a compassionate, caring individual who had reached an opinion on Resolution No. 1193 but was reluctant to officially voice it, and I truly felt that you listened to me. Today I and my colleagues stand before you on behalf of 1,182 such

individuals who also asked that you listen.

In a matter of days we easily captured the opinions of these individuals who have been talking amongst themselves but not to Legislators. People whose families, homes, jobs and extra curricula activities are in the immediate Farmingville area, people who chose not to affiliate themselves with or be represented by any of the organized groups which have been voicing themselves to you. Yet we were equally reluctant to present our own individual positions amongst an atmosphere that was fraught with public seeking dog and pony shows -- actually, should I call that ostriches shows -- hired activists, media mayhem and politics; that's not who we are. We are citizens.

(Applause)

LEG. D'ANDRE:  
Better than that, you're taxpaying citizens.

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(Applause)

P.O. TONNA:  
Michael, I'm going to warn you once. Michael, I'm going to warn you once. If you interrupt another speaker, okay, I'm going to ask you, please, let the public speak. Go ahead.

MS. CONNOR:  
Thank you, sir. The three minute time constraint can't allow me to precisely define for today's audience the method's intentions that we detailed in the packets that were provided to each of you; will you acknowledge that you did receive packages from us? Now I lost my place. Okay, you did, so I'll summarize. We attempted to provide an aerial snapshot of all of the other existing opinions within the immediate Farmingville area and regardless of what that opinion was, we attempted to empower voters to say it in order to remove the misperception of apathetic silence. There was realistic expectation that such a snapshot would reveal what Legislator Joe Caracappa had been saying all along, that there was a silent majority of Farmingvillians who had concluded that Resolution 1193 is not an appropriate use of tax dollars and had done so in a prudent knowledgeable way. We did not expect, though, the representative waitings at which that majority would reveal itself. Of 1,182 persons polled, 25 stated acceptance, nine are not willing to have their name on public record for it may be seen by the church in which they attend --

P.O. TONNA:

Ma'am, you have to summarize your comments, your three minutes are up.

MS. CONNOR:

Okay. And 1,148 distinctly stated they are not in support, 97% of an opinion pole.

P.O. TONNA:

Thank you very much, ma'am.

(Applause)

LEG. CARACAPPA:

Question. Quick question, Mr. Chairman, just to clarify one thing. Margaret, just a quick question. You said you did an opinion pole; was this done in Farmingville by Farmingville residents or outside of Farmingville?

MS. CONNOR:

Immediately in Farmingville.

LEG. CARACAPPA:

Thank you.

P.O. TONNA:

Thank you very much. Chief Bill Biondi. That's it. Thank you very much, ma'am.

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MS. CONNOR:

Thank you very much. And congratulations, volunteers.

P.O. TONNA:

Thank you, ma'am. Bill?

CHIEF BIONDI:

Good morning, Ladies and Gentlemen of the Legislature. Just a few seconds of your time on Resolution 1217, use of Smith Point Park. The men and women of the Mastic Beach Fire District would like your support on this issue.

P.O. TONNA:

Okay. Thank you very much.

CHIEF BIONDI:

That's it?

P.O. TONNA:

Well, do you have anything else to say? You've still got about two minutes left.

CHIEF BIONDI:

No. Do I have to stay for the vote?

P.O. TONNA:

No. As a matter of fact, if you wanted to actually have a social life and a home life, I'd say absolutely not. Today is going to be a long day.

CHIEF BIONDI:

I would like to go home and go to sleep, I've been up all night.

LEG. TOWLE:

Mr. Chairman?

P.O. TONNA:

Yes, Legislator Towle.

LEG. TOWLE:

I appreciate it, thank you. I just want to emphasize to the Legislators, this is a resolution regarding allowing the Mastic Beach Fire Department to use Smith Point Park for a fund-drive for a dollar a year, it was originally \$750. They probably won't even make \$750 from the fund-drive that they're using at Smith Point. And I just want to emphasize, if you had any questions, obviously we don't want to leave the Chief here to eleven o'clock at night, now's the time to ask.

LEG. D'ANDRE:

Nobody should be against that.

P.O. TONNA:

Okay. Thank you very much, sir.

CHIEF BIONDI:

Okay. Again, Ladies and Gentlemen of the Legislature, thank you very much. We appreciate it.

P.O. TONNA:

Thank you. Okay. Talin Menniti; How do I pronounce that?

MS. MENNITI:

Talin.

P.O. TONNA:  
Talin, okay.

MS. MENNITI:  
Good morning.

P.O. TONNA:  
You have three minutes, ma'am.

MS. MENNITI:  
Thank you. My name is Talin Menniti and I'm the Recording Secretary for a very civil Farmingville Civic Association. I wish to express that I am adamantly opposed to the placement of a hiring hall in Farmingville. A hiring hall would violate U.S. Code 8, Section 1324. Furthermore, giving Catholic Charities \$80,000 of Suffolk taxpayer money is completely wrong, especially when you consider the fact that Catholic Charities already receives \$1.5 billion from the Federal government. It is further illegal for non-profit and religious organizations to knowingly assist violations of employment sanctions regardless of claims that their convictions require them to assist aliens.

Harboring or aiding illegal aliens is not protected by the First Amendment. Also, State laws and local ordinances controlling fair labor practice, workers compensation, zoning, safe housing, rental property, nuisance, licensing, street vending and solicitation by contractors may apply to activities that involve illegal aliens. Not one of these problems will be solved or addressed by a hiring hall, not a single one.

My suggestion would be to resurrect Legislator Caracappa's bill from three years ago which you have -- which would have made it illegal for contractors to pick up workers from County Roads. The passage of that bill would at least begin to alleviate some of the traffic safety issues that have been present all along. Also, enforcing present Federal, State and local laws would be helpful as well. I'd like to see all laws enforced.

I'm personally tired of living in a community of anarchy and having it flaunted in my face and supported by the same public servants that are supposed to protect the citizens of Suffolk and uphold the Constitution. If it were not for Legislator Caracappa's tireless efforts to aid Farmingville, we would not have come this far. So to him I say a resounding thank you for being a continuous source --

(Applause)

-- of inspiration for me and my neighbors. I'm thankful also to County Executive Gaffney for recognizing that it is not the role of County government to appropriate money to an organization whose intent is to create a facility in which breaking of Federal Immigration Laws and New York State Labor Laws will be encouraged, condoned and facilitated. Executive Gaffney also clearly stated in his veto letter to the Legislature, "It is a crime to assist an alien who lacks employment authorization by referring him to an employer."

I close by asking you to seriously consider the fact that a hiring hall will exacerbate Farmingville's problems. And if you cannot be trusted to do the right thing, then all of you will be responsible for turning this battle into a full scale war.

(Applause)

I'd like to finish by saying that on the Suffolk Legislative Website, right next to Presiding Officer Tonna's picture it reads, and I'll paraphrase, that Suffolk County Government is the heartbeat of democracy because of its tradition for resisting pressure from the outside. I ask that you prove that today. Thank you.

(Applause)

P.O. TONNA:

Thank you very much. Terry Sherwood. And then after that will be -- we have on the list Ray {Wylinski}, whatever, Gail Troccio and Suzanne Grant.

MS. SHERWOOD:

Good morning. I am here today representing the Concerned Residents for a Better Brookhaven. This group consists of hundreds of law abiding, taxpaying citizens who are strongly opposed to the establishment of a hiring hall for illegal aliens in Farmingville at taxpayers' expense as well as all of Suffolk County. This goes well beyond the scope of reasonableness in expecting taxpayer citizens to foot the bill to allow persons who have illegally entered this country to work without the responsibility of paying one cent in taxes. This type of action will be a slap in the face to these law abiding taxpayers. This will also enable a very healthy, underground economy to continue to flourish, all with your blessings if you override Mr. Gaffney's veto of this illegal alien hiring hall.

May I remind you that you have all been elected to uphold all laws equally with no one special groups or individuals immune from obeying all laws. This is a very dangerous precedent you will allow to begin once you sanction the illegal behaviors of illegal aliens and tax evading contractors.

Clearly over the past years, and more importantly recent months, you have been very cleverly manipulated by certain advocacy groups and individuals to not just bend the laws but break them for those who have entered this country illegally and continue to break our laws by evading taxes. Is nothing sacred anymore? Do our laws not count for

anything? Why do you, if you override this veto, feel you have the right to do that, thereby going against the vast majority of people

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all over Long Island and the nation who have voiced their opinion against the establishment of this illegal activity hall? There is a place to seek employment and that is the Department of Labor where those legally eligible to work are assisted. But yes, there is the key word, legally eligible. But not to worry, there are some of you up there who tell the illegal aliens, "Don't worry about the law, we just won't bend the law for you, we'll outright break it for you." Shame, shame on you if that is what you, with your own agendas, pursuing your own individual causes, are speaking to do.

Please note for the record Concerned Residents for a Better Brookhaven has filed a formal complaint with the United States Attorney General's Office to intervene to see that all Federal, State and local laws are informed -- enforced. Uniform enforcement of laws can never be construed as discriminatory. What you are seeking to do if you override the veto is to put a bias spin on them.

One last thought. I would like to know how the establishment of a hiring hall for illegal aliens would have prevented the beatings of two Mexican day laborers by those outside of Farmingville. We strongly urge you to uphold the veto and stand by the oath of your office. When you were elected you swore to an oath of office to uphold the Constitution, the laws of the United States, the State of New York and the County of Suffolk, now we are calling upon you to do just that.

P.O. TONNA:  
Thank you very much.

(Applause)

Ray Wysolmierski. Ray, are you here?

MR. WYSOLMIERSKI:  
Good morning. I'm Ray Wysolmierski of Farmingville, I have lived there for 35 years. I have a very long speech which I've decided doesn't really have to be said, the people before me have said it eloquently enough.

I just want to ask you, and think about this, what exactly has brought us to this? How did we get in the position where people of Farmingville have to ask the people of the rest of the Island and this Legislative body why it is that they allow all this lawlessness in Farmingville? You know, I think it's come out of a result of misguided -- a business of misguided charity and misguided feelings

toward the problems of the illegals, which are many. But basically your job is to keep focus. And what should the focus be? It should be on the people who have been invaded. You have asked us to help the invaders; we cannot do that, we cannot, even though we understand the human problem. That human problem can be solved in some ways, but it can't be solved through a hiring hall and it can't be solved by misguided compassion. That's what's been happening here. Please recognize that this compassion should be directed toward the people who are losing the efforts -- the worth of their houses and their property. We do hope that in the future you obey the law. Thank you very much.

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(Applause)

P.O. TONNA:  
Gail Troccio. How do I say that?

MS. TROCCHIO:  
Troccio. Thank you very much. My name is Gail Troccio and I've been a resident of Farmingville for 36 years. Legislators, you cannot with any conscience condone what these illegal aliens have done to our community. You know in your hearts that they are taking the money and running; no taxes, no health care costs, no bills except to pay for a bed in an overcrowded house. They're helping to kill the honest contractors who pay their dues and employee health benefits, payroll taxes, workmen's comp, liability insurance, etcetera. Please stop this now and enforce the law. Support your taxpaying, law abiding citizens. Thank you very much.

(Applause)

P.O. TONNA:  
Thank you. Suzanne Grant. And then the next three up will be Matthew Reinck, John Foley and Susan McKeon.

MS. GRANT:  
My name is Suzanne Grant. I do not want my taxpayer dollars spent on an illegal hiring site. The people of Farmingville do not want it, the contractors do not want it and the illegal aliens don't want it, so why would you want it? It seems to me that the money can be spent on something to aid the legal residents of the County. The lawlessness in the town is only being encouraged by the lack of enforcement of the laws. The men don't need the hall because they're picked up at their houses. Just the overflow stands on the streets and that can be addressed by the Police Department taking charge of the situation with the endorsement from you, the politicians, who are

supposed to protect us, the legal citizens.

Here are some of the statements that the illegals made against the hiring site taken from April 2nd -- on April 2nd from the Spanish subsidiary of Newsday, HOI. "Not all the day workers want the hiring hall." "It is reputed that some illegal aliens will resist using a proposed Suffolk County and Catholic Charities sponsored hiring hall to be built in Farmingville." A day laborer interviewed said that this hall, if used, could prevent contractors from hiring illegals because, quoting a day laborer, "Everyone knows that hiring illegal aliens is against the law." Another day laborer was upset that the illegal aliens using the hiring hall might then have to pay taxes. Another day laborer seemed insulted by the idea of building a hiring hall in his town, Farmingville. He was quoted as saying, "They want to pin us up like a bunch of animals." But the most interesting statement by far was made by a day laborer who said, "There are many factors that they did not consider before imposing the center, the hiring hall on us."

When the site fails, and it will, will we get our money back? Does a person's race allow them to come into this country and break the law? Thank you.

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(Applause)

P.O. TONNA:

Thank you very much. Matthew Reinck. Matthew?

MR. REINCK:

Hi. Fifty-one years ago my grandfather, who emigrated from Europe, opened up a wood working factor, hand in hand different cultures and nationalities working together to fulfill a dream. The factory was passed on to my father and now on to me. Today, as it was 50 years ago, we employ legal immigrants of many different races and cultures. One thing I am grateful for is the fact that my grandfather instilled in my excellent morals and taught them always to abide the law; this philosophy too was passed on to me. Our company has always paid its fair share for salaries, taxes and fully paid health benefits for our employees. We do everything by the book and never pay off the books like many of my competitors. As an employer, we deduct Federal, State withholdings, Social Security, disability, pay Workmen's Comp Insurance. This is the law, every business must do it.

A few years ago the Glenn Cove Hiring Site emerged. Some here believe this site is a great success. Well, I know first-hand it is not. We lost two legal immigrant employees to this Glenn Cove site. We were paying them between 10 to \$14 an hour, plus I paid one of them \$230 a month for health insurance, the other, him and his family 500 a month

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for health insurance. They both left our company because they made more money standing at the Glenn Cove site working off the books not paying taxes.

(Applause)

Okay? They were very happy that the town set up a site so they could beat the system. Is this a success story? I don't think so. Now guess who's paying for their health care; Social Services, us the taxpayers. Okay? Call it a shape up site, a hiring site or whatever. The fact remains the site is designed to promote a place for illegal aliens to stand so that illegitimate employers that do not pay taxes can illegally hire them. Building this site is no different than building a site for drug dealers or prostitutes.

(Applause)

If you built a drug house for people to solicit drugs you will be forced to close it down. If you built a brothel for people to solicit sex you would be forced so to shut it down. If you build this hiring site for people to solicit jobs illegally, Suffolk County will be sued and it will forced to close it down.

(Applause)

There are the I-9's, every business must fill these out.

(Applause)

P.O. TONNA:  
Thank you very much. John Foley? Legislator John Foley?

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MR. FOLEY:  
Mr. Chairman, may I work from here?

P.O. TONNA:  
Oh, hi, John. How are you?

MR. FOLEY:  
Fine.

P.O. TONNA:  
Thank you.

MR. FOLEY:  
May I?

P.O. TONNA:  
Yes, you may, sir.

MR. FOLEY:  
All right. Thank you very much. Tell me when my time begins.

P.O. TONNA:  
It begins.

MR. FOLEY:  
It has begun. Today, Mr. Chairman, I, as stated on the previous occasion, I'm here representing myself and no one else. Because I had served in this body for 18 years and on that basis I feel constrained to appear under these conditions to make a few comments on this particular question.

The question has arisen as to why we're here. In some respects, we're here because of the approaches that have been taken by certain people in the community. And it's interesting to note, Mr. Chairman, that the Farmingville situation has reached pages of such a diverse press such as the Journal of Hispanic Latino Theology on one hand as well as the special report on 600 hate groups in the United States. And one of those hate groups happens to have been one of the groups that was invited here to talk in a hall in Centereach and that was done at the bequest of or request of, in the guise of helping the quality of life in the community. But as Joe Williams, the jazz singer, says, "Hate has to be controlled or else it will put the nation to flame," and that's what we're talking about today.

Now, let's keep it very clearly, that the Legislature is on the cutting edge of this question because of a vacuum in leadership in this County. And once again, the Legislature has had to step forward to assume that roll of leadership and it has done. So it's a difficult question, it's a difficult time and the Legislature is providing that leadership. There are two forks certainly before this Legislature today and before the County and before the people of the County, regardless of where they live, because this virus is apt to attack the body politic, regardless of where it is in the County of Suffolk, whether it's in Amagansett or in Suffolk County, west or elsewhere. But let's keep in mind, one of those forks, one of those forks will take us down the road and take you down the road and take

the community down the road towards social justice which this is all about. That fork will take you down the road to where we have been and will be a nation of refugees, a nation of refugees. And who among us can speak and deny that? Possibly if you are a Native American you

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can say that or if you are a black person or with black background and brought here into this country against your will and sold into slavery, you might be able to say that to other people, "Go home," but not many people can say that.

And I'd like to indicate also that I'd like to pass up to be placed in the record, for those who may be wrestling with conscience, the fine statement by Bishop Wcela -- and I'll hand this over to Ilona so she can place it in the record of this meeting -- which goes to the heart of this particular question. And if anyone is struggling with conscience, Bishop Wcela gives that kind of guidance. And here he is, grew up in Bohemia with a Middle European name himself with his own family background, speaking to us with that kind of pastoral message which means so much to us. And having said that --

P.O. TONNA:

Legislator Foley, you're going to have to wrap up your comments.

MR. FOLEY:

I will make it as quickly as possible. Let me make my comments brief then. The other fork will take us into darkness, into the darkness which would descend over the land here.

P.O. TONNA:

I'm going to stop you here. If somebody has a question to ask of Legislator Foley to finish.

MR. FOLEY:

May I just make one --

LEG. D'ANDRE:

Yes, Mr. Chairman.

P.O. TONNA:

Yes?

LEG. D'ANDRE:

I don't know if you said it adequately enough, but Mr. Foley was a member of this body for many, many years.

P.O. TONNA:

Right. So ask him a question so he can finish his statement.

LEG. D'ANDRE:

Do you think, Mr. Foley, it is fair or right to use taxpayer dollars to fund these homes, these hiring halls?

P.O. TONNA:

Okay. Legislator Foley, he's asked a question, however you want to answer it.

MR. FOLEY:

Your own Counsel, Mr. D'Andre, has indicated that this is a legal step to take. Mr. Sabatino has indicated that for the record and that's where it is, it's a legal step to take and that answers the question in my opinion. The question, the other which question which may arise is as to the nature of the labor situation and the history in this country of labor has been one of social justice, helping people rise through the ladder of success, rise through the economic ladder so they can become part of this country. And you have to look only to California and to Los Angeles where the next Mayor could be a Latino as well as a person who had been a union organizer. And Dennis Rivera of 1199 is the kind of person who is exhibiting that kind of leadership in this day and age.

UNKNOWN AUDIENCE MEMBER:

Times up.

P.O. TONNA:

I will ask everyone to give the respect to the speakers and please be in good order. Thank you. Thank you very much. Anybody else have any questions?

LEG. FOLEY:

I'll ask a question. Mr. Chairman, as a prerogative of the current Legislator in the 7th District, I'll ask a question of the speaker. You were about to mention -- well, you mentioned earlier, the one work fork of light and you are about to mention that in your consideration that if we pursue a different path it would be the path of darkness. Could you elaborate on why you believe that if we do not override this veto, that will lead us down a path of darkness as opposed to one of light.

MR. FOLEY:

Yes. That path of darkness is one that manifested itself here today with some of the allegations, and I use that word advisedly. Some of the comparables that have been submitted to you today are insulting to your intelligence as well as to the intelligence of the body politic at large, and that is the kind of darkness which would descend over us. It would encourage kind of let's say hate, that kind of negative attitude towards all people and that's why this is a very dangerous moment in the County's history. And I wanted to come back to you and say this is not a complete solution, it's a partial solution, it's one that will mitigate, it's one that will help. If people have complaints about housing they have to go to their town and I guess they have not shown up there in the same kind of numbers because the Save our Neighborhoods Act is on the books, it has not been enforced evidently. Let them go there, let them go to the Congress now and talk about this particular problem. And there is something in the news in the last few days as granted hundreds if not thousands of green cards to people in order to help with the development of the Free Trade --

UNKNOWN AUDIENCE MEMBER:  
Time.

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MR. FOLEY:  
-- Zone on a bi-county basis; not bi-county but bi-peninsula basis.

UNKNOWN AUDIENCE MEMBER:  
This is not fair.

LEG. FOLEY:  
Thank you, Mr. Chairman.

MR. FOLEY:  
I think the interruptions indicate the darkness. Thank you very much.

P.O. TONNA:  
Thank you very much, Legislator Foley.

(Applause)

P.O. TONNA:  
Just for the audience, when a Legislator asks a question they have the right to answer that question. Thank you.

LEG. D'ANDRE:  
Mr. Chairman?

P.O. TONNA:  
Susan --

LEG. D'ANDRE:  
Mr. Chairman, I'd like to thank John Foley. I don't agree with him but I'd like to thank him for coming. He was a terrific worker in this body and I have deepest respect for John and his opinions. Thank you.

MR. FOLEY:  
Thank you.

P.O. TONNA:  
Thank you. Susan --

MS. McKEON:  
McKeon.

P.O. TONNA:

Okay, McKeon. Thank you, Susan. After that, just the next is James Staudenraus; where are you, Jim? Then Donald Prude, Pruden and Darren Sandow.

MS. McKEON:

Okay. My name is Susan McKeon and I'd like to make -- to read a statement please, and this is to all the Honorable Legislators.

The coming vote on the releasing of funds for an opportunity center to help alleviate some of the problems in the Farmingville area with the influx of undocumented workers has more implications than solely the issue itself. It is important to override County Executive Gaffney's veto not only to monitor contractors' comings and goings, protect the immigrants as human beings and see that public health concerns that

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effect all of us since germs do not recognize green cards or national boundaries, but there are serious long-term considerations as well that must be addressed.

National hate groups have targeted Suffolk County, the Sachem Quality of Life group has accepted them and become a conduit to our County for at least three of them. Glen Spencer, Voices of Citizens Together, was invited to their meeting, I attended that meeting to hear what he had to say. He stated that Hispanics have a secret plan to take over America and that the Catholic Church is in collusion. Anti-Catholicism has long been a staple of hate groups. Glenn Spencer, in the film that he showed at their meeting, depicted Hispanics as wanting to take over the trade union movement. This kind of ethnic attack comes at a time when Hispanic population in Suffolk and the entire country has risen demographically. Some of today's undocumented workers, okay, may be tomorrow's citizens.

And I bring to your attention here an article in the Irish Voice which says, "An Irish group is calling for an even more wide ranging reforms to aid the undocumented." This is not just a Farmingville problem, it is a national problem, okay. It is not out of the realm of possible -- excuse me. It is not out of the realm of possibility that the number of Spanish speaking heritage members of unions in this County will increase in the next 20 years as it will in parent/teachers associations and civic associations. Every immigrant group that has come to this country has faced the same kind of treatment. The very people who were saying, "But we were legal," look back into your history, many of us have lost in the sands of history relatives that we thought were legal were not. They got out away from Hitler any way they could, they got out from the czar any way they could, they got

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out of economic poverty from Eastern Europe and famines any way they could, they got out of political persecution in Ireland any way they could and some of our very own relatives -- yes, even the people here -- were illegals.

P.O. TONNA:

Ma'am, you have to wrap up your comments. Your time is up.

MS. McKEON:

I'll wrap up, I'll take 30 more seconds. Do we want to sew the seeds of hatred and disunity in our County by being manipulated --

P.O. TONNA:

Ma'am, I have to -- I'm sorry.

LEG. CARACAPPA:

I have a question.

P.O. TONNA:

Somebody have a question?

LEG. CARACAPPA:

I have a question.

P.O. TONNA:

Okay, go ahead.

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LEG. CARACAPPA:

Hi. I'm asking over here. You're a resident of Farmingville, I assume?

MS. McKEON:

Not Farmingville, the County.

LEG. CARACAPPA:

Oh, okay.

MR. McKEON:

So if you're not from Farmingville you have nothing to say?

LEG. CARACAPPA:

No, no, no, no.

P.O. TONNA:

Wait, wait.

MS. McKEON:

This has national implications for Suffolk County.

LEG. CARACAPPA:

I'm asking you -- I just asked you a simple question, if you were a resident of Farmingville. My other question to you is the first speaker that came up here today has no affiliation with any group --

MS. McKEON:

I don't either.

LEG. CARACAPPA:

I know, but let me finish. She did an opinion poll with her neighbors, just regular people, no affiliation of Sachem Quality of Life, no affiliation to Peaceful Solutions, and the numbers that they came back with was 97% of Farmingville residents against the hiring hall. What do you tell those 97% --

MS. McKEON:

May I answer your question?

LEG. CARACAPPA:

Yeah, I'm just finishing it. What do you tell those 97% of Farmingville residents about what your feelings are and that they should accept this?

MS. McKEON:

I may answer this, right?

LEG. CARACAPPA:

That's all I want to know.

MS. McKEON:

This is my answer, I'm going to read the last paragraph of my statement.

UNKNOWN AUDIENCE MEMBER:

No.

MR. McKEON:

No, this is my answer. You have no right to censor me.

P.O. TONNA:

Ma'am, finish -- please answer the question.

MS. McKEON:

The agenda of these groups is far broader than the immigrant issue. They want to racially divide and become the driving force in this County. Okay? It can happen here, they're influencing hundreds of

local citizens on real problems left to fester as did Hitler. They are manipulating the weakness of politicians result as did Hitler. If the Gaffney veto is not overturned, these forces in the County will become even more bold.

P.O. TONNA:

Thank you, Ma'am. I will just warn the audience, wherever you -- whatever you feel or however you feel about this issue, I would ask that there be a modicum of respect to let the speaker answer the questions and let them speak uninterrupted. If that is not the procedure then we will clear this auditorium; do you understand that? Thank you very much. James Staudenraus -- how do you pronounce that, Jim?

MR. HISTIDINURIAS:

It's Staudenraus.

P.O. TONNA:

Thank you. Not that bad, right?

MR. HISTIDINURIAS:

You did great.

P.O. TONNA:

Thank you, sir.

MR. HISTIDINURIAS:

I'm here today representing the Federation for American Immigration Reform, it's the nation's oldest and largest non-profit, non-partisan immigration reform group. I'm a resident of Suffolk County and our members are well represented in the County, in the State and also in Farmingville.

Driven by greedy employers who seek cheap labor, illegal immigration is indeed a national natural crisis today. The Federal government has failed us, it's failed all of us. FAIR urges the members of this body to support the Gaffney veto because we believe that taxpayer money should not be used to contribute to the problem of illegal immigration, it should not be used to reward greedy employers who are violating State and local and Federal labor and tax laws as well as the Immigration Law. There are concrete steps that the County can take within the County's realm of authority and we urge the County Legislature to look at concrete steps that are within their purview. Clearly, this is a Federal problem, we acknowledge that. And with the resources that the County has at its disposal, it is neither the United Nations nor is it the Federal Government. There are

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compassionate ways to deal with third world poverty. Subsidizing greedy employers who will, history has shown, will abuse illegal alien employees; in many cases, that's why they hire them in the first place. We found on a national level it's very difficult to prevent the abuses which are widespread.

There also is a Federal program I want all of you to be aware of. It was made law in 1996, it is a Federal program and inside the beltway turn for it, it's called Section 133. Section 133 is a Federal program I would urge you to apply for. It would allow Suffolk County police agencies, not just the Police Department but the Suffolk County Sheriff's Department, it would allow them to receive special training from the INS, immigration and Naturalization Services, and under Section 133 they could be deputized to make arrests when criminal illegal aliens are apprehended in our County.

The last thing I want to mention is that the impact on the State is very great of illegal immigration. In fiscal '99, the State of New York spent over \$240 million incarcerating criminal illegal aliens; these are people who had committed either two misdemeanors or a felony while they were in New York State. I mention this fact because when you come into this country illegally, you don't subject yourself to the screening process that legal immigrants do. No one is going to blame illegal immigrants for crime because that wouldn't -- all crime because that wouldn't be fair, but we do know that New York State spent \$241 million in fiscal '99 locking up criminal illegal aliens, felonies and misdemeanors; it is a serious issue, it is a serious problem.

P.O. TONNA:

Sir, just a quick question. And we a had the opportunity to speak --

MR. STAUDENRAUS:

That's right.

P.O. TONNA:

-- on the radio yesterday together. I'm moved by the levelheadedness, by -- you know, I think you have sincere concern. You said that Suffolk County can take some steps.

MR. STAUDENRAUS:

Yes, there's a number of steps. The first thing I would focus on if I was on the other side of the horseshoe is the greedy contractors. The contractors are the magnet, we focus too much I think on the illegal aliens themselves. Wages in the parts of the third world where many of these individuals come from, working wages are like 50 cents an hour; it's very easy to understand the motive for coming here and making \$5 an hour off-the-books. I would focus on cracking down on greedy contractors.

One of the things we're investigating right now is the fact that many of these contractors are also slumlords and are pocketing cash. Illegal aliens don't have access to checking accounts. And there's evidence that suggests that a whole cluster of homes are owned by greedy contractors, they're accepting up to \$50,000 a year in cash

payments and they're providing unsanitary, unsafe conditions, many times very dangerous to the illegal aliens.

P.O. TONNA:

From what I understand of the situation, my own tours of the Farmingville area, why is there such a propensity, why are there so many more of these types of homes in the Farmingville area than there are in other communities; isn't that a Town of Brookhaven issue?

MR. STAUDENRAUS:

It is a Town of Brookhaven issue but there's also County Health Code violations that have been violated. This is an area within your purview where you could exert your authority. Also, as far as the labor violations, there are numerous County laws being violated in the Labor Law section as well as tax laws, there are concrete measures that the County can take.

And the Section 133 training that I mentioned, this is something that would be very significant because one of the things you hear at a national level when we talked to INS officers, they almost always say that they're short-staffed. And in this County, for example, your police department cannot get an INS officer to come to Suffolk County unless there's a felony crime involved; that's sort of the unwritten rule with the INS. Section 133 training would overcome that obstacle and it would deputize all police agencies in the County to make an arrest when there's criminal activity involving illegal aliens, and that would be a positive step. But I would focus on the contractors because the contractors are the magnet that bring illegal immigrants to a community and to the country.

By the way, the new numbers nationally suggest eleven million illegal aliens in the United States. It's obvious a national crisis.

P.O. TONNA:

Thank you very much, sir.

MR. STAUDENRAUS:

Thank you.

(Applause)

P.O. TONNA:

Donald Pruden. By the way, after Donald is Darren Sandow, Thomas Suozzi and Devin Burghart. Sir?

MR. PRUDEN:

Yes, good morning.

P.O. TONNA:  
Good morning.

MR. PRUDEN:  
-- to the Legislative body. My name is Donald Pruden, I'm a resident of Bellport, a resident of Suffolk County, a resident of the 3rd District. I do not come here as an expert on any of these particular important particular matters but someone whose experiences as a

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resident of Suffolk County might have some relevance here.

Let me just get right to the point. I want to introduce two words into the record and those words are Bensonhurst and Howard Beach. You use those two words, everyone knows what they mean and they were used in my direction as insults to remind me of where I am in this society. Now, it was only because of a simple accident that one of the victims of the attack upon the Mexicans happened to escape and managed to avoid introducing a new word to join that list of people who would be attacked and lose their lives in our County. And the point that I want to make is that in order to continue the level of safety that can be provided here, I would urge the County Legislators to override Gaffney's veto that this community hall can be constructed so that a safe place for people to gather can be put into place so that people will have a place to go for everything from medical assistance, immigration and education so that they become legal citizens of this country and taxpaying citizens.

Again, it was only because one of the Mexicans happened to escape that Shirley did not join the list of Bensonhurst and Howard Beach to become a place where people of non-white origin would wind up losing their lives. If the vote to override Gaffney fails, then we can simply look forward to -- and I put it bluntly -- a long, hot summer coming up this year between now and the next time, you know, the County takes it upon itself to consider this matter seriously. That's all I wish to say about it for now.

P.O. TONNA:  
Thank you very much, sir.

LEG. ALDEN:  
Mr. Presiding Officer?

P.O. TONNA:  
Yes. Question?

LEG. ALDEN:  
Motion --

P.O. TONNA:  
Legislator -- sir, Legislator Alden has a question.

LEG. ALDEN:  
No, I don't have a question. I'm making a motion to extend the public portion.

P.O. TONNA:  
Okay, I'll second that. All in favor? Opposed? Okay, we're extending the public portion. Thank you, Legislator Alden. Okay, no question. Thank you, Donald.

MR. PRUDEN:  
Oh, okay.

P.O. TONNA:  
Darren Sandow?

MR. SANDOW:  
Good morning, Legislators. I actually had not prepared a speech today. I'm just really hurt and upset as a philanthropist that I sit before you for the second time and have to ask you to do something right for your County. I began looking into Farmingville close to two-and-a-half years ago and we began working with the Gaffney Administration -- thank you. We began working with the Gaffney Administration who at the time agreed, at least in philosophy, that a shape-up site was a good idea for Farmingville in dealing with the issue.

At that time, we were moving forward. We were working with a bunch of groups and Catholic Charities to the point of which the charities of which I represent, the Long Island Community Foundation, the Long Unitarian Universalist Fund and the Horace and Amy Hagarborne Fund had made \$30,000 in grants to set aside to manage the shape-up site that was going to be constructed in cooperation with the Gaffney Administration; at that point, he backed out of moving forward on this issue. So we then moved forward, a group, Brookhaven Citizens for Peaceful Solutions, came and started speaking out. Even when they were facing all kinds of intimidation tactics that were being used, they spoke out and then they began working with the brave Legislators who sponsored this bill to do something to improve their community. We're talking about reducing hazardous street conditions, we're talking about attempting to protect lives and we're talking about -- we're talking about a community that is completely divided in your

backyards.

You can move forward, you can do something. This is a step, it's not original, they're doing it across the country. There are 35 sites across this country that are working to address those issues that were spoken about earlier. We're not talking about laws. The Attorney General of New York State said that this was legal as a matter of law, that this is legal. That this is a good step forward. It's your responsibility to help heal a community. Look at this. There is hate, there is fear, there are just compassionate people here, everybody's got an opinion. A shape-up site is one step in the right direction, it's a step; it's not a perfect step but it's a step towards working on the bigger solutions. I don't see these people proposing any other solutions in its place.

UNKNOWN AUDIENCE MEMBER:  
Oh, we have for years.

MR. SANDOW:  
And two men were almost killed as a result of your solutions over the past three years.

UNKNOWN AUDIENCE MEMBER:  
And one woman was killed.

LEG. FOLEY:  
Mr. Chairman? Mr. Chairman?

P.O. TONNA:  
Your time is up.

LEG. FOLEY:  
Mr. Chairman, I have several questions I would like to ask the speaker.

P.O. TONNA:  
Yes.

LEG. FOLEY:  
Thank you, Darren, for appearing once again. And I would like to state on the record, it's been a great pleasure of mine and an honor to work with you on this issue. Many of us are trying to grapple with it, trying to bring local solutions to a local problem. And certainly your guidance and the guidance of those who you brought along has been very helpful in putting together this resolution. I want to ask you a series of questions because we really need at this point, from what we've heard so far, to really clarify, clarify the authority and

therefore the responsibility of a local government, in this case the County of Suffolk.

Now, Darren, you have traveled to other parts of the country to see how these sites -- and I call them sites, not a hiring hall, because when you look at the resolution it doesn't say a hiring hall, it says a community opportunity center and/or a shape-up site.

MR. SANDOW:  
Correct.

LEG. FOLEY:  
You have gone to other parts of the country to look at how these sites operate elsewhere; is that not correct?

MR. SANDOW:  
People with whom I work have gone through and looked at sites across this country.

LEG. FOLEY:  
Now, they're going to speak in a little while.

MR. SANDOW:  
Yes.

LEG. FOLEY:  
But I want to ask you this question because in the dynamic like this, sometimes we do need to repeat an answer in order for people to understand it. Is it not your understanding that when this approach has been taken -- and after you, Mayor Tom Suozzi will speak and no doubt will mention the same things because it's important to say these things. Invariably, in almost every other location where this has been utilized, has it not, for those of good will, has it not helped to reduce community tensions?

MR. SANDOW:  
Absolutely.

LEG. FOLEY:  
Has it not helped to address traffic safety problems in those given communities?

MR. SANDOW:  
Yes, it has.

LEG. FOLEY:

Has it helped to address public health sanitation issues in those communities?

MR. SANDOW:

It depends on the site, but yes it has.

LEG. FOLEY:

Okay. Now, would you also not agree -- and yes, Mr. Chairman, these are rhetorical questions but they get to the heart of the matter. Are these three areas not the province, not the authority and, therefore, aren't they not the responsibility of County government?

MR. SANDOW:

It absolutely is. Los Angeles County, in fact, believes in this so much that their Human Relations Commission put out a report which all the Legislators should have received at this point in time, delineating the fact that point by point it does work across this country.

LEG. FOLEY:

Now, finally, Mr. Chairman, we have heard -- and I would like to hear Mr. Sandow respond to this -- we have heard that somehow the County government should involve itself in INS, Immigration and Naturalization Services. If there is a representative that people need to speak to about INS, is it Legislator Caracappa or is it Legislator Foley or is it Congressman Grucci?

MR. SANDOW:

I would say it would be Congressman Grucci.

LEG. FOLEY:

Thank you.

MR. SANDOW:

Can I just say one last thing?

P.O. TONNA:

If there's a question?

LEG. FOLEY:

Mr. Sandow, could you -- is there some other point you'd like to make very briefly to us?

UNKNOWN AUDIENCE MEMBER:

Oh.

MR. SANDOW:

It's going to be quick; only that the three --

P.O. TONNA:  
That's what happens.

MR. SANDOW:  
The three funding hats that I wear will not step forward, I want the Legislators to know this, we will not step forward and fill in the vacancy. I know that Legislator Caracappa in particular has said that if we come forward and put the money up to create a site, that he would be supportive and that other people would, but this is the third time that our checkbooks have been open and we're willing to partner with you now.

LEG. D'ANDRE:  
Mr. Chairman?

P.O. TONNA:  
Thank you. Is it a question, Mike?

LEG. D'ANDRE:  
Yes, it is .

P.O. TONNA:  
Okay, make it a question.

LEG. D'ANDRE:  
You quote the State Attorney General of New York State saying this is legal?

MR. SANDOW:  
As a matter of law, as he was stated in Albany.

LEG. D'ANDRE:  
But he doesn't live in Farmingville, he lives somewhere else. Ask County Executive Gaffney who vetoed this bill about the rights or wrongs.

P.O. TONNA:  
Okay. Where's the question, Michael? Michael, where's the question?

LEG. D'ANDRE:  
The question is where would you go for an opinion, the State Attorney General or Bob Gaffney who is the Supervisor?

P.O. TONNA:  
I bet you we can override that one.

MR. SANDOW:  
Can I answer that question?

LEG. D'ANDRE:  
Yes, you may.

MR. SANDOW:

I would start with your own attorney, with all due respect, Legislator D'Andre, and then go to the highest authority on law in New York State, and yes, that is Attorney General Elliot Spitzer.

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(Applause)

P.O. TONNA:

Thank you. Mayor Thomas Suozzi, please. Freddy, you want me to get a little better control.

LEG. TOWLE:

Yes, that would be very nice.

P.O. TONNA:

Okay, I'll try.

LEG. D'ANDRE:

Mr. Chairman, I would like to welcome Mr. Suozzi here. He's a very important person in Nassau County.

P.O. TONNA:

Okay, thank you. Mayor Suozzi.

MAYOR SUOZZI:

Thank you, Mr. D'Andre. Good morning, everyone. I want to thank everybody for allowing me the opportunity to speak here today. I am not from Suffolk County but Glen Cove has been mentioned often throughout this debate and I thought that it was important that I appear here, several people have asked me to come and speak clearly about the Glen Cove situation.

I have said repeatedly that we should stop the philosophical debate and try and solve the problems; let's solve the problems and stop yelling at each other. I respectfully submit that the problem and the enemy here is not the people that want to go to work, it is the littering, the traffic and the illegal housing. Glen Cove has a similar, although smaller, issue than the one discussed here today. In addition, Glen Cove has been held up as an example by both sides of this debate.

I'm here today to make the following simple points. One, Glen Cove had the same type of hostility and anger that has characterized this debate before we addressed the problem seven years ago. Two, a shape-up center has dramatically improved the situation in Glen Cove. Three, the shape-up center has not increased the number of day workers in our community. Four, a shape-up center is only part of the plan to

address these problems. Five, I recommend that a shape-up center be established here as it has been in 35 other locations throughout the United States of America.

There are two emotional sides to this issue. One side says get those people out of here. I do not like the way it looks, I do not like the litter, I do not like the loitering, the traffic, I do not like drinking or urinating in public. I do not like illegal housing in my neighborhood, I do not like my property tax dollars going towards education and garbage pick-up or people not paying their fair share. And these men are here not legally and are not paying income and social security taxes. The other side says these men are persecuted in their own countries. They came here as your father and grandfather to work. They work hard, they go to church on Sunday and are trying to

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live the American dream, as did the generations that came before them. They are brothers in the human family and only want to participate and play by the rules if you will let them.

To address these two compelling sides and solve the problem, I have relied on two fundamental American caveats. Number one, all men and women are created equal. Not all men and women with a green card or passport are created equal, rather simply all men and women. These issue cannot become an excuse for racism, all should be treated with human respect and with dignity. Number two, all men and women are equal under the eyes of the law; if you choose to live here you must follow the rules. But the City of Glen Cove and the County of Suffolk has no jurisdiction, resources or any other example where they try to enforce the immigration or internal revenue codes. Why here? Are we to assume that every Latino is a an illegal alien? We're not permitted to ask a Latino, "May I see your green card" simply because they suspect they may be here illegally; that would be to suggest that Councilman Jiminez in Glen Cove or some other Latino elected official be asked for their green cards simply because of their appearance. If you want these Federal laws enforced, write your Congressmen and President. In the meanwhile, solve the problems that are affecting our communities.

P.O. TONNA:  
Please wrap up.

MAYOR SUOZZI:  
We are, however, required to enforce our local laws.

P.O. TONNA:  
Mr. Suozzi, you're going to have to wrap it up. I'd ask --

LEG. FISHER:

I have a question. What else is required by local law?

P.O. TONNA:

Thank you.

MR. SUOZZI:

We are required, however, to enforce our local laws; no littering, drinking or urinating in public. We must prosecute greedy landlords who exploit people with legal housing. I respectfully suggest that by setting up a shape-up center with trash cans and bathrooms in addition to enforcing the laws you are required to enforce, you will address the problems that effect your community. The enemy is not the people who want to go to work, the enemy is the littering, the traffic and the illegal housing. A shape-up center will take the problems off the streets; it will be supervised, there will be trash cans and bathrooms, men that are exploited will have advocates.

If supervised properly, as we know Catholic Charities would, men would be acculturated as to acceptable conduct in our local communities. It will reduce the influx of day workers because if a hundred men come today and only 50 are hired, the new men that come tomorrow will be turned away by the 50 that did not get hired the day before. Under the current system, if a worker does not get hired, he thinks it's because

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he was on the wrong corner or did not rush up to the car quickly enough. A centralized location clearly defines the supply and demand; this is our experience in Glen Cove. Let's stop the problem, solve the problems and stop yelling at each other. Thank you.

(Applause)

P.O. TONNA:

Thank you.

LEG. CRECCA:

Mr. Presiding Officer?

P.O. TONNA:

Yes?

LEG. CRECCA:

I just have a request of you and fellow Legislators, that -- and it's not directed at that, but we have a lot of members of the public who want to speak today and I think what's been going on among all Legislators, and I'm not picking on anybody in particular, is people have been asking questions so that people can extend their time.

P.O. TONNA:

Well, that's their right as Legislators.

LEG. CRECCA:

I understand that. I'm asking as a courtesy to the public who is here, there's a lot of people who want to speak, people know they have to stay within the three minutes, to please, let's try to stick to the rules today, especially with so many members here waiting in line outside.

P.O. TONNA:

We're sticking to the rules, Legislator Crecca.

LEG. FISHER:

Mr. Chairman, I have a question --

P.O. TONNA:

Sure.

LEG. FISHER:

-- of the speaker. Thank you so much for being here. I think it's very important that the Mayor is here because he's speaking from the vantage point of having had the experience. What other groups besides Catholic Charities has been helping in the center in Glen Cove?

MAYOR SUOZZI:

In Glen Cove, the primary group has been La {Fuertes} Unita which is a local Latino advocacy group, the Glen Cove Community Development Agency, Glen Cove Code Enforcers have been involved working together in the community as well as local churches and religious groups.

LEG. FISHER:

Okay. We were recently at a gathering where I spoke to some labor

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leaders in Nassau County, union people, and they seem to have no problem with the workers in Glen Cove.

MAYOR SUOZZI:

It's my understanding that the AFLCIO has supported this in other communities throughout the country. I have been speaking with different unions about supporting this in Glen Cove, because we would like to go the next step to a permanent indoor location where if people don't get hired they can take English classes for the day and be given job training. However --

UNKNOWN AUDIENCE MEMBER:

With tax dollars.

MAYOR SUOZZI:

Not with tax dollars, from different --

UNKNOWN AUDIENCE MEMBER:

(Inaudible).

MR. SUOZZI:

Well, anyway, I would like to suggest, though, that there are different labor groups that are opposed to these centralized shape-up centers, particularly unskilled labor unions. And what I would like to suggest is that it would be beneficial to the unions as well as the communities if these men were organized because it would raise their wages and not affect the labor unions as negatively as its suspected now.

LEG. FISHER:

Thank you very much, Mayor.

P.O. TONNA:

Thank you.

MAYOR SUOZZI:

Thank you.

(Applause)

P.O. TONNA:

Thank you, sir. Okay, we have -- the next three will be Devin Burghart -- Devin, you're next -- Eleanor Reindl and Donald Freese. Thank you. Sir?

MR. BURGHART:

Good morning. Thank you all for allowing me to address you this morning. My name is Devin Burghart and I'm the Director of the Building Democracy Initiative of a Center for New Community based in Chicago, Illinois.

The Center for New Community is a national, faith-based initiative dedicated to building democratic community for racial and economic justice. Our building democracy initiative seeks to counter-organized racism, anti-semitism, homophobia and other forms of bigotry by

On behalf of the hundreds of pro-democracy, civil and human rights organizations and anti-bigotry groups which we work with in the heart of Middle America, and particularly for the board, the staff and member organizations of the Center for New Community, I'm here today to tell you, quite frankly, that America is watching; watching your decision today. America is watching from the Great Lakes to the Great Plains, from the Texas panhandles to the Florida Everglades and from Puget Sound to Galveston Bay. America is watching, watching for signals from your committee today, watching your vote to see if this beautiful community in the shadow of the Statue of Liberty is going to become a haven for hate. Hate groups are certainly watching, the notice has already gone out. Our records show that many are watching Farmingdale, watching it and hoping that it becomes a national model.

UNKNOWN AUDIENCE MEMBER:  
Farmingville.

MR. BURGHART:  
Farmingville, sorry.

LEG. FOLEY:  
That's all right.

MR. BURGHART:  
I apologize.

LEG. FOLEY:  
There are some locals that make the same mistake, so you're in good company.

MR. BURGHART:  
I do apologize.

UNKNOWN AUDIENCE MEMBER:  
It's your district, Brian.

MR. BURGHART:  
They're watching this area become a national model, a test case, if you will, on how hate can impede sound public policy. This model was formulated not by local but by outside groups, hate groups like American Patrol whose founder has made blatantly racist statements such as, and I quote, "Mexican culture is based on deceit." And even groups like FAIR who is funded by groups like the Pioneer Fund, an organization dedicated to the promotion of the racist pseudoscience of eugenics, something we thought we left behind over a century ago.

In my brief fact-finding mission here to your community, already I have witnessed a, quote/unquote, civic association put anti-Catholic bigotry on to the public record. I have heard Latino men referred to as, quote/unquote, those people and watched the tensions unfold. America is, in fact, watching for public policy is symbolic as well as practical. You have a real problem identified by real people here in your community and those people have developed a real solution, one

which you have already voted on and voted 12-2 to support. Resolution 1193 is the only solution on the table that you have right now --

D.P.O. POSTAL:  
Mr. Burghart?

MR. BURGHART:  
-- and the {amountance is of pittance}.

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

MR. BURGHART:  
I warn you again, American is in fact watching. Your decisions have profound effects locally, regionally and nationally and I hope you bear that in mind in making your decision. Thank you.

(Applause)

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

MS. REINDL:  
Hello, Legislators. I am sorry that I am called a racist, but it's wrong for Suffolk County to legitimize a site which is proposed for illegal activities. As a taxpayer, I do not want to fund this. This \$80,000 could be used for good use such as Wyandanch that has a health care center that is in desperate need of funds.

On the other hand, churches, synagogues, temples have always been considered safe havens. Currently, there is a Korean church in Great Neck which is housing and fulfilling all the needs of their new immigrants. If Catholic Charities wants to fulfill the needs of these new immigrants, all it has to do is go to its own churches, many of which have parish centers throughout all of Long Island. Start with the communities that use immigration labor which is landscaping, restaurants, cleaning service and construction. Communities like Dix Hills, the Hamptons, Great Neck, Kings Point, Garden City, Sands Point, Muttontown, Old Brookville; let these communities, like the Korean church in Great Neck, do their fair share in housing and fulfilling all the needs of these people.

(Applause)

For a long time, for a long time now this burden has been put on the backs of the poor and middle class people. At a previous meeting a priest said that we must redistribute the wealth of the people like Bill Grates; well, how about integrating the immigrants so that no

single community is over burdened?

(Applause)

I'm a member of St. Matthew's Church which is in Dix Hills. I see no reason why St. Matthew's and all the other well to do communities can't come in and aid these immigrants and house them on church properties or on the -- or in their churches themselves. This will

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take the profit from the slumlords, the contractors and all that. We have centers; use them to educate these people, turn them into law-abiding, taxpaying citizens. Thank you.

(Applause)

D.P.O. POSTAL:

Thank you. Before the next speaker --

UNKNOWN AUDIENCE MEMBER:

Right on the head.

D.P.O. POSTAL:

Before the next speaker who is Mr. Freese -- Mr. Freese, if you would just hold off -- all right, Mr. Freese and following Donald Freese, the next three speakers are Patricia -- I don't know if I'm pronouncing it, Gyscek? Rabbi Stephen Moss and Fred Reindl.

MR. FREESE:

My name is Donald Freese, I'm from Holbrook. I'm not a public speaker so bear with me. I think the major issue is no longer the community center, I think the major issue now is whether our local government officials are going to be intimidated by hate groups.

Hate groups inside our community have banded together with hate groups across the nation. They have succeeded in intimidating Robert Gaffney into vetoing a bill that Robert Gaffney himself acknowledges would help provide relief to the social tensions in our community. Eighteen votes, not twelve, will send a clear and powerful message that will say that we will not be intimidated. You as Legislators must send a clear message that our community will not tolerate bigotry and hateful bias. You must overturn this veto; if you don't, you will be stating not only to our community but to the entire nation that the tactics used by these hate groups work. Doing nothing opens the floodgates that allow hate groups to increase in numbers and strength, not only here but across the nation. Thank you very much.

(Applause)

D.P.O. POSTAL:

Thank you. Next speaker, Patricia Gyscek.

MS. GYSCEK:

Good morning. My name is Patricia Gyscek. I have lived in Farmingville for 24 years. I'm the mother of three and grandmother of one. Joseph Caracappa is the County Legislator who represents my family. The six adults in my family are in favor of a community opportunity center as a modest way to address some of the community concerns.

You have heard legal arguments, you know that there are precedents in other areas for the concept of a community center with government funding, and the overwhelming majority of you felt that it was a good idea on March 20th. In the County Executive's decision to veto bill 1193, he put the onus on faith-based organizations to come up with a

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reasonable solution. What he left out is that the community center is the reasonable solution that a faith-based organization came up with.

Mr. Caracappa has been very open to talking with us, but at each visit he has suggested to us that our churches should take up collections to support a center. I work for a local church and we provide over 1,200 services a year to people who need our assistance. Our parish alone commits tens of thousands of dollars a year to assist people who might not be eligible for public assistance or are in emergency circumstances. That is what we and 89 other parish outreach centers on Long Island are called to do and we do it with humility and gratitude for our many blessings. Are we now being asked to take responsibility for public safety as well? Well, that's just not going to happen.

Right now there are philanthropists, religious people, educators and community leaders ready, willing and able to join in partnership with the County in this endeavor. Are you are you going to do what Mr. Gaffney did and miss this opportunity for collaboration from a very supportive visionary group of people?

I have a bi-racial granddaughter. She is beautiful, bright and charming. I have to tell you that I'm afraid. I'm afraid for her and for all the children in our community. I'm afraid of some of the potential for influence or even victimization by some of the things that are happening in our area: The intolerance demonstrated at civic association meetings by people shouting down others with opposing points of view; Town Board meetings where a group recited the Pledge of Allegiance to drown out a Spanish-speaking man's testimony;

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children calling other children, "You dirty Mexican"; people carrying signs that say, "Use the military to deport illegal aliens"; people suggesting the use of Army tanks on the streets of Farmingville; the use of the term "wetback". Why just this weekend a representative of Sachem Quality of Life predicted on Channel 12 that things were going to have to get worse before they get better; is that what we want to see?

Of course, people have a right to freedom of speech, but I'm scared to death of the trickle down of intolerance to our kids and it's happening. The issue is bigger than whether or not we should establish a center. If you walk away from this, you have given people who have demonstrated at the very least intolerance, a victory and with victory comes power, a thought that scares me very much.

D.P.O. POSTAL:  
Thank you.

LEG. FOLEY:  
Madam Chair?

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

(Applause)

LEG. FOLEY:  
Ms. Gyscek, I'd first like to thank you for your remarks and also for

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the courage that you've shown. And I think it needs to be stated again, but let me ask it as a question to you. Earlier I mentioned the fact that there is now as contrasted to the time that Mr. Hernandez was the President of the civic association, that there's a need for civility. Did you just not say to us that when there were opposing points of view discussed, or tried to be discussed, at the Farmingville Civic Association that they were shouted down?

MS. GYSCEK:  
Yes. In a meeting that I went to that was my first contact with the situation that's been happening in Farmingville, I believe it was the Summer of 1999, anyone who tried to be in any way supportive of the Mexican immigrants or of the finding a peaceful solution were just drowned out by people there.

LEG. FOLEY:  
Now, you could also amplify this point which I've heard from other people as well. Is that now this -- I've always disagreed with the

economic theory of the trickle down economic theory, but in this case, the trickle down theory seems to unfortunately be working from this point of view. That while there's opposing viewpoints in the community and some real passions on this issue, you stated that what's happened in the schools now is that children, young people are using as a put-down the phrase "You dirty little Mexican"; is that what you've been hearing?

MS. GYSCEK:

That is what I've been hearing and also there have been children who are not Mexican who are not just of Hispanic origin being targeted and used -- and vicious language used against them because of their appearance.

LEG. FOLEY:

Is it then not your considered opinion --

D.P.O. POSTAL:

Question?

LEG. FOLEY:

I have a question, Madam Chair. Is it not your considered opinion, then, to try to counteract those intolerant statements that's there's a need for this kind of center?

MS. GYSCEK:

I don't know that the center can address those problems, we certainly have to work with educational leaders in addressing those problems. The center is an idea that will help a small part of what is going on, but it certainly would give us some pride back in our community for actually addressing something in a positive manner instead of just fighting about it.

LEG. FOLEY:

Thank you, Madam Chair.

D.P.O. POSTAL:

Legislator D'Andre?

LEG. D'ANDRE:

You say that the kids are going about it in the schools. You have to understand, kids are that way. When I was young, I was Italian origin.

D.P.O. POSTAL:

Mike, question.

LEG. D'ANDRE:

I took my lumps in school. So you have to rise above it and kids will be kids. But I'm talking about grown-ups who have given up their homes --

D.P.O. POSTAL:

Michael?

LEG. D'ANDRE:

-- to these people and that's wrong. There is no law here and there needs to be law.

D.P.O. POSTAL:

Michael?

LEG. D'ANDRE:

Don't you agree about the law?

MS. GYSCEK:

I don't disagree about the housing issues you're expressing, Mr. D'Andre, but are you concerned about our children and the use of language against them? And I'm not talking about "you brat", I'm talking about using ethnic slurs against them.

LEG. D'ANDRE:

I'm a parent and a grandparent, I'm concerned about all people.

D.P.O. POSTAL:

I'm going to ask --

LEG. D'ANDRE:

But I'm not concerned about people who are --

D.P.O. POSTAL:

I'm going to ask Legislator D'Andre and the speaker not to engage in a dialogue, please. Mike?

LEG. D'ANDRE:

And many live in a room, in a home, many many, that's illegal and it's wrong.

D.P.O. POSTAL:

Mike? Mike?

LEG. D'ANDRE:

That's what these people are arguing about.

D.P.O. POSTAL:

Mike?

(Applause)

Thank you. Next speaker is Rabbi Moss. Is Rabbi --

RABBI MOSS:

Good morning. Let's offer our prayers to the Lord of peace for peace for us and our community. I have been a resident of Suffolk County for 30 years and I have been in the fight against bias and prejudice for ten years as chair of the Suffolk County Human Rights Commission, the Anti-Bias Task Force and Director of Stop Bias, the only educational program for bias crimes offenders.

I have never seen such divisiveness over any issue in our community and I find it both disturbing and frightening. The Human Rights Commission and the Anti-Bias Task Force do urge an override of the veto, not necessarily because the community center is the answer to this very complicated community problem, but because it is an answer which deals particularly with the safety issue which needs to and at least has been brought to the attention of all of us as being of utmost priority.

If the override is passed, I most strongly urge the Legislature to establish strong guidelines and procedures for the community center and this could only occur if the Legislature is involved in the process. If this center is to succeed, it must serve all immigrants and migrants, documented and undocumented in the community. And it must be used and properly used by all including the day laborers, particularly employers and community persons, and I have gone on public record by saying that I believe the greatest culprit of all is the employers, and I believe it should be seen initially as a temporary until proven to be successful. And I believe that the concerns of all Farmingville citizens regarding this center should be taken into consideration, but this could only occur once the community center is placed on the table. Whether the override is passed or not, however, I do want to, and particularly if it is not passed, also urge that this situation be labeled of an emergency nature a crisis and every effort and resource of the Town, County and Federal government be used to deal with the complex issues.

During the last three years, I have sat on four committees dealing with the issues. The time for committees and panels is over. It is a time for action particularly I believe on the Federal level. We need to have a redefinition of a seasonal worker, whether legal or not as has occurred in California and, of course, we need to hear the voices of leadership in this County to guide us. It is not easy to love your neighbor as you love yourself, but surely the members of this community and citizens of our County must strive to reach this ideal. Love is not achieved by name calling or threats by any one of us, it is achieved by coming together and talking like human beings and not reacting out of one's self interest but rather from the point of view of the other person as well as the community on the whole.

Whatever happens here today, may this County move forward in bringing all people together, for if not in the end we will have nothing at all and surely we will not have community.

D.P.O. POSTAL:

Thank you, Rabbi. Next speaker is Fred Reindl. And while Mr. Reindle is coming up, the next three speakers are William Kilpatrick, Jim Claffey and Reverend Robert Lepley. Mr. Reindl.

MR. REINDL:

Hi. I'm Fred Reindl. I live in Deer Park and I've been living there for 36 years; before that I was born in St. Albans, Queens.

What's the problem? The problem is illegal immigration which is caused by the root of all evil, money. As a result of the illegal immigration, we are faced with communities like Farmingville being besieged by such a large number of illegals that no community could possibly absorb that many. This then leads to the illegal housing, loitering and all the other results of the illegal immigration.

Our Federal lawmakers decided to control illegal immigration by passing a law which prevents employers from hiring undocumented workers. Let me repeat that. Our Federal lawmakers decided to control illegal immigration by passing a law which prevents employers from hiring undocumented workers. They realize that illegals couldn't work and earn money, they would return to their homeland and hopefully return here legally; it's right here, it's in the Federal handbooks. And as far as legality, I would like someone to come and show me how anyone can actually hire an illegally legally; it's against the law.

(Applause)

And quite honestly, I don't care what Mr. Spitzer says, he's wrong, or let me hire them. This leads to the reasons why we're here today. Suffolk County is trying to sanction a site to disregard this Federal law. The County approval would be a new milestone for this area. The \$80,000? It's irrelevant, it's a camouflage. Catholic Charities could raise \$80,000 in one weekend. This proposed site would promote employers to break the Federal Immigration Law and all the payroll tax laws and I don't know how anyone could possibly support the encouragement of the breaking of laws.

Now, regardless of the outcome of this vote, nothing changes in Farmingville. Residents will still be faced with all the illegal

aliens and all the resulting problems that they have brought to the community. So what now? Lawmakers, you are in national political parties, Democrats, Republicans; call, write, Ashcroft, Bush, Cheney, Hillary, Chuck Schumer, call them, fax them every hour on the hour, every day. Media, you can really make the difference; stop writing editorials that glorify lawlessness. Stop dividing people, stop giving the message that it's compassionate to break the law. Compose many editorials on where the blame lies. Washington, encourage all of Long Island to call, fax, write Hillary, Chuck, Ashcroft, Bush every hour on the hour every day until Washington hears us and solves the problem.

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(Applause)

P.O. TONNA:

Okay, thank you. Sir, your time is up.

MR. REINDL

Religious groups, you have become spokesmen for the illegals; stop trying to bend and break the law, take meaningful action. Relocate some of these people out of the overburdened communities and into churches or church-supplied housing into areas that use their services. If we work together we can survive this.

(Applause)

UNKNOWN AUDIENCE MEMBER:

It's nice to meet a man well informed.

P.O. TONNA:

Thank you. William Kilpatrick?

MR. KILPATRICK:

Ladies and Gentlemen, I have been a Farmingville resident for over 34 years. I'm speaking for myself.

P.O. TONNA:

Just wait. I just ask -- I know -- can we elevate the sound a little? Hold it one second, sir.

LEG. BISHOP:

Find a medium, happy medium.

P.O. TONNA:

It's Legislator Bishop who's caused this problem. All right, go ahead, sir.

MR. PRUDEN:  
Can you hear me now?

P.O. TONNA:  
Yes. But I would like it raised just a little. Thank you. Go ahead, sir.

MR. KILPATRICK:  
I have been a resident of Farmingville for 34 years. I am coming to this group this morning as an individual not representing any particular group or cause. All I'm asking for this body to consider the existing laws that are already on the books. My concern is if this site goes forward, what happens to those individuals that choose not to participate using this site? We're back where we started. Has there ever been given consideration to any type of a public referendum, via a voting process?

I will conclude my remarks by basically asking this body for assistance from the powers that be, be they State or Federal. You've got a situation and it's not going to go away just by establishing the

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site because the site will not take all the men off the street all the time and you're just going to be back where you started. Thank you.

P.O. TONNA:  
Thank you, sir.

(Applause)

Okay. Jim Claffey. And then after that Reverend Robert Lepley and then Barbara Cotrel. Go ahead, sir.

MR. CLAFFEY:  
Yeah, good morning.

P.O. TONNA:  
Good morning, Jim.

MR. CLAFFEY:  
Jim Claffey, Health and Welfare Council of Long Island. As they say, this is de ja vu all over again; we have been dealing with this problem since 1998. And you know, in good public speaking you always try to take even an old issue and give it like a fresh approach and I think we're all running out of approaches at this point, there's no new way to talk about this.

All I simply want to say is this. When you waded through all of the layers of emotion and passion and the statistics and people quoting surveys and I quoted my interviews to you in 1999, the project that I did, we waded through all these different things and the national and now the international issues and implications of what we're dealing with, one thing remains, and that is on the table before you there is one reasonable step to take that none of the proponents of 1193 have ever said is the solution. It is not the solution for all of the tensions that people are feeling, many very legitimate issues that people have. But it is a step that pretends to address some of those issues, it allows some order to come out of this chaos that we have now. It brings some structure into a chaotic situation that has caused a strident rising of tensions that have plagued the community for so long.

So the State Attorney General has already stated it's a legal thing to do. The County Executive has shown no leadership in this effort at all and he's proposed nothing in response to the reasonable thing that is before you. So I'm here to urge you today to have the courage to take one reasonable step. And if in a couple of years it has seemed to have failed, we can cancel it out, even if we pass it --

UNKNOWN AUDIENCE MEMBER:  
No you can't.

MR. CLAFFEY:  
This is what I never do when you're speaking. Thank you very much.

P.O. TONNA:  
Thank you, sir.

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LEG. D'ANDRE:  
Mr. Chairman?

P.O. TONNA:  
Yes, you have a question?

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

MR. CLAFFEY:  
Where do I live?

LEG. D'ANDRE:  
Yes.

MR. CLAFFEY:  
I live in Nassau County.

LEG. D'ANDRE:  
I thought so. Thank you.

P.O. TONNA:  
Michael.

MR. CLAFFEY:  
And I spent, Mr. D'Andre, I spent five months in Farmingville, probably more than you did, on a daily basis, interviewed a couple of hundred people on the problem. So I think I have some credentials anyway.

LEG. D'ANDRE:  
I don't think you have any credentials on this.

P.O. TONNA:  
Legislator D'Andre, I'm asking you, you want to ask a question, fine.

LEG. D'ANDRE:  
I asked him a question.

P.O. TONNA:  
No, you asked a question and that's it. I don't want anymore editorial comments, please, sir. You'll have your time when we speak about the bill. Thank you, sir.

MR. CLAFFEY:  
Thank you.

LEG. D'ANDRE:  
Well, I think I'm ready to vote now, Mr. Chairman.

P.O. TONNA:  
Well, obviously there's a lot of people who aren't.

LEG. CARACAPPA:  
Mr. Chairman? Mr. Chairman?

P.O. TONNA:  
Yes.

LEG. CARACAPPA:

Just quick.

P.O. TONNA:

Sure. There's a question, Jim.

MR. CLAFFEY:

Hi, Joe.

LEG. CARACAPPA:

Hi, Jim. Just for the record, I have to say from the beginning and -- this will be a question, Mr. Chairman. From the beginning, working with Jim Claffey, though we've had different views and different opinions, he's always been a gentleman, and I just want to put that on the record. And for making sure that it is a question, would you agree with that, Jimmy?

MR. CLAFFEY:

I would. Thank you.

LEG. CARACAPPA:

I appreciate it.

P.O. TONNA:

Thank you, Jim. Okay, Reverend Robert Liplay? How do I say that?

LEG. POSTAL:

Lepley.

P.O. TONNA:

Lepley.

REVEREND LEPLEY:

Lepley.

P.O. TONNA:

Thank you, sir.

REVEREND LEPLEY:

My name is Reverend Robert Lepley, I'm the Executive Director of the Long Island Alliance for Peaceful Alternatives, a peace organization. I've been a parish minister for 25 years ordained by the United Church of Christ. I'm also one of the founders of an organization called United People for Social, Economic and Racial Justice, or UPSERJ, that is 45 organizations dealing with issues of race and poverty. And I come today to say that at the core of the great religious traditions of the world religions, there is a key concept and that is the concept of inclusiveness as opposed to exclusiveness. You see, inclusiveness loves, it accepts differences and it heals. Exclusiveness, what it does is it hates, it doesn't accept differences and it always leads to violence.

Now, I do not want this situation to degenerate into only an issue of racism because racism is exclusive, it hates, it does not accept differences and it creates violence. But I fear that this situation is slipping into that when I hear in the schools that kids are using words to refer to Mexicans as wetbacks, when I hear words used here referring to people of color and people of a different culture and different language as drug dealers and prostitutes. I fear that we are slipping into a racial situation and I fear it also because we live in a country that has a great deal of racial discrimination. Racial discrimination is extremely widespread.

Let me take just a moment to talk about the larger picture of racial discrimination and what I hope doesn't come home here. There's racial discrimination in how we live. The New York Times reports that Long Island is one of the most segregated communities on Long Island, in the United States. And indeed, 95% of people of color on Long Island live in 5% of the census tracts. There's racial discrimination in the schools. Minority school districts on Long Island, in addition to having higher tax rates, also have a greater need and lower per pupil expenditure than wealthy districts. We know that the minority students comprise over 20% of the students on Long Island, only 5% of Long Island's public school teachers are people of color. There's racial discrimination in local services, there's a long history of inadequate and affordable child care, after summer youth programs, Head Start, in color -- communities of color. There's racial discrimination in law enforcement. Certainly, in the United States, young blacks in the U.S. are six times as likely as others to be prosecuted. And there's just -- and I will conclude by saying this. There's also discrimination in who we elect to be elected officials. There's never been a person of color -- there's only been two people of color who have ever been elected to the Nassau County Legislature, only one African-American has ever been appointed to the Town of Hempstead Board, and I would say that to my knowledge, not one person of color has ever been elected to the Suffolk County Legislature. I urge you to override the veto. It's the only practical solution for stopping this violence. It's the only practical solution for dealing with the very real issues people have raised.

P.O. TONNA:  
Sir, you're going to have to conclude your comments.

REVEREND LEPLEY:  
Thank you.

P.O. TONNA:  
Thank you, sir.

(Applause)

Barbara Cotrel.

MS. COTREL:

Good morning, everybody.

P.O. TONNA:

Good morning.

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MS. COTREL:

First of all, I'd like to say something. A lot has been said today and in the papers recently about tensions being high, and yes they are very high and I blame the newspapers mostly for this and for the media.

(Applause)

I live in Farmingville for 28 years now and in the past few months especially, especially since this topic came up about 1193, all I've been seeing in the newspapers and on TV is all the different instances that have happened against the illegals. They fail to mention all the things that have been happening against the citizens of the town. For example, the woman that has been killed in a car accident that was driven, the car was driven by an illegal, uninsured motorist; he was arrested and he was allowed out on bail, which I don't understand how that how that could be when he had no roots in the community. We fail to hear this, though. This woman now left two young daughters without a mother. One of those daughters happened to be with her in the vehicle, I really feel sorry for this girl that's going to have to remember this the rest of her life. And all we keep hearing about is these two men that got beaten up. Certainly, they shouldn't have gotten beaten up, but mind you they were undocumented, they shouldn't have been here, just as that driver should not have been here.

(Applause)

There are other cases that are all on record with the 6th Precinct in Suffolk County. One other thing, I have heard people say Mr. Gaffney has not done anything except come and veto this bill. Well, he did have the Department of Justice come in here on December 2nd and there were many groups that gathered to discuss this to try to find a peaceful solution, I attended this meeting. Since then I have heard that this Legislature has had meetings to discuss this situation, but for some reason which I can't understand, nobody from Farmingville has been invited to these meetings.

(Applause)

We want a peaceful solution. We're not looking for violence, we don't want to get hurt, we don't want to hurt anybody. But this is our town,

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we are taxpaying citizens. And I don't understand how our taxpaying dollars can pay for an illegal activity, which brings me to another point. People say, "Well, how do you know they're illegal?" Well, if they were legal why would we be here now trying to put up a site for them? They could go to the Department of Justice. They can look in the media, Newsday especially, at the wanted ads and get a job through the papers if they were here legally, they don't have to come here to get it illegally.

So I'm urging each and every one of you to uphold Executive Gaffney's veto today. Thank you.

(Applause)

P.O. TONNA:

Thank you, ma'am. Sam Goldman. And the next three will be John Caputo,

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Lee Winters and George Acunzo. And if you could state your name for the record, sir.

MR. CAPUTO:

Hello, my name is John Caputo.

P.O. TONNA:

Where is Sam -- Sam Goldman, are you around? Sam, you're first, then John; sorry. Am I right? Yes. Sorry, Joe or John. Go ahead, Sam.

MR. GOLDMAN:

My name is Sam Goldman and I'm here to speak as a resident of Huntington. I did not mind when any of my taxes were used to create a facility to assist the immigrants in my area, documented or undocumented, and I don't mind if they're also being used to help people in another part of Long Island. I'm also speaking as a volunteer for the Family Service League of Suffolk County. In that capacity, I offer homework help to the children of many of these immigrants. I see the parents bring their kids to the facility where I volunteer; they are hard working, caring folks who want their children to learn and to grow into productive members of our society.

P.O. TONNA:

Hold it one second, sir. I'd ask that the Sheriffs make sure those doors stay closed. Thank you, sir.

MR. GOLDMAN:

These are men and women who have endured immense hardships in the lands from which they came, on the journey that they undertook to arrive here, and now in the land where they are working so hard to

build a new life. By the very efforts they have undertaken, they have shown that they are not shirkers, they are not layabouts, and they are certainly not looking for handouts. Indeed, out of fear or lack of knowledge or lack of time because of working more than one job, they don't ask for so much of what our society says they should have, proper wages or medical benefits for example.

Within recent months, we've seen the Federal government act in a way that exemplifies the best of what the United States stands for. Because of the recent devastating earthquakes in El Salvador, Congress passed and President Bush signed the law that allows undocumented immigrants to continue working here for 18 months while they obtain the necessary papers to prolong their stay. The government didn't simply stand on existing laws and seek to expel the unfortunate victims or relatives of victims, it acted with compassion. You Legislators have done the same thing. You recognized the problem, a complicated problem, and you acted to assist the human beings involved in it. In fact, those on both sides of the controversy I would assume will be helped. You didn't turn your backs and hope the situation would somehow dissipate, that would have been the same as saying that there would be no more landscaping, no more construction, no more fields to be cleared. What you did was right; it was right a few short weeks ago and it is right today. Thank you.

(Applause)

P.O. TONNA:

Thank you. Okay, John, it's your turn now, sir.

MR. CAPUTO:

Thank you. Good morning. My name is John Caputo. I've been a resident of Farmingville south of Portion Road for 35 years. My family has been in the Town of Farmingville for over 50 years. I've seen a lot of different things change in the town, some good, some bad.

I've been a volunteer in Farmingville for 13 years. And what I do see in my community is I don't know why it has to come to this, I really don't understand it. You people are our local government and it's pretty obvious that nothing's being done, there's really nothing going on here. I support Mr. Gaffney. I think we should definitely look for alternatives than a hiring hall. There are laws on the books and we can make laws on the books here for loitering and keeping people off the streets and keeping the community nicer. A hiring hall isn't going to guarantee, when there's a thousand guys who need to be hired and there's 500 jobs, that they're going to stay off the streets.

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They're going to run to the trucks, they're going to run to the cars, wherever they're picking them up. I pay taxes, I pay lots of taxes. I don't mind paying my taxes for services that I do enjoy in Suffolk County.

My family came from Italy, they came through Ellis Island. I've seen their names on the wall.

(Applause)

I've talked to some of the people that are on the streets of Farmingville at 7:30 to nine o'clock in the morning and I asked them, "How did you get here?" I have had a guy tell me once he hid in a cement truck. Another guy told me he paid somebody off at the border \$500 and he can come and go as he pleases every time across the border, in Texas and in California. I have had guys tell me they turned around and they just walked across the border. There's something wrong here, folks, there really is.

(Applause)

I'm paying for all of this. I'm paying my taxes, I am going by the rules here and it's not working. Where are these people coming from? I don't care if they come here and they pay their taxes and they do the right thing. I'm doing the right thing, my family has done the right thing in this town for over 50 years. I love where I live and I love the people around me. My family is here, my friends are here.

(Applause)

The woman before me, about two persons, she spoke about a woman who was killed in a car accident with an illegal person. Well, I don't know if anybody here really knows the whole story of that but I do and I'll let you know.

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P.O. TONNA:

Sir, you're going to have to wrap up your comments.

MR. CAPUTO:

In about two seconds. He was fleeing from an accident in Ronkonkoma, drove down Portion Road, ran a red light, T-boned a car, flipped it on its side with a mother and a daughter in a car. My best friend pulled a woman -- the daughter out of the car so she couldn't see her mother bleeding to death, all right? This is my best friend who pulled her out of that vehicle. Then the guy gets arrested and he goes and he

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disappears; that is wrong, people.

(Applause)

UNKNOWN AUDIENCE MEMBER:  
It shouldn't have to happen.

MR. CAPUTO:  
It should not happen. Thank you very much.

(Applause)

UNKNOWN AUDIENCE MEMBER:  
It shouldn't have to happen.

P.O. TONNA:  
Lee Winters?

UNKNOWN AUDIENCE MEMBER:  
It shouldn't have to happen.

P.O. TONNA:  
Once again, I will clear this auditorium. Everyone has a right to speak.

UNKNOWN AUDIENCE MEMBER:  
(Inaudible).

P.O. TONNA:  
Ma'am. Lee Winters, please.

MR. WINTERS:  
Good morning, Honorable gentlemen. Good morning, everybody present. I was here before --

LEG. FIELDS:  
Wait a minute. What about ladies?

P.O. TONNA:  
The women's caucus wants to remind you that there's some women Legislators also.

MR. WINTERS:  
Oh, sorry. Good morning, ma'am. I was here once before you, I don't know whether you remember or not but I'm a former marine and a retired detective. I currently work as a volunteer in St. Mary's Parish

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Outreach in East Islip. I told you then and I'll tell you now, I respect the laws of this country and I love this country, but if I had to, if I had to feed my family, I would wade across that Rio Grande, I would float on a raft from Haiti, I'd cross all the borders from the Balkens into Germany into England, whatever I had to do to feed my family. Now, I understand that's a difficult thing for some people to understand, but there are some of you among you -- some among you that understand exactly what I'm talking about because there's something in your heart that you know is there that these other people have in their hearts.

I didn't come to this conclusion easily, but I have been thinking about it a long time. And there's a general idea I have in my mind that we are all citizens of the world, whether it's in Islip or Farmingville or whatever and we're all children of God and we have to keep that in my minds. And it's above all these other issues; these other issues are important but that's the primary important.

Now, I took a ride up to Farmingville one day, I've been there before. I saw the people on the corners but I never stopped. One day I did stop and I walked over and I saw them there and I looked at one in particular, he had sad eyes and he had brown skin and all of a sudden it struck me that here is humanity in the person of Jose, just as I am humanity in the person of Lee, just as all of you are humanity. I salute, I salute the person inside the skin. He had the brown skin he was issued, I got my white one, that's what it's really all about. We were born in two different parts of a border, but all of you could have been on the other side of the border. Roberto -- Robert Gaffney could have been Roberto Gaffney. Some among you, Pietro, Jose, Juan, Miquel, Jorje, you all could have been on the other side wondering where is the justice, where is the humanity?

Now, I hope you understand what I'm saying because it boils down to what's in your heart, what's in my heart, what's in your heart, what's in the heart of the people of Farmingville. The people of Farmingville, the Sachem people, they have it in their heart too because what's important to them is to provide for their children; they love their children, they express that love through wanting to provide for them. That's what the people who come across these borders are doing, they have been doing it for thousands of years, they have been crossing the boards of all the continents and they're doing it today, they're fleeing from the Balkens, they're fleeing from Ukraine, they're fleeing from every part going to these lifeboat nations of ours.

I hope that you keep this in mind when you retire to make your decision. Please look into your hearts, that's where the answer is, take God with you. Via con dios, muchos gracias. Thank you very much.

(Applause)

P.O. TONNA:

Thank you, sir. George Acunzo? And just the next three speakers will be David Curtin, David Springren -- Spritzen, I didn't see the P -- and Nicole Fenichel. Thank you. Sir?

MR. ACUNZO:

Dear Suffolk County Legislators. My name is George Acunzo and I come before you today representing the Parish of St. Louis DeMontford in Sound Beach.

Over a hundred years ago my grandparents courageously came to this country filled with hopes and dreams for this American land of opportunity. They were probably a lot like your ancestors, they wanted to raise a family and give their children opportunities that they never even dreamed of. Of course, they kept the traditions of their native Italy, but they wanted to become good, contributing citizens of the United States of American. Moreover, they wanted to share their God-given time, talent and treasure with their new friends and neighbors. But on the streets of Brooklyn, they heard the evil language of racism and bigotry. As new immigrants, they were called WOPS and {daygos}, they struggled to overcome this discrimination and prejudice by working.

My grandfather was considered ignorant by many because even though he spoke six languages fluently, he spoke only broken English in his butcher shop. One Saturday night he was gunned down in his shop. The murderer's bullets would splatter our American dream with blood but the bullets that took the life of my grandfather would not cause us to lose faith in our beloved new country, America. In fact, 20 years later his sons would serve with honor during World War II, one at Pearl Harbor and one at Normandy Beach. As good American soldiers, they were willing to shed their blood to keep the world safe for democracy.

Today, my Dear Legislators, each and every one of you are faced with the momentous decision regarding funding for a proposed community opportunity center in Farmingville. I ask you to take a moment and listen to the voices of your distant ancestors. Remember the stories of hope and struggle that you heard from your grandparents at the family table, listen to them speak of the barriers of language and prejudice and discrimination and racism that they had to overcome.

Now look at the Mexican day laborers in Farmingville, they share the same hopes and aspirations that our grandparents wanted for us. They have the same dreams that we have for our children. They are raising a family and want to give their children opportunities that they never dreamed of. They are working hard to make a new life for their families. They want freedom and democracy, they want to share in the values, traditions and principals of our Founding Fathers. Today I ask you to be as courageous as your ancestors were in coming to America --

P.O. TONNA:

I need you to wrap up, sir.

MR. ACUNZO:

Let us begin today to heal our community. Let us replace racism with respect. Let us replace discrimination with acceptance. Let us replace bigotry with tolerance and let us replace violence with peace. And let us continue to build together the American dream in Farmingville. Vote for funding the community organizing center. Thank you for your intention and consideration.

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LEG. D'ANDRE:

I have a question.

P.O. TONNA:

Thank you. It's a question, Legislator D'Andre?

LEG. D'ANDRE:

Sir, were your parents and grandparents here legally in this country?

MR. ACUNZO:

My parents were born in this country and my grandparents entered through Ellis Island.

(Applause)

LEG. D'ANDRE:

Thank you.

P.O. TONNA:

David Curtin?

MR. CURTIN:

Good morning, Ladies and Gentlemen. Let me just say one thing; let's distinguish between a day laborer and an illegal alien. All of us are day laborers, all of us are day laborers; not all of us are illegal aliens. We have laws on the books to handle situations like this. Mr. Tonna got Federal funding for homeless children to be transported to school; excellent idea. Why do they live in a hotel? Because they are 60 illegal alien harborages in Farmingville that could be rented to families like this but they'll never be because the landlords are making too much money.

(Applause)

Tonna, don't put a band-aid on any situation, fix it. You have the laws on the books, enforce the laws of the United States. If you

can't do it, step down and let people that will. That's my statement.

(Applause)

P.O. TONNA:

Sir, I have a question. David? David? I have a question, sir. Mr. Curtin, there's a question, actually two.

MR. CURTIN:

Yes.

P.O. TONNA:

You mentioned about the laws on the books and specifically about housing. Have you ever gone to the Town of Brookhaven and talked about the code enforcement?

MR. CURTIN:

I went to the Town of Brookhaven. I was out two weeks ago to the Ridge Fire Department and spoke to our newly elected Republican Congressman, Felix Gucci. I asked him the fact that he couldn't do anything when

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he was a Brookhaven Supervisor, now that he's in the Federal government what is he going to do? He said that he's taking that into consideration, he's asking the INS and the IRS because he knows that there are violations of Federal, State and Local Laws in this country.

P.O. TONNA:

Sir, did you --

MR. CURTIN:

Do you have any other questions.

P.O. TONNA:

No, the question I still asked; did you go to the town who's in charge of code enforcement, have you dealt with that issue at all with regard to housing?

MR. CURTIN:

Did you ever look at the website, Sachem Quality of Life?

P.O. TONNA:

No, I spend my time doing more productive things.

MR. CURTIN:

Well, I'm the guy that drew up the map and put the dots on it. Yes, I did go there and it's been complained about and nobody wants to enforce what, the laws. Well, you're the Legislature, force them to

enforce the laws or step down and let somebody else do it.

(Applause)

P.O. TONNA:

Legislator Bishop? Legislator Bishop has a question for you, sir.

MR. CURTIN:

Are you done?

LEG. BISHOP:

No, I have a question. Good afternoon. Did you believe Congressman Grucci?

MR. CURTIN:

No.

LEG. BISHOP:

Okay.

MR. CURTIN:

I don't believe the press either. Mr. Foley --

LEG. BISHOP:

I have more questions.

P.O. TONNA:

Sir, Legislator Bishop has a question.

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MR. CURTIN:

Oh, go ahead. I thought that was the question.

LEG. BISHOP:

No, I have a lot more than one. How many day laborers or how many illegal immigrants do you believe are in Farmingville?

MR. CURTIN:

Sixteen hundred.

LEG. BISHOP:

And what do you base that on? When we're showed the photographs here and when I've driven by the area see dozens, I don't see thousands.

MR. CURTIN:

Well, 1,600, 95% are illegal. How do we know that they're illegal?

LEG. BISHOP:  
Dod did you do that? That's remarkable.

MR. CURTIN:  
How do we know they're illegal? What we do --

LEG. BISHOP:  
How did anybody get that number?

P.O. TONNA:  
Sir, sir.

MR. CURTIN:  
Mr. Gaffney said it, I didn't.

P.O. TONNA:  
Sir, let the gentleman who's speaking, no other comments, please. And can you move that camera, sir?

MR. CURTIN:  
How do I know what?

LEG. BISHOP:  
You got it from -- the answer was you took it from County Executive Gaffney's statement?

MR. CURTIN:  
Yeah. Do I believe him? No. Do I believe you? No.

LEG. BISHOP:  
Thank you.

MR. CURTIN:  
Mr. Foley, you made a statement that there are certain --

P.O. TONNA:  
Sir, sir, you made your statement, there's questions. Dave, do you have any other questions?

LEG. BISHOP:  
No, that's it.

P.O. TONNA:  
Okay.

MR. CURTIN:  
I thought he was finished.

P.O. TONNA:  
He's finished. Thank you, sir.

MR. CURTIN:  
Am I done?

P.O. TONNA:  
You're done, sir.

MR. CURTIN:  
Okay. I hope that you people will be done and enforce these laws.

(Applause)

P.O. TONNA:  
Thank you. Thank you. David Sprintzen. David Sprintzen? Going once, going twice.

LEG. FOLEY:  
There's a lot of people out in the auditorium. Is there a David Sprintzen? Nicole Fenichel? Hi, Nicole.

MS. FENICHEL:  
Hi. Good afternoon.

P.O. TONNA:  
Good afternoon.

MS. FENICHEL:  
I am a resident of Suffolk County and Project Coordinator for the Brookhaven Chapter of Long Island Progressive Coalition and Long Island Progressive Coalition as a whole. And LIPC urges the County Legislators to stand by their original vote of support for the hiring hall or the opportunity center and to override the County Executive's unjust veto.

Even the New York State Attorney General agrees that the proposed community opportunity center does not violate any laws and Gaffney was wrong when he vetoed the bill based on legal arguments. The community opportunity center is the only proposed solution to the problems affecting this community currently. It would address many of the concerns that have been brought up by the opposition including safe street sanitation and even some of the alleged harassment while protecting the lives of the day laborers and creating a dignified space to wait for work. Two other hiring halls have been formed on Long Island and funded with government support, let's learn from these examples.

Let's not let this conflict within the community continue any longer. Let's be responsible and take the steps today to end the tensions. Vote to override the Gaffney veto. Vote for peace within your community, the alternative is quite grim. Thank you very much.

P.O. TONNA:

Thank you. Okay. Margaret Biancuoli. And then after that is Eugene Cordo, Pauline Hart and Patrick Hennessy.

UNKNOWN AUDIENCE MEMBER:

She's coming in.

P.O. TONNA:

Okay, we'll have next Eugene Cor -- oh, you're here, Margaret? Okay.

MS. BIANCUOLI:

I'm Margaret Biancuoli, President of the Sachem Quality of Life Organization and a very proud to say that I'm the President of that organization.

(Applause)

The only racism and hate going on in our community is the racism and hate being perpetrated against us and my neighbors who are supporting the upholding of the law and Mr. Gaffney's veto. The hate is expressed on a site by a person who has absolutely -- is unanimous, won't even give their name as they put on the website hate against me personally, lies, and defame me and my neighbors in any community.

We don't care. We have fought, we have come before you for three years and their race card will not stop us. We are taxpaying citizens and we believe in what Clarence Thomas said recently. I believe it was in February when he said it's the citizens who are taxpayers who come forward to fight for their rights, who get accused of all kinds of things such as {Zetaphobia} and homophobia and all kinds of other things he put in there and they are the real heroes, he said, the taxpaying citizens who continue to fight, regardless of how the opposition tries to stop us.

There are two emotional issues here, as one man said, but the law equalizes everybody. And these two emotional sides are equaled out by your stewardship and your stewardship is not to illegal aliens, special interest groups or any such thing. Your stewardship is to the taxpaying citizen and to uphold your oath of office. What you do in your personal and religious life, you're welcome to it as we all are, and I encourage all of us to do the charitable things that we all try to strive to do. But as elected officials, there is no other side to this situation except the law which equalizes all of us.

For three years -- we have played with the idea of not coming here today because for three years we have given you our evidence, we have you our testimony and you have accepted to invalidate us, to almost

call us liars. You've associated yourselves with those who call us racists. You've associated yourselves with the media that brings to our community the hate and the incinerary actions that accomplished what was accomplished in September against those two illegal aliens.

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You are the once who have helped destroy the Constitution and the law in our community. I am request --

P.O. TONNA:

Ma'am, you have to wrap up.

MS. BIANCUOLI:

Okay. My request to you is to stand firm and support Mr. Gaffney's veto, and when you do we do have plans. There are things, you heard Mr. Staudenraus talk about them, there are things that can and should be done that we've been asking you to do. We need people like {Matt Crossen} to come together and help sponsor some of the people who need to get sponsored to solve our labor issue, but mostly we need the law enforced. And too bad Rose Caracappa wasn't here to tell her side of the story that Mr. John Foley told.

P.O. TONNA:

Ma'am, thank you very much.

MS. BIANCUOLI:

That's it. Thank you.

(Applause)

P.O. TONNA:

Eugene Cordo.

MR. CORDO:

Good afternoon, everyone. My name is Eugene Cordo, I'm a citizen of Farmingville, Suffolk County, United States. I'm here today to question a couple of things. Mr. Foley, your proposal to build a hiring hall has taken a spin of which this County hasn't seen in years. You stated on the program "At Issue this Weekend" on News 12 that it was your constituents who told you that they were concerned about their safety. Do you realize that your office, as well as everyone else's office here, was called by my wife and myself over the past couple of days to get a tally of how many people have asked you to stop the hiring hall; do you know it was greater than 2-1 for you people not to vote for this hiring hall? Your constituents told you not to do it and you're still doing it. Who do you work for? Who -- Mr. Tonna, who do you work for? Who do you work for? Please answer my question.

P.O. TONNA:

Sir, you have your time, you're wasting your time.

MR. CORDO:

I'm wasting my time.

P.O. TONNA:

Just speak, finish your time.

MR. CORDO:

Thank you, you answered my question. Everyone before us has brought up hate, the proponents of the hiring hall has brought up hate as the issue. Someone had mentioned Bensonhurst, I was lived -- I born --

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lived there -- I can't even talk, broken Italian, sorry, I don't care, all right? I lived there till 1988, came out here to Farmingville for a better life for my family. And now what? And now what? I've got to pay all these taxes. Are you guys kidding me? You're going to turn around and build this hiring hall? My parents came over to this country legally, went through the documentation legally, not illegally.

(Applause)

And then someone else had mentioned children are saying dirty little Mexicans? Get to their parents. Get to their parents; it's not the children, it's the parents. Thank you.

(Applause)

P.O. TONNA:

Thank you. Pauline Hart? And then after that will be, as time allows, Patrick Hennessy, Delores Thompson and Barbara O'Shaunessy -- O'Shauncey -- O something. Go ahead.

MS. HART:

Hi. Thank you for letting me speak today.

P.O. TONNA:

Thank you.

MS. HART:

It's part of my rights as an American citizen. I'm a law abiding resident of Farmingville. I pay for the taxes -- I pay taxes for the services I receive. If I were to refuse to pay my taxes or break the law, I could expect to lose my savings, my home and my freedom. I pay

for the privilege of living in America. In return, my government is supposed to enforce the same laws I live by, also protect me from foreign disease. I'm still doing my part, but somewhere along the line my elected government has shut its eyes to a small town's plea for help. We don't want a hiring hall, this is not the answer to our problem. Our problem -- our town is in outrage. We are living with a very threatening problem and we need to solve it, but tuck it into a building so it can continue to grow and fester is not the solution.

A center probably sounds like a great solution to an eyesore in Farmingville that most of the people just drive by on their way to and from work, but I see it from my front door every day and night. Of course you don't think of day laborers staying in hiring halls out of site all the time. This only hides the real problems in Farmingville. My family is affected every day. My children are scared at their own school bus stop. My 12 year old daughter is denied normal childhood rights. I can't send her out to ride her bike or skate or even walk down the block to a friend's house because I know she will have to walk past a pack of illegal day laborers wherever she goes. We need a lot of help here in Farmingville, but I am strongly opposed to using my tax dollars to fund a center. That would not be in the best interest of our community, it will only condone the illegal practices and I will still have the same worries I have today. And that's all I have to say. Think about my kids.

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(Applause)

P.O. TONNA:

Thank you, ma'am. Patrick Hennessy.

MR. HENNESSY:

My name is Patrick Hennessy. I've been a member of the Farmingville community for 18 years, I have been living on Long Island for over 50 years. I'm a union member in Local Union No. 3 in New York City. And because of four years ago, an injury that I received, I am unable to work anymore. As a result of this and the slow pace of the insurance companies and everything else, I'm losing my home. I'm not here to talk about me losing my house, but when people around here -- and I'm not the only one losing their home in this community, but when people are losing their houses and they're looking to take tax money that we put in to give to somebody else that is illegally in this country, it's wrong.

I have nothing against anybody, whatever their race, religion or anything is. Some of the guys I work with, which we all consider ourselves brothers when we're in the union together, I've had blacks, I've had Spanish, I've had Asians, Russians, Germans, you name it,

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holding safety lines that I hang from to work and we have all been brothers. So as far as I'm concerned, this is not an issue of race or where you're from, it's a legal issue that's wrong.

(Applause)

P.O. TONNA:

Thank you, sir. Dolores Thompson. Hey, Dee.

MS. THOMPSON:

Hi. My name is Dolores Thompson and I am -- excuse my cold, I could hardly talk, but I thought it was very important for me to come out this morning. And I have to say this before I go on, is that if all of the people that got up early this morning were on the steps of the INS, maybe we would not have this meeting this morning.

UNKNOWN AUDIENCE MEMBER:

That's what we need, yeah.

(Applause)

MS. THOMPSON:

I represent the Huntington Station Enrichment Center who I started that center in 1997 and contrary to the New York Times Editorial, it is a job placement, ESL training, job training, nurse assistance training, after school programs, that's what it is there for. So I also oversee the site in Huntington. Now, if you are expecting me to say that that's the answer to the problem, it is not. However, I want you to know that we did address the issue. We had a traffic problem, the day laborers were in the middle of the street, jumping on the cars and, therefore, it was necessary to create a site that would be not only safe for them but also safe for others.

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We also had the business community who was not satisfied with day laborers standing in front of their businesses, this also contradicted that problem as well. So we came together and when I say we, that means the County, the town, the citizens, the INS -- yes, the INS -- we all met in Huntington and sat down to try to address the problem. They were not able, and this was mentioned before, that they could not take care of the problem because they were under staffed. So we had -- excuse me?

UNKNOWN AUDIENCE MEMBER:

You accepted that lie?

P.O. TONNA:

Ma'am, you had your opportunity to speak.

MS. THOMPSON:

So based on the fact that something had to be done, we addressed the problem the best way that we could. Also contrary to the New York Times, I'm not saying it's working 100% because that would not be true, but it has made a difference in the Huntington area. We have been able to satisfy employment. I bring with me the job placement person who's supposed to be standing here with me because he is the person that has been able to -- everyone is not illegal. They have been able to put people into jobs to the tune of 300 for the year. We have been able to take care of some of their children as far as helping them with the English language, along with the schools, as well as after school programs. So no, that is not the total answer, but I certainly support something that has to be done. If you can come up with a better solution then I ask you to do that, but do not knock the people that have stepped forward in our community to try to help the situation. I thank you.

LEG. FOLEY:

Paul?

P.O. TONNA:

Thank you. Hold it. Dee, Legislator Foley has a question.

LEG. FOLEY:

Thank you, Dee, for coming here this morning to tell us how this approach has worked in other communities. Now, I ask you this question. The residents of Huntington Station, the residents of Huntington, did they favor this approach? Did they try to be helpful to make this a success, or were they as opposed to it as a number of residents in Farmingville are about the potential site here in Farmingville? How supportive were the people in Huntington for this practical approach that you've undertaken successfully?

MS. THOMPSON:

In the beginning, I had lots of people that gathered at my site and at my center who were opposed to the situation. Can I say everyone is in favor of it? No, definitely not. However, many have come forward to try to help the situation. They tried to come up with other remedies before that by taking the people, marching them down to a field and offering coffee. The residents in that community were not happy either because they had to walk through the streets where children

were getting buses. So yes, they have come forward, many have and many have not.

LEG. FOLEY:  
All right. Thank you.

P.O. TONNA:  
Thank you. Okay, Barbara Olshansky. Thank you, Dee. This will be the last speaker before our lunch break.

MS. OLSHANSKY:  
Good afternoon.

P.O. TONNA:  
Good afternoon.

MS. OLSHANSKY:  
Thank you all for -- can you hear me?

P.O. TONNA:  
Yep.

MS. OLSHANSKY:  
Okay. Thank you all for letting me address the Legislature today. My name is Barbara Olshansky, I'm the Assistant Legal Director of the Center for Constitutional Rights and a Law Professor of Constitutional Law at {Kinney} Law School.

First I'm going to try to be really brief, I know everyone's hungry. But first and foremost, I would really like to make clear for the record that despite the existence of government sponsored and paid for day laborer hiring sites around the country for many years now, there has never been a single case ever brought by the INS against -- challenging the operation or the creation of any of those sites, not one case ever. Okay? I need to make that clear for the record because a lot of people have been saying how it's illegal, that's just not true.

Second, neither the provisions of the Immigration and Naturalization Act cited by Mr. Gaffney or advocates from FAIR or anywhere else provides support for their conclusion that such a site is illegal; there is no provision in the Immigration and Naturalization Act that says anything remotely like that. And I have written testimony which I'll submit to everyone today that goes through every case decided in this circuit, in the 2nd Circuit -- in the Federal Court of Appeals that discusses this issue.

Third, and I think most importantly, I'd like to talk a little bit about the facts. I think perhaps the most -- the single most important basis for rejecting the arguments by Mr. Gaffney and by FAIR and by other people that I can only think want to see this kind of discord continue is that there's a fundamental misconception about the nature of the individuals that are standing for work. It is just simply not true that every one of these individuals of Hispanic background seeking employment in Suffolk County are here in violation of the immigration laws; it's just simply not the case. And there are

studies around the country that show that more than 75% of the individuals seeking work as day laborers have legal work authorization. The Attorney General cites this and I append to my testimony his legal memorandum on this issue.

Moreover, statistical reports aside from what is true across the country, and we're a national organization, it is our responsibility and our mission to examine this issue. I can tell you from our own work with day laborers in this County that there are many, many people that are eligible for political asylum in this country on the grounds -- cited by other people. Those from El Salvador have legal authority to apply for political asylum as do individuals from Honduras and individuals from Mexico as well. And we are working with these people to assist them in getting permanent resident status. This is not a monolithic and a group of individuals. And really, I think everyone in this room is way too smart to create that impression and foster that impression when it's just not the case.

Finally, I would like to point out that should the Legislature see fit to do as they did before and support the creation of a community center, it would stand with many, many other cities and counties in this country that have taken this vital humanitarian step. In California alone there's ten cities --

P.O. TONNA:  
Ma'am?

MS. COTREL:  
And in Maryland, Montgomery County did the same thing. I'm sorry.

LEG. CRECCA:  
I have a question.

P.O. TONNA:  
Thank you. Legislator Crecca?

LEG. CRECCA:  
Do you agree that it's illegal to hire somebody off the books?

MS. OLSHANSKY:  
Well, it's illegal to hire anybody off the books, regardless of their immigration status.

LEG. CRECCA:  
Yes, regardless of the immigration status.

MS. OLSHANSKY:  
Yes, that's true.

LEG. CRECCA:

Okay. And do you agree that one of the primary purposes of this center is to provide a place for contractors to hire people off the books?

MS. OLSHANSKY:

No, I don't agree with that because that's never been the motivating purpose.

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UNKNOWN AUDIENCE MEMBER:

Oh, come on.

MS. OLSHANSKY:

You know, I think this is part of what I see as a fundamental, you know, factual misconception here which is that the people that are necessarily standing for work are here and are undocumented and that is not true. There are a significant number of people that I personally have dealt with that are primarily Spanish-speaking but they're here legally and stand for work because -- they stand for work --

P.O. TONNA:

Barbara, just wait one second.

MS. OLSHANSKY:

-- because they have no other opportunities.

P.O. TONNA:

I'd ask that everybody please, please, let the speaker finish. Thank you.

MS. OLSHANSKY:

Really what I'm telling you is --

LEG. CRECCA:

I understand what you're saying, Barbara.

MS. OLSHANSKY:

Yes.

LEG. CRECCA:

And I understand that the -- I also believe, too, that technically it's legal to put up this site and operate this site. What I'm trying to say to you is that the creation of this site will create illegal hiring situations. I'm not talking about -- and what I'm saying to you is that regardless of whether I think the center is good or bad, I don't think it's proper for taxpayers' dollars to go to a center

that's going to engage in illegal hiring practices, regardless of the status of the individuals. So my point is is that -- what I'm asking you really is that you're saying that constitutionally it's allowable, that's it's within Federal law, but for many of us the question is the legality of some of the activities that will take place there and whether or not it's a proper role for government to fund that. That's --

MS. OLSHANSKY:  
Legislator --

LEG. CRECCA:  
If you want to address that, that's fine.

MS. OLSHANSKY:  
What I can say to that is that are there going to be unscrupulous contractors that hire people off the books and then don't pay taxes for them? Yes, I think that happens everywhere. But the fact is that

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there is no laws in this state and in the Federal system that prohibits per diem day labor, there isn't. Do contractors have to provide, pay FICA and other taxes? Yes. Do people that work have to pay taxes? Yes. And what you should know also is that a fair number of these people that at least that I know and we work with put aside money to pay those taxes. I don't know -- I think there is --

UNKNOWN AUDIENCE MEMBER:  
What about those who are illegal?

MS. OLSHANSKY:  
You know what? What I also want to say is to anyone that has a question about this, I have factual information that supports all of this. And on the issue of day laborer sites and how they're treated across the country, this publication by Los Angeles County which was --

LEG. CRECCA:  
I've seen it, Barbara. Thank you.

MS. OLSHANSKY:  
Okay. Really goes through --

UNKNOWN AUDIENCE MEMBER:  
Time is up.

MS. OLSHANSKY:  
-- all the situations where government has sponsored and paid for

these sites. Sorry.

P.O. TONNA:  
Thank you very much.

LEG. CARACAPPA:  
Mr. Chairman?

P.O. TONNA:  
I just have one -- oh, you have a question? Okay.

LEG. FOLEY:  
I have a question. Ms. Olshansky, you were going to mention the fact that another County -- in this case, Montgomery County -- had also taken this approach.

MS. OLSHANKSY:  
Yes.

LEG. FOLEY:  
Could you please enlighten this -- both the audience and the membership here as to how that approach had worked successfully in that particular County?

MS. OLSHANKSY:  
Sure. It's Montgomery County in Maryland and there was a situation that arose that was very similar to what's happening in Farmingville. There was a lot of tension in the community, people were really having

difficulties and the County decided that it had to take some action to address a number of different issues that were raised, traffic, other things that people had concerns about. The County did that just like the offer was made here, there were a charitable entities that agreed to pitch in it's now staffed by the County it's actually had the effect of the facilit people in becoming citizens in paying their taxes they have tax assistance in the site they have English as a second language classes. And I can just tell you that the people uniformly in Montgomery County, and you can talk to any of the politicians there, are extremely happy with the results. The same is true of more than 35 cities in California alone.

LEG. FOLEY:  
Mr. Chairman, if I may? Mr. Chairman?

P.O. TONNA:  
Yeah.

LEG. FOLEY:  
Mr. Chairman, on that point.

P.O. TONNA:  
Question.

LEG. FOLEY:  
It has -- in Montgomery County the same approach helped to improve traffic safety.

MS. OLSHANSKY:  
Yeah. They actually put out a report that talks about traffic safety, crime, you know, increasing the tax base, housing.

LEG. FOLEY:  
Did it help?

MS. OLSHANSKY:  
Everything that was --

LEG. FOLEY:  
Did it also help to reduce community tensions?

MS. OLSHANSKY:  
Yeah, it did. And what I'd like to point out is in this booklet put out by Los Angeles County, there is a very telling story about the one community that didn't do this and the tensions that increased over time because this situation hasn't abated and is not going to abate. As long as the wealth gap increased between developing countries in the United States, more and more immigrants are coming everywhere. The one city that didn't do this had terrible problems for a year and eventually came around to this solution. And it's set forth in this book and I'll provide it to anybody that wants it here.

LEG. FOLEY:  
My final question, Mr. Chairman, if I may. So we've heard that it helps to reduce community tensions. We heard that it helps to improve

traffic safety. Does it also help to improve public sanitation and public health?

MS. OLSHANSKY:  
Well, part of those issues are acculturation issues and assimilation. You know, every culture has different, you know, mores and social values and part of what was done is the English as a Second Language class.

LEG. FOLEY:

But to cut to the chase --

MS. OLSHANKSY:

Yeah, I'm sorry. Part of what was done as the English as a Second Language Class --

LEG. FOLEY:

Yes or no?

MS. OLSHANKSY:

-- well tell people, you know, what's acceptable and what isn't. And all of those problems, litter, you know, how people appeared in public, what they said to other people were taught, they even had sex discrimination classes. I mean, they really addressed a whole range of cultural values and issues.

LEG. FOLEY:

Thank you.

P.O. TONNA:

Thank you.

LEG. D'ANDRE:

Mr. Chairman?

P.O. TONNA:

Legislator Caracappa has the floor, Legislator D'Andre.

LEG. CARACAPPA:

I just have a motion.

P.O. TONNA:

Well, let's -- Legislator D'Andre, do you have a question?

LEG. D'ANDRE:

Yes.

P.O. TONNA:

Is it whether she lives in Farmingville?

MS. OLSHANKSY:

I don't live in Farmingville.

LEG. D'ANDRE:

She made reference to the fact about LA.

P.O. TONNA:  
Right.

MS. OLSHANSKY:  
Uh-huh, Los Angeles.

LEG. D'ANDRE:  
Did you know that in LA the mothers kept their kids home from school after the government poured tons and tons of money in and she said to them, "I will teach the children Spanish at home, you teach them English in school."

P.O. TONNA:  
What does that -- okay.

LEG. D'ANDRE:  
That has to do with our government.

P.O. TONNA:  
Where's the question? Where's the question?

LEG. D'ANDRE:  
The question is how can we rely on a government who doesn't know what they're doing and sending all the tons of money in Washington when the mothers gave them the answer, simply and cheaply.

(Applause)

P.O. TONNA:  
Okay. Barbara, I don't know if you really have to address that question.

LEG. D'ANDRE:  
Sure she should.

UNKNOWN AUDIENCE MEMBER:  
She was asked a question.

P.O. TONNA:  
All right, go ahead. You want to address the question? Go right ahead.

MS. OLSHANSKY:  
Sure. You know, Legislator D'Andre, what I would say to you is I'm fully aware of Prop 187 which is what I think you're talking about in California, but that issue is really not an issue here about whether we should have bilingual education or a bilingual system in this State.

LEG. D'ANDRE:  
No, but it's an issue for the government and how the government works.

P.O. TONNA:  
Michael.

MS. OLSHANKSY:

You know what? You're the government, you have the opportunity to do

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something that is in the best interest of this community, that's humanitarian and that's in keeping with the most forward thinking cities in this country.

LEG. D'ANDRE:

And we will do something.

P.O. TONNA:

Michael, you're going to have your opportunity, Michael, to say something later.

LEG. D'ANDRE:

I said it.

P.O. TONNA:

I know, you keep saying you said it.

LEG. D'ANDRE:

I know --

P.O. TONNA:

Okay, just a general announcement for everyone. Barbara, thank you very much.

MS. OLSHANSKY:

Thank you very much.

P.O. TONNA:

A general announcement, we're going to take a two hour break.

LEG. CARACAPPA:

Mr. Chairman?

P.O. TONNA:

Oh, you have -- let me just read this and then --

LEG. CARACAPPA:

Actually, before you read it, it has something to do with what you're going to announce. You're going to announce that we're going to come back at 2:30 and do public hearings and then go back to the public portion much later after the public hearings because we have a very long agenda for public hearings and some controversial issues. What I'm going to ask for now is a plea of my colleagues to make a motion -- for those who were sponsors of the original bill, 1193, to

make a motion to either override or not so that the people know what they're doing and they can go home at this point in time.

(Applause)

I think -- well, if the sponsors don't want to do it, if the sponsors don't want to do it -- Ladies and Gentlemen, please, it's not about applause here. If the sponsors don't want to do it, I'm going make a motion to override for the purposes of sustaining the veto.

LEG. TOWLE:  
Second.

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P.O. TONNA:  
Can I --

LEG. ALDEN:  
On the motion.

P.O. TONNA:  
Wait, wait.

LEG. FOLEY:  
On the motion.

P.O. TONNA:  
Just wait. I have the ability to call a recess despite whatever you want to do. It is now 12:40. There has been a Legislator who is not here right now, okay. And to tell you quite honestly, I think what I would like to do, I am going to do it one way or the other. I am going to call a break, we'll have our public hearing, which is not going to be long I don't think, and then after that, after talking with my colleagues we'll see if we want to continue with the 70 plus cards of public speakers who all have a right to speak if that's what they came here to do, okay, or --

LEG. CARACAPPA:  
Mr. Chairman, I'm making a motion to address the override for the purposes of sustaining.

LEG. TOWLE:  
And I seconded it.

LEG. ALDEN:  
On the motion.

P.O. TONNA:

I am, I'm going to call a recess right now at 12:40.

LEG. TOWLE:  
Mr. Chairman?

P.O. TONNA:  
We'll be back at 2:30. But let me make my --

LEG. TOWLE:  
Mr. Chairman?

P.O. TONNA:  
Hold it one second, Fred. Let me just make my announcement.

UNKNOWN AUDIENCE MEMBER:  
Some us have children to get home to, you don't.

LEG. TOWLE:  
Can I ask a question before you make your announcement?

P.O. TONNA:  
Sure.

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LEG. TOWLE:  
I had a question of Counsel if I could.

P.O. TONNA:  
Yeah.

LEG. TOWLE:  
Counsel, there was a motion and a second on the floor.

UNKNOWN AUDIENCE MEMBER:  
We have children we have to get home to to take care of.

LEG. TOWLE:  
Mr. Chairman, can you -- I don't want to shout over the audience. Counsel, there was a motion and a second on the floor before the chairman recessed the meeting. Where are we at that point, with a motion standing and a second?

MR. SABATINO:  
The unilateral power to recess takes priority so when we come back that motion will be out there, but the public hearing has to take place first at 2:30. When the hearings are closed there will be a motion and a second that will be pending.

P.O. TONNA:

And all I can tell you is there a number of people here who want to speak and that's --

LEG. CARACAPPA:

If they're still here, Mr. Chairman.

P.O. TONNA:

Yeah, after the vote, right? Come on, Joe. Anyway, we're going to take a two hour lunch break, or actually till 2:30. It's not our policy to reserve any seats, you can choose to remain here in your seats or you can return at 2:30. If you choose to leave, make sure you take your personal belongings with you. The conclusion of the public hearings we'll come back here. Thank you.

[THE MEETING WAS RECESSED at 12:46 P.M.]

[THE MEETING WAS RECONVENED AT 2:36 P.M.]

P.O. TONNA:

Okay, the public hearings -- excuse me?

MS. BURKHARDT:

Henry's got to take a roll.

P.O. TONNA:

Clerk of the Legislature, do you want to do a roll call?

MR. BARTON:

No.

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P.O. TONNA:

Okay, good.

MR. BARTON:

Mr. Chairman?

P.O. TONNA:

Why don't you say this, go right ahead.

MR. BARTON:

Okay. Mr. Chairman?

P.O. TONNA:

Yes.

MR. BARTON:

The affidavits of publication are in proper order and they have been filed and there is a quorum present for the public hearing.

P.O. TONNA:

That is a wonderful rendition of that portion. Thank you very much, Henry. Really a professional.

All right, Public Hearing regarding 2002 Capital Budget and 2002-2004 Capital Program. Is there a motion?

MS. BURKHARDT:

There's no speakers.

P.O. TONNA:

No speakers, great.

LEG. ALDEN:

Motion to close.

P.O. TONNA:

Motion to close, second by myself. All in favor? Opposed? Closed.

Public Hearing No. 2286 - (Adopting Local Law No. 2001, a Local Law to require power plant emission evaluations (Fisher) (SEQRA Complete) (Recessed from 4/3/01). Legislator Fisher, there are no speakers.

MS. BURKHARDT:

She asked that we recess it.

P.O. TONNA:

Recess. Motion by myself, second by Legislator Caracappa. All in favor? Opposed? Recessed.

P.O. TONNA:

Public Hearing No. 1113 - (Adopting Local Law No. 2001, a Local Law to permanently establish living wage policy for the County of Suffolk (Bishop) (SEQRA Complete) (Recessed from 4/3/01). Legislator Bishop?

MS. BURKHARDT:

There are no speakers.

P.O. TONNA:

No speakers. I make a motion to -- no, I'll make a motion to recess.

I don't think it's the will of the sponsor otherwise. Seconded by

Legislator Foley. All in favor? Opposed? Recessed.

Okay, we've got Public Hearing No. 1138 - (Adopting Local Law No. 2001, a Local Law to prohibit operation of motorized scooters in Suffolk County (Carpenter). (SEQRA Complete) (Recessed from 4/3/01). We have a speaker. Stephen Chapey? Hi, Stephen. This is a resolution, a Local Law to prohibit operation of motorized scooters in Suffolk County. Thank you, sir.

MR. CHAPEY:

Good afternoon. My name is Steve Chapey and I reside in Holtsville. I'd like to take this opportunity to thank the Legislators who shared their feelings with me in regard to this bill. Unfortunately there were some Legislators who didn't get back to me after repeated attempts to get their opinion and their feelings on this bill.

I spoke at the last public hearing regarding this bill. And at this time it is my hope that a total ban on motorized scooters will not be enacted, but instead responsible rules instead, put in place instead, like requiring helmets, age restrictions, etcetera. I don't know of any persons that were seriously hurt by riding a motor school, it's my belief that maybe this is just an issue of motor scooters being a nuisance in someone's neighborhood. But to those of us who truly enjoy riding motor scooters, please let us continue to do so, I feel it's our right and our privilege. Thank you very much.

P.O. TONNA:

Thank you very much, sir. Legislator Foley has a question for you.

LEG. FOLEY:

Mr. Chapey?

P.O. TONNA:

Sir, Legislator Foley -- Mr. Chapey, Legislator Foley has a question.

LEG. FOLEY:

Mr. Chapey, it's good to see you again. And I know we had some initial conversations.

MR. CHAPEY:

Yes, sir.

LEG. FOLEY:

And I can tell you that after today I will have some more time where we can sit down. I don't think we'll be voting on this today.

MR. CHAPEY:

That's my understanding.

LEG. FOLEY:

So we'll have some time before the actual vote to discuss this in some more detail.

MR. CHAPEY:

Absolutely. And if anyone needs to discuss this in more detail, I'd be more than willing to sit down and discuss it with you.

LEG. FOLEY:

Right. Thank you.

P.O. TONNA:

Great. Legislator Carpenter, do you --

LEG. CARPENTER:

Motion to close.

P.O. TONNA:

Motion to close, seconded by Legislator Alden. All in favor? Opposed?  
Closed.

Okay, next public hearing is with regard to Resolution No. 1248 - Authorization for alteration of rates for Fire Island Ferries, Incorporated (Tonna) (No SEQRA Required). We have four speakers. Gerald Stoddard. Gerald, just tell me if it's even close, okay, when you get up there. It is?

MR. STODDARD:

Thank you, Mr. President.

P.O. TONNA:

Just Presiding Officer. George, don't laugh too much.

MR. STODDARD:

Isn't that what Presidents do?

P.O. TONNA:

Well, I know some wanted me impeached, so maybe that's what brought it to --

MR. STODDARD:

I am President of the Fire Island Association, for whatever that is worth. My address is 263 West 20th Street, New York, and 11 Heron Street, Ocean Bay Park. The Fire Island Association is probably the largest user group within the clientele of the Fire Island Ferries, both as ferry users and as parking client.

We agree with the Budget Review Office that Fire Island Ferries has demonstrated a record of providing reliable service, operates the company in a professional and competent manner. Senior management has shown itself to be very concerned with the safety and welfare of the communities. This is reflected in their almost monthly attendance at meetings of the Fire Island Law Enforcement Safety Council at which safety and security matters for the Island are discussed monthly be

emergency management professionals. Non of those professionals has any doubt about Fire Island Ferries being capable of completely, safely evacuating Fire Island in the event of a hurricane emergency.

The Budget Review Office indicated two areas of concern with respect to the petition under review, rate setting language and village

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discounts. We don't have anything to say about the rate setting language. As for village discount, we believe the villages, if they own their docks, should be able to strike any deal they can with the ferry company for the benefit of those who pay village taxes. We agree with the Budget Review Office, however, that the company should be required to disclose and justify any such agreements in petitions for fair increases.

We pointed out in past hearings on applications that the question of intercompany rents should be considered by the Legislature; the Budget Review Office agrees with this. This isn't in any way a criticism of current accounting practices, but I think the Legislature has an obligation to do what it can under present law to ensure that all of the factors that go into a fair ticket price are fully understood. The relationship between the parking business and the ferry boat business is so close that we believe the Legislature should consider this a single business for fair increase application purposes.

In the past, I should mention our association has requested that there be regular meetings to hash out differences between user groups and communities that they might have with the ferry operator. I'm pleased to tell you that while this has not been formalized, such meetings have been held frequently and cordially. Not all issues are resolved but all issues have been on the table and Fire Island Ferries has done its best to be responsive to the needs of communities and the users. Suffolk County Police, especially the Marine Bureau and the 5th Precinct, have participated in these meetings and have been helpful as they can be in resolving often difficult problems. I should say that all participants know that this is a collaborative process that has --

P.O. TONNA:

Excuse me. Hold it one second. Sir, you're going to have to remove that camera. You cannot have that angle. Sir? You cannot have that angle of that camera. Either get back -- no.

LEG. ALDEN:

It's blocking access.

P.O. TONNA:

There's blocking access. Get that thing out of there. Sir, is it

that -- sir? Okay, I'm sorry. Can you move a little more, sir, can you move a little more? Go ahead.

MR. STODDARD:

Okay. I was just continuing that all of participants at these regular meetings that have become more or less regular or certainly on demand, they recognize it as a collaborative process that has had the success it has had because of the leadership and continued interest demonstrated by Legislator Carpenter within who's district the ferry has its mainland terminal.

Finally, we ask the Legislature as it considers this application, to bear in mind the cost of Long Islanders of visiting Fire Island; it's getting to be a very expensive outing for the average family. And all Long Island families deserve to be able to enjoy a day at Fire Island's beaches, or many days. Of course, anyone who has visited

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Yankee Stadium or a Broadway show recently recognized that the cost of all forms of recreation is going up, but that's going to make a day at a Long Island beach even more important to many in the future.

As the County population grows and open space becomes rare, the wisdom of setting aside the Fire Island beaches 40 years along with 80% of its uplands for public use is more and more apparent. As a national seashore, there should be a Federal interest in assuring that as many of our citizens get to visit the barrier as is practical, that's not happening. Right now while more than a million passenger trips are made to and from Fire Island Communities, only about a tenth of that number are made to the seashore proper. Worse, the National Park Service is committed to a policy that will allow Fire Island to continue to erode despite the danger that poses for the County's south shore mainland communities. NPS takes a position that erosion is natural and so no replenishment is called for. The erosion on Fire Island is not natural and its man-made causes must be mitigated. The Legislature cannot long continue to ignore this issue.

Fire Island is one of Long Island's premiere tourist attractions generating millions of dollars a year for the local economy. We hope the Legislature will recognize this and take pains to work with the seashore and the Fire Island community to assure that this immensely valuable barrier island will withstand future storms. Thank you. I thank the chairman or the Presiding Officer

P.O. TONNA:

Yes. Thank you, sir. Natalie Rogers, Mayor Natalie Rogers? Mayor, I think the last time we met we were both in shorts and T-shirts at that lovely Village of Ocean Beach. It's a pleasure to have you here.

MAYOR ROGERS:

We were right on the corner.

P.O. TONNA:

That's right. Pleasure to have you here.

MAYOR ROGERS:

Thank you.

P.O. TONNA:

I'm looking forward to going back out there this summer.

MAYOR ROGERS:

We certainly are looking forward to having you.

P.O. TONNA:

Thank you, ma'am.

MAYOR ROGERS:

Good afternoon, Ladies and Gentlemen. For those who don't know me, my name is Natalie Rogers, I am the Mayor of Ocean Beach which is, we consider, the premiere village in Fire Island.

I appear here today at the public hearing in support of the petition of the Fire Island Ferries for increased rates, not at the level

requested by the ferry company but consistent with the opinions and recommendations of the Budget Review Office as stated in their April 6th, 2001, report to the Legislature.

Incidentally, the base rate which is the one-way fare would be, if approved by this Legislature, would be increased from \$6 which it is now to 6.50 which is the equivalent of an 8.3% increase over a three year period; in other words, there's been no increase for the past three years. Ocean Beach has just concluded a new ten year contract with the Fire Island Ferries wherein the village will receive substantial rent increases for the exclusive use of our marina and freight terminal in Ocean Beach. In addition, Fire Island Ferries will be responsible for the maintenance and repairs of the Ocean Beach Terminal, a provision which was not included in their former contract. Ocean Beach will also receive 700 additional discount ferry ticket books to be used for homeowners and property owners on Ocean Beach subject to the County Legislature approval. It is recognized that these benefits to Ocean Beach translate into increased costs for Fire Island Ferries for which the rate increase recommended by the Budget Review Office is legitimately justified.

Over the years, the ferry company has always been most cooperative with our village. Since the inception of their Employee Stock Option Plan in December of 1994, Fire Island Ferries has been especially responsible to mutual concerns and has worked closely with Ocean Beach to resolve the many problems which have arisen. Some of these problems some of you know, I know Legislator Carpenter knows because she's involved with it, they have to do with security, with police, with line-ups, with cleanliness, with quality of life and all of the things that occur and we sit down and we work out our problems. It's been a pleasure to work with them.

We concur with the Budget Review Office, and I'll quote this where it says, "Fire Island Ferries, Inc., is providing a vital service in a professional manner." Therefore, the Incorporated Village of Ocean Beach respectfully supports the rate increase schedule as per the clearly enunciated and comprehensive opinion of the Budget Review Office. Thank you for your time.

LEG. CARPENTER:  
Thank you.

MAYOR ROGERS:  
Shall I file this?

P.O. TONNA:  
Thank you very much. Just with the Clerk right there. Thank you, Mayor. George Hafele? George, how do I say that?

MR. HAFELE:  
Hafele.

P.O. TONNA:  
Okay. Thank you, Sir.

LEG. ALDEN:  
Mr. Presiding Officer?

P.O. TONNA:  
Yes, Mister -- Legislator Alden.

LEG. ALDEN:  
While the next speaker is coming up, I just wanted to share something with you. When my mother immigrated to this country she came to Ocean Beach, that was the first place that she came; she didn't come through

Ellis Island, she came through Fire Island. I just thought I'd share that with you.

P.O. TONNA:  
Did she really?

LEG. ALDEN:  
Absolutely.

MR. HAFELE:  
How much was the ferry fare?

P.O. TONNA:  
Was she legal?

LEG. ALDEN:  
Very, very low at that time.

P.O. TONNA:  
How did that work?

LEG. ALDEN:  
I'm not sure, Mom has passed away.

P.O. TONNA:  
Okay, thank you very much. Sir?

MR. HAFELE:  
Good afternoon, Mr. Chairman, Members of the Legislature. My name is George Hafele and I'm the President of Fire Island Ferries in Bay Shore. We service the west end of Fire Island, the communities of Kismet, Fair Harbor, Dunewood, Seaview and Ocean Bay Park. We also on a contractual basis serve the Incorporated Villages of Saltaire and Ocean Beach and the Town of Islip facility in Atlantique. We have been operating under the fare structure established by the Suffolk County Legislature in December, 1997, by Resolution 1231-97. Since the last fare alteration, we have enjoyed the strongest economy in generations. Consumer spending and consumer confidence were at all time highs. This is a situation that probably will not exist for much longer, although I have my fingers crossed that it will.

The marine industry is not always the best barometer for the overall economy. In 1991, Fire Island Ferries built the Explorer, an 18 -- I'm sorry, an 85-foot, 400 passenger vessel. The final price for that vessel was \$900,000. Today in 2001, we expect delivery of our new 85-foot, 400 passenger vessel with a final price tag of \$1.7 million,

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a little bit higher than the cost of living. We have also been hit over the last couple of years with increased fuel costs, increase in payroll, payroll taxes, insurance, and I can go on ad nauseam. We are a business in Suffolk County looking to survive looking to the Legislature for help.

There are other speakers who wish to speak. I will make myself available to answer any questions at the end of that, unless there are any questions now.

P.O. TONNA:

Thank you, sir. Okay, Maxwell Weinstein, Esquire.

MR. WEINSTEIN:

Good afternoon.

P.O. TONNA:

Good afternoon, sir.

MR. WEINSTEIN:

My name is Maxwell Weinstein, I'm an attorney in Huntington and I'm here on behalf of the public. I heard what everybody else said before and there's one fallacy in this whole statement and that is that you're giving preferential treatment to certain localities over others, namely the Village of Ocean Beach, Dunewood and other areas. There's no question that the Fire Island Ferries is a very reputable business and has operated in a very satisfactory fashion. There's no question that substantial costs were passed on, as Natalie Rogers told you, with regard to the docking. Why is this Legislature going to add to all that by approving discount tickets in bulk to the Village of Ocean Beach and to the area in Dunewood and Saltaire? It seems to me that you're defeating the very purpose of the what the Fire Island national seashore is all about.

The Fire Island National Seashore was created for the purposes of having finite natural resources preserved for the public so that the public could come and enjoy it. How many members of the public today can afford a ferry ride of \$6.75 cents? It's ridiculous. Now, it's true that the costs have gone up and perhaps the Fire Island Ferries should be rewarded by having some increase, but not an increase that has the blessing of the County Legislature by allowing various localities to get preferential treatment. This is not an elitist society. We have finite natural resources, as I indicated, and the public is entitled to use and enjoy these resources. They can't possibly do it in the setting that you're allowing to happen and have allowed to happen for all these years. Now, I want to specifically point out certain things to you.

P.O. TONNA:

Sir, just hold it one second. Could everyone take those stickers down? We don't mind people holding up signs, but you're going to have to take those stickers off the back of the walls. Okay? Ma'am, just take the stickers down, okay? The back of the walls right behind me -- I mean, right in front of me, we need to take those off. Thank you. Go ahead, sir.

MR. WEINSTEIN:

The resolution that was in the newspaper indicates, as far as the Village of Ocean Beach is concerned, is to be sold at a reduced rate currently under negotiation, that's the language. Now, on January 31st, 1997, Mr. Sabatino, the attorney for the County Legislature, wrote to Mr. Muny, the head of the Fire Island Ferry as follows, and I offer this letter: "The ferry company has to abide by the schedule of fares that are set forth in the adopted resolution. You cannot negotiate separate fare structures that are different from what is in the resolution," end of quote. And the answer of the Fire Island Ferry is, "It has been brought to our attention that we must abide by the fare structure set forth by the Suffolk County Legislature and that we must not negotiate a separate fare that is not covered by the schedule." Now, it seems to me that this resolution is doing indirectly what has been held to be illegal to do directly in 1997. I ask that you look at this and consider it. Is there someone that could hand this up?

In conclusion, there's no question that the Fire Island Ferry has been doing a fine job, there's no questions that the costs have increased. The point is that why add to an increase in cost and make it more prohibitive for the general public to go to the Fire Island National Seashore by allowing various localities to get special rates. If they're able to negotiate these rates through their leases, then let them negotiate a higher rate for their lease, but do not let the County Legislature become a party to allowing elitist practices to take place where people of the general public can no longer afford to go to Fire Island. Thank you.

P.O. TONNA:

Thank you, sir. Lee Cobb?

MR. COBB:

How do you do? My name is Lee Cobb, I'm a homeowner in Lonelyville. And had I known the gentleman in the blue suit who preceded me I wouldn't have bothered to drive out because what he had to say is right on the money. And I want to speak specifically about the difficulty of any Suffolk County resident to take his family out to Fire Island for a day. The last time I was here a couple -- three years ago, anybody with a wife and two teen-aged children was in for 40 bucks for the ferry company before he even bought a hot dog. I mean, it's scandalous. And now they're asking for another fare increase and now they're going to give "a break" to working stiffs who have to make a living in Fire Island. If you take a look at that break they're giving them, it ain't a hell of a lot. As it is, even before this it costs more money for a working stiff to pick up a day's

pay on Fire Island than it costs for a commuter going to New York. It's an absolute scandal.

The lady from Ocean Beach, the Mayor, of course she supports the fare increase because Ocean Beach owns their own dock and they got a nice increase in the payment for the use thereof for the Fire Island Ferries. And of course people in Dunewood would be in favor of it and people in Saltaire for similar reason. But once again, the two tier structure should be implemented for working stiff and people who

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don't own homes in Fire Island who want to come out for the day and not for the vested interest in those three communities.

I've been at this since '89. I've been at this -- I was the one who blew the whistle on the stolen funds in the Fire Island Ferry, the annual fare increases during a period of disinflation from 1980 to 1988 on the basis -- they were granted every year on the basis of declining ridership, and that was with a building boom -- a building boom, rather, the doubling of the taxi fleet servicing the ferries and the purchase of new ferries with declining ridership. Millions were stolen, not by the current administration of Fire Island Ferries but by one of the previous members, Mr. {Meiner}. He never went to trial for it to my knowledge, nothing ever happened, the IRS was supposed to be after them they don't even have a file on it, haven't had a file for years.

I mean, this is a nightmare. They're at it again and I wish someone would just address -- the main issue I'm bringing up is that the people of Suffolk County who want to take a day trip are getting it badly. Thank you very much.

(Applause)

P.O. TONNA:

Thank you, sir. Is there a motion?

LEG. CARPENTER:

Motion to close.

P.O. TONNA:

Motion to close, second by Legislator Alden. All in favor? Opposed? Closed.

Okay, we have Public Hearing No. 1261 - Adopting Local Law No. 2001, a Charter Law to stabilize real property taxes by optimizing use of the Tax Stabilization Reserve Fund (County Executive) (SEQRA

Complete). There are no cards.

LEG. ALDEN:  
Motion to close.

P.O. TONNA:  
Motion to close, seconded by Legislator Caracappa. All in favor?  
Opposed? Closed.

P.O. TONNA:  
Oh, make it Fisher who seconded it.

Public Hearing Regarding Intro. No. 1262 - Adopting Local Law No. 2001, a Charter law to streamline Suffolk County 5-25-5 Debt Policy (County Executive) (SEQRA Complete). There are no speakers. Legislator Bishop, since this is a County Executive resolution that has to deal with the law that you passed, what do you want to do on this?

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LEG. ALDEN:  
This is 5-25-5?

LEG. BISHOP:  
You can close.

P.O. TONNA:  
Okay. Motion by Legislator Bishop, seconded by myself. All in favor?  
Opposed? Closed.

Setting the date of May 8th, 2001, at 2:30 in Riverhead for the following public hearings:

Public Hearing regarding the 2002 Capital Budget and 2002-2004 Capital Program and a Public Hearing regarding IR 1358, a Local Law to ban discriminatory zone pricing of gasoline in Suffolk County. Okay.

Okay. Legislator Foley, you want to make a motion? I would ask all Legislators, please come to the horseshoe.

MR. BARTON:  
Mr. Chairman, those hearings are set.

P.O. TONNA:  
Excuse me?

MR. BARTON:

Those three hearings are set.

P.O. TONNA:

Yeah.

LEG. FOLEY:

Mr. Chairman, I'd like to make a motion to override the veto of Resolution 1193 of 2001.

P.O. TONNA:

I would just ask that -- I see that Legislator Caracappa is not here but I'd like to ask him to please come to the horseshoe.

LEG. FOLEY:

We need a second on that, Mr. Chairman.

P.O. TONNA:

I'll second that.

LEG. CRECCA:

Mr. Chairman, wasn't there a motion already pending?

P.O. TONNA:

Um --

LEG. CRECCA:

Legislator Cara -- I'm not trying to be difficult, just from a parliamentary point of view, I think that motion is pending.

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P.O. TONNA:

There is a motion by Legislator Caracappa, second by Legislator Towle, both who are not in this room right now, so let's just wait.

LEG. FOLEY:

Before we go on for discussion, would we have staff bring the three Legislators back to the horseshoe?

P.O. TONNA:

Okay, Legislator Postal has --

LEG. POSTAL:

Yeah, if I could just make a motion while we're waiting.

P.O. TONNA:

-- motion while we're waiting.

D.P.O. POSTAL:

I just wanted to make a motion to discharge Introductory Resolution No. 1189 from committee.

LEG. GULDI:

Second.

P.O. TONNA:

Seconded by Legislator Guldi. On the motion, this is a bill that was in Ways and Means. You're the Chairman of Ways and Means and you have no problem with the discharge?

LEG. GULDI:

That's why I seconded it.

P.O. TONNA:

Okay. All in favor? Opposed?

LEG. ALDEN:

Opposed.

P.O. TONNA:

Opposed, Legislator Alden, let the record reflect that.

MR. BARTON:

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P.O. TONNA:

Seventeen, thank you very much.

LEG. ALDEN:

Wasn't it live last meeting?

LEG. POSTAL:

Yeah, they didn't know they had received the Town of Babylon resolution.

LEG. ALDEN:

Oh, then I'm not opposed to that one.

MR. BARTON:

18. It's discharged, 3 P.M.

P.O. TONNA:

Okay, 18, thank you very much.

Okay, there's a motion by -- if

LEG. CARACAPPA:

Just for the record, does my motion from prior to lunch stand now?

P.O. TONNA:

Actually, would you just --

LEG. CARACAPPA:

I'll withdraw it and let the sponsor do it.

P.O. TONNA:

Okay. So Legislator Foley made a motion, I seconded it. Motion to override County Executive Bob Gaffney's veto of --

LEG. ALDEN:

On the motion.

P.O. TONNA:

-- Resolution No. 1193, if I'm not mistaken. Yes, on the motion, Legislator Alden.

LEG. ALDEN:

This motion in effect cuts off debate at this point; is that correct, Mr. Presiding Officer?

P.O. TONNA:

Well, let me put it this way. It would take probably 70 cards that we have in the people who have --

LEG. ALDEN:

Well, if the answer is in the affirmative, if it does cut off debate, I'm going to be very strenuous and I'm going to make this point. The first cards that were allowed to speak, they're no more important than the 70 or a hundred or a thousand cards that come after that, so we if we're going to cut those people off and not allow them to speak, I'm not in favor of that. They came down here, the people took the time out, they filled out cards, they obviously wanted to speak. So in essence, what we're doing is we're saying to the first 40 or 50 or whatever number that got to speak, your words are more important than anybody else's, and that's not how it works.

LEG. CARACAPPA:

On that motion, Mr. Chairman.

LEG. ALDEN:

So I'm very, very much opposed to that type of motion.

P.O. TONNA:

Okay. Well, if we want -- I mean, if we listen to what Legislator

Alden says, we'll be here --

LEG. D'ANDRE:  
Mr. Chairman?

LEG. CARACAPPA:  
Mr. Chairman?

P.O. TONNA:  
I understand, you understand, we'll be here until probably tomorrow  
afternoon some time.

LEG. ALDEN:  
In response, Mr. Presiding Officer, then what should have happened was  
no one should have been allowed to speak and we should have just have  
voted on this.

LEG. CARACAPPA:  
Mr. Chairman.

LEG. ALDEN:  
But since we did start down that path and allowed people to speak,  
everyone that took the time and showed the interest to come here --

LEG. BISHOP:  
I think they want a vote.

LEG. CARACAPPA:  
Mr. Chairman?

P.O. TONNA:  
Well -- yes, Legislator Caracappa.

LEG. CARACAPPA:  
Thanks. On that -- I guess that's not a motion, but I agree with you,  
Legislator Alden. And just keep in mind, this is a veto override,  
it's really not -- it's not even an agenda item so, number one, that  
gives us the ability under our rules to pull it out any time -- hear  
me out. And I think if you ask -- well, I'm not going to speak for the  
public, but I think most of them came down here to see a vote as well  
and they'd would like to see it and get home to their families and I  
think that may be more important at this point in time. They do have  
the option after the vote is taken to come and speak because as we're  
well aware of, this issue is not going away. And many people will  
voice their opinion pro and con on what we should do after today on  
this issue, they're welcome to stay and speak when their card is  
called, but I think they also want to see a vote.

P.O. TONNA:  
Legislator Bishop.

LEG. BISHOP:

I just want to reiterate what Legislator Caracappa is saying and perhaps ask the Chair if he can ask audience what their wish is. I think we're doing --

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P.O. TONNA:

Well, this isn't the Monty Hall Show, so I'm not going to do that.

LEG. BISHOP:

This is the Suffolk County Legislature which is close.

P.O. TONNA:

Right, but it's not the Monty Hall Show. Anyway --

LEG. BISHOP:

I'm not done with my time.

P.O. TONNA:

Okay, go ahead.

LEG. D'ANDRE:

Mr. Chairman?

LEG. BISHOP:

Legislator Alden's statement, very eloquently made, is not proper in this context because I think the majority of the audience, even the ones who filled out cards, want to move on and get a vote on this. And I think a majority of the Legislators want to do the same so it serves everybody's purpose to move forward at this time and have the vote.

P.O. TONNA:

Legislator Fisher -- Fields, sorry.

LEG. ALDEN:

Paul, put me on the list because it seems like everybody's --

P.O. TONNA:

Well, everyone -- Okay. Legislator Carpenter, you're on the list after Legislator Fields.

LEG. FIELDS:

I would agree with Legislator Alden, but what I might ask if perhaps as you call the names you could ask if that particular person would like to yield their time and maybe we could -- if that's their decision that they don't wish to speak and would like to see the vote, they would then yield their time.

(Applause)

P.O. TONNA:  
Legislator Carpenter.

LEG. CARPENTER:  
Mr. Chairman, I can understand what you're saying with the amount of cards that are left remaining. However, when we adjourned at the lunch break, we gave every indication that people would have an opportunity to speak when they came back. What I would offer is that we compromise and perhaps set a time specific to listen to comments on this issue to, say, four o'clock, give it an hour of public portion on the issue of 1193 and at that point call the vote.

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P.O. TONNA:  
Okay. Well, we're in the motion actually to approve if I'm not mistaken, right? Here we are arguing about whether we should listen to cards instead of debating the issue. Legislator Foley, I'm going to follow your lead on this.

LEG. FOLEY:  
Given the point that there are some, I don't think all the 70 but I think some still want to speak, I would be amenable to Legislator Carpenter's suggestion to give folks let's say another hour and then at four o'clock we would then do the override. We'll never be able to vote at four o'clock if all 70 wish to speak, we'll be here till late in the evening. So for those who's points have already been made, if they wish to cede their time so that we can vote on this at four o'clock, I wouldn't be opposed to that, Mr. Chairman.

P.O. TONNA:  
Okay. What I would say -- so you could withdraw your motion.

LEG. FOLEY:  
I would --

P.O. TONNA:  
I'm going to call the cards. I would ask that --

LEG. FOLEY:  
I'll amend my motion till four o'clock.

P.O. TONNA:  
Okay, wait, let's just wait. I would ask that people, we have a lot of cards here. And to tell you quite honestly, I think about a half an hour, with a half an hour debate so that we can get on with some of

the other business and people can get home to their kids or whatever you have to do, I would just ask that people who filled out cards, if it's something that you've already said before or that has already been expressed and you don't feel the absolute necessary need to come up and speak, we can move through these cards rather quickly and maybe that way we'll have an opportunity then to call a vote. Okay?

LEG. POSTAL:  
Mr. Chairman?

P.O. TONNA:  
Is that okay? Yes?

D.P.O. POSTAL:  
Can I also suggest that, as difficult as it is, Legislators refrain from making statements or even asking questions unless there's something absolutely vital. And can I also suggest that members of the audience, as strongly as they feel about this, tend to applaud periodically and that takes time. So if we could all kind of discipline ourselves then we could get to more speakers.

P.O. TONNA:  
Okay. I just ask -- okay, Beth Herman, are you here or do you want to speak? I'm going to count to three. One, two, three, going, going,

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gone. Hemal Patel? One, two, three, going, going, gone. Randi Smith-Zaletel? Going, going, gone. Matt Sloane? Going, going, gone. Daniel, and I must need glasses, it starts with a B? Going, going, gone. Keith, with a crossed out last name, B-A-N, maybe T-Z? Going, going, gone. Kevin Goldston? One, two, three, gone. George Leontiev? Okay. I should have done better with phonics in school. S-O-L-E-I-L, Soleil Manley? Going, going, gone. Danielle Xanthos?

LEG. D'ANDRE:  
Mr. Chairman, it's obvious that people don't want to speak. Let's call the vote.

P.O. TONNA:  
Sir, let's finish these things, please.

UNKNOWN AUDIENCE MEMBER:  
Mr. Tonna, excuse me. Maybe you can take a poll and see who would --

P.O. TONNA:  
No, this is not the Monty Hall Show, I'm not taking any polls.

Okay. And maybe Legislator Postal, you could take a few for me.

S-A-R-A-G-H-I? Okay. Here, you can call a few and then I'll call a few. Go ahead.

LEG. POSTAL:

Matthew Scheidermann? Adam Schneps? Danny, it looks like Nicbaunt? John Descul? Mike Aguilera?

P.O. TONNA:

Michael, you have three minutes.

MR. AGUILERA:

I've cut my hair for you.

LEG. BINDER:

Did you get an earring for him?

P.O. TONNA:

No, no.

MR. AGUILERA:

Maybe you could get an earring.

P.O. TONNA:

Michael, you told a fib, I knew you had short hair before that.

MR. AGUILERA:

Yes, I know. My name is Dr. Michael Aguilera and I have some stuff I'd like to give to the record afterwards. I am a research fellow at the State University of New York in Stony Brook. I live in the 4th District making Joe Caracappa my Legislator.

As a representative of BCPS, I would like to attest to the urgent need for a community opportunity center in Farmingville. Some have said that the center would be illegal. However, State Attorney General

Eliot Spitzer said it best when he said, "What was proposed in the County bill is legal, is smart, it is the best way to go." Of course, some still insist that the center would violate the spirit of the law. Legal is legal and the spirit of the law is not the law. To me, if you can only rely on arguments that we have clearly shown to be false, it means you are not smart enough to come up with a better reason to sustain the veto.

Some say that there is not support for the center. We have 2,000 signatures, which I can show to you if you want, from Suffolk county residents supporting the center. A poll by Suffolk Life found that 93% of those respondents who were polled by Suffolk Life indicated

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that they supported the override of the veto that we're talking about today. A few members of a hate group harassing Legislators does not constitute a significant opposition to this bill. There are several pressing societal problems that I believe an opportunity center can address. Informal day laborer sites in Farmingville and the surrounding areas create traffic congestion and pose traffic hazards. The center would provide an alternative hiring site and would ensure the safety of all users of the road. Legislators, you must ensure the safety of all members of our community.

Myself and other members of the BCPS have visited centers in Carlsbad, Costa Mesa, El Monte, Glendale, Farmingdale, North Hollywood, Huntington, Pacific Beach, Silver Springs and Vista. If the criteria for a successful center is whether the day laborers and the contractors use the center rather than the street, I would have to say that we can't create a center that is successful. In my opinion, when Legislators question whether a center would work, they obviously have not visited a center and have clearly not bothered to educate themselves about them. The 2001 study by the LA County Human Rights Commission studied day labor centers and concluded that the overwhelming majority of these centers are considered successful.

In concluding, Legislators, you have the opportunity to act to stop the senseless bloodshed, to do something positive for your communities and to make Farmingville an accepting environment that rejects racism and racial stereotyping. If you do nothing and wait for the unlikely day when the INS comes to solve Farmingville's problems or some non governmental -- in conclusion, I will finish up.

P.O. TONNA:  
Sir, your time is up.

MR. AGUILERA:  
Okay. Vote to override Gaffney's bill, veto, and don't be an ostrich.

P.O. TONNA:  
Thank you.

D.P.O. POSTAL:  
Isaiah Schuster? Isaiah Schuster? Mary Moycik -Aguilera?

MS. MOYCIK-AGUILERA:  
My name is Mary Moycik-Aguilera and I live in Legislator Caracappa's District.

Unfortunately, I have a strong feeling to that today the Legislature will vote to sustain County Executive's veto of the bill. I am amazed that this will happen. It is a reasonable and legal approach toward alleviating some of the problems in Farmingville, why would the Legislature and the community be opposed to such a simple solution? That is the question I have been asking myself for a awhile. I realize that some people are just afraid of all these brown skin workers from Mexico, but I think that --

UNKNOWN AUDIENCE MEMBER:

Oh, come on.

MS. MOYCIK-AGUILERA:

But I think that it is more than fear. I think that some people are filled with hate and they just don't want the day laborers here. Members of Sachem Quality of Life suggest --

UNKNOWN AUDIENCE MEMBER:

(Inaudible).

P.O. TONNA:

Ma'am, hold it one second. I would just ask -- I am going to clear the auditorium if this happens again. Keep your comments to yourself. We've listened to everyone and given them the respect to listen.

MS. MOYCIK-AGUILERA:

Members of --

P.O. TONNA:

If you can't treat the speakers with dignity, that's not right. Please, continue, ma'am.

MS. MOYCIK-AGUILERA:

Thank you. Members of Sachem Quality of Life suggest using the military to deport the migrant workers while at the same time saying that they do care about them. If only they would go back to Mexico and return legally, they say, knowing that the United States Immigration Policy towards Mexico is unfair and that the workers cannot do this. Instead of lobbying the Federal Government to deport migrant workers, why not lobby for a just immigration policy that acknowledges our need for their labor?

It seems to me only hatred can motivate people to actively seek the deportation of these men who come here in search of work due to the poverty of their country. The reason that I bring this up is that at first a thought that perhaps those Legislators who do not support the center believe that SQL represents the community. However, by now they know that while SQL makes a lot of noise, the group is really only a handful of frightened and hateful people. On the other hand -- on the other hand, the Legislators have heard the voices of Brookhaven Citizens for Peaceful Solutions and other community members, including the voices of over 2,000 petition signers in support of the center. Therefore, the sad conclusion for me is that some of our Legislators are also small-minded, scared and perhaps hateful people. Such

Legislators oppose the center because it will legitimate the day laborers. The truth is that these men are here to stay and the Suffolk County Legislature must accept that these men are now a part of our community.

P.O. TONNA:  
Thank you, ma'am.

LEG. CARACAPPA:  
One question.

P.O. TONNA:  
Okay, one question.

LEG. CARACAPPA:  
I have to ask one question, simple, it's been asked all day. Ma'am, do you live in Farmingville?

MS. MOYCIK-AGUILERA:  
I live in Coram.

LEG. CARACAPPA:  
Coram. Okay, thank you.

LEG. POSTAL:  
Next speaker, Edward Hernandez.

MR. HERNANDEZ:  
I will yield my time.

D.P.O. POSTAL:  
Nancy DiSanto? Mary -- is Nancy DiSanto here? Mary Weiler? Are you ceding your time? Okay.

P.O. TONNA:  
Sir, we're going to have to unblock that aisle. We're going to have to unblock that aisle.

D.P.O. POSTAL:  
Between the cameras and the chairs.

P.O. TONNA:  
Okay.

MS. WEILER:  
My name is Mary Weiler. Residents of Farmingville and the surrounding communities have been affected by the situation and have been meeting, discussing and studying these issues of traffic safety, overcrowded

housing, loitering, health, taxes for the last four years.

The government leaders on the Federal, State and the local level have participated in the process. Different people in the community have met with them, different groups in the community have met with them and we still have the same problem. The problem is that there are people loitering on the corners, the health issues are still health issues. And no matter how you vote, we're still going to have the

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people here. There's no way that anyone is going to deport or get rid of or do anything, we're going to still be living in this community with the same number of people that we have now.

I'm hoping that you will override the veto and that we will have a site so that at least we will address the health issues, the safety issues. It may eventually take longer or it may eventually happen but it will take longer to address the tax issue and the legality issue as far as workers. But at least the traffic issues, the health issues, some of the language that's used and the acculturation can be addressed with a site and it can be addressed soon instead of more meetings like this and years of talking and talking and talking which aren't getting us anywhere.

As Mr. Gaffney suggested, community and the day laborers, along with faith-based organizations, should come up with a solution by engaging in constructive dialogue. The solution that had been brought up is the community center and at this point that solution was vetoed by Mr. Gaffney. If you have a better solution, the community is willing to answer and listen.

D.P.O. POSTAL:

Thank you. Is the next woman Nancy DiSanto?

MS. DiSANTO:

Yes. Most of what I needed to say has been said, so I'm not going to take up much of your time. I just would like to urge you all to override the veto. I truly believe that County Executive Gaffney made a big mistake and I am hoping that this Legislative body can correct that mistake instead of compounding it. As said before, the community center right now is the only viable solution. It's a start, it's a beginning and it can address many of the problems that have been brought up. Thank you.

D.P.O. POSTAL:

Thank you. Mary Lauricella?

MS. LAURICELLA:

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I'm here today to say that I am -- well, first nervous, but to say that I am in support of the community opportunity center for two reasons mainly.

One, the beginning of this month I was in a car accident; the car accident was caused by the people on the street looking for work. A truck pulled over and a car swerved into my lane, I put my hand on the horn, my foot on the break, the car behind didn't stop right. Now I have an ice pack on my back because I can't sit or stand for any great length of time. It's a reinjury on top of an injury, so I've been going under treatments six times a week because of this new injury, it's not fun. The second reason that I'm doing -- well, let me go back to the first also. While the policeman was taking the report, he stated to me the witness that I had from another car that stopped saying, "This happens at least twice a day at this street." It was in Medford, it was on North Ocean Avenue and Robinson Avenue, but they do gather there just like they do in Farmingville.

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My second reason is because I am the Parish Secretary at Resurrection Church in Farmingville and I have no problems with the Mexican people. They come in, they are so devout, they worship the Lord, they worship Our Lady and they have so much respect it is isn't funny. They are willing to help anyone. When I have to take, day after day, phone calls from people asking me, "Do you allow those Mexicans, those illegal aliens to into this place? What kind of a church are you?" And I answer them, "We allow anyone. Didn't the Lord allow anyone?" This is something that has to be overcome. The site is there -- I'm nervous. The site hopefully will be there for them so that the accident like I just had will not happen again. They will be there and it's not just for the Mexicans, it's for everyone involved. So I am here, please, definitely override the veto.

(Applause)

D.P.O. POSTAL:  
Thank you.

LEG. FOLEY:  
Madam Chair?

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

LEG. FOLEY:  
Ms. Lauricella's written comments are here and I'll distribute them to the members of the Legislature.

D.P.O. POSTAL:

Okay, thank you. Next speaker, Bob Beckerer? Becherer?

MR. BECHERER:

Thank you. My name is Bob Becherer, I reside in the Town of Brookhaven in Stony Brook and my Legislator is Vivian Fisher.

I, like you, have heard many times during the public debate over bill 1193 that there is little support for the community opportunity center. I have with me today a visual representation of the support for the center, and I need a little help with this. Of the over 2,100 signatures contained on the petitions, approximately 800 are from zip codes in and around Farmingville. You have all heard the arguments for and against the creation of the center. No one says it will solve all of the problems, but it is a positive step, the only positive step proposed to date. Whoa. All right, I think we made the point.

Your job in my opinion, as representatives of the public, is to address public problems and to try to find solutions. BCPS the Brookhaven Citizens for Peaceful Solutions, believes that it is proposing a solution, the creation of the employment opportunity center. I urge you to give it a chance and to override County Executive Gaffney's veto.

I would also like to say that I have great sympathy for the people of Farmingville. Although I support the establishment of a community opportunity center, I was moved by many, not all, of the statements

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made in opposition to the opportunity center. Although Stony Brook is only ten miles away from Farmingville where I live, it is enough of a distance not to feel the every day reality of the day laborer situation. Farmingville, in my opinion, is no more racist than Stony Brook, and in fact may be less racist.

(Applause)

One of the encouraging things I learned today from the woman who spoke about the Huntington experience is that having the opportunity center has not prompted a massive influx of additional day laborers. Both her and Mayor Suozzi's statements were very encouraging and should help to calm the fears of the Farmingville community. The community opportunity centers in those two communities have improved conditions in both communities, as you heard testimony today. As I understand the situation, the community opportunity center will be closed if it is not found to be working. I can't conceive of the County or Catholic Charities or any of the financial supporters to continue a

failed, nonworking system. Vote to override the veto and give it a chance. Don't do what is often done after a traffic fatality, install a traffic light, do it now before the fatality. Thank you.

D.P.O. POSTAL:

Thank you. Next speaker, Ken Lederer. Ken Lederer? Jerry Dano?

MR. DANO:

Good afternoon. I'm from Huntington. I'm a past State Coordinator of AARP Vote, that's an AARP organization that's involved in education and advocacy primarily on Federal issues. Let me make a point saying that I'm not here speaking on behalf of AARP at all, okay? But because I have spoken extensively on social security and Medicare throughout the State, I want to bring to your attention again how the payroll taxes are being flagrantly broken.

As you know, Social Security and Medicare in the not too distant future will be insolvent. Recipients will have to receive less or, more likely, honest employers and employees will have to pay more. Let's take a look at the underground economy. In a 1999 issue of the Kiplinger Washington letter they address this issue and it just leaked out and struck me. It said that between 1992 and '97 the underground economy doubled, that's 15% growth rate. They said it was running at \$800 billion a year, take that up to this year and we have a trillion dollar underground economy. It's out of control. And it means that in Social Security and Medicare alone we're losing 150 dollars -- more than \$150 billion a year.

What we have in front of us today is the establishment of a hiring hall that will facilitate further expansion of the underground economy, only in this case it's hardly underground. It's in our face and every honest taxpayer should be enraged. Every employer is obligated by law to pay his share of his employees' payroll taxes and should also withhold the employees amount.

Now, I'm not here to talk about day laborers and their paying taxes. These people work hard. And if they pay payroll taxes, they'll probably get it back via the Earned Income Tax Credit. That's not the

point. What I am concerned about is that with the hiring hall and the sites in Huntington, Glen Cove and elsewhere, we are facilitating the breaking of the law. We are making it easier for contractors to hire laborers and we know they're not paying these payroll taxes. Even worse, we are aiding and abetting the breaking of the law by supporting it with tax dollars; this is wrong. I was taught and still believe that aiding and abetting the breaking of the law is, in fact, breaking the law. I would like the Attorney General's Office to

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address this Legislature and say whether or not aiding and abetting the breaking of the law is, in fact, breaking the law, I think we know the answer.

Any hiring sites should be in residential areas and be under the auspices of the State Department of Labor with support from other State and County agencies and they should do it in a manner that contractors register and are held accountable to pay the payroll taxes; until that is done, there should no hiring sites. The Farmingville hiring site is bad legislation. It not only supports illegal activity, it encourages it.

D.P.O. POSTAL:

Mr. Dano, your time is up.

MR. DANO:

Many high school and college seniors --

D.P.O. POSTAL:

Mr. Dano? Mr. Dano.

MR. DANO:

People are working for minimum wage.

D.P.O. POSTAL:

Mr. Dano, your time is up. Either sum up immediately or I'll allow the next speaker --

MR. DANO:

I'll sum up. I'm asking you to uphold the law. I'm asking you to honor your Oath of Office. I believe that when you take office you say you work for the Federal State and Local Laws.

(Applause)

D.P.O. POSTAL:

Thank you. Next speaker, Joseph Werner. Ladies and Gentlemen -- Joseph Werner is next speaker. You were asked to please refrain from applauding, it means that there's a delay -- Mr. Werner, are you relinquishing your time or would you like to speak? Come on up.

MR. WERNER:

As most of you know, I'm Joseph Werner. One of the main causes of the situation today is a law that the Suffolk County Legislature had passed in 1995, Local Law 3-1986, which made Suffolk County the unofficial -- the immigration illegal alien port that -- Rose Caracappa, Rose Caracappa who was really fantastic who saw how awful making Suffolk County a sanctuary for illegal aliens. And Legislator

D'Andre, Legislator Caracappa, they were very instrumental in getting the law repealed. I just want to read these things fast. One, a tribute that I had written to Rose Caracappa and she's here actually in spirit.

Rose Caracappa, We'll Never Forget You.

There's a spirit throughout Suffolk County that congregates where its Legislature meets, it's the eternal spirit of Legislator Caracappa as she sits in her unseen seat.

Rose was a representative of the people, this she emphatically proclaimed. When called a politician she said, "No, the two were not the same."

Rose loved America, her constituents and all Americans too, she was the utmost symbol of all that is good with a patriotic aura of red, white and blue.

Rose, if you hear us, this to you we say, thank you for all that you have done, you'll never be far away.

(Applause)

Then, as I said, the major cause of the problem today is that for seven years, illegal aliens were able to come here, they were protected. The Local Law that I had mentioned, they were hidden from the Federal and State Government and they got all the facilities of health, safety and welfare. Now, as I had said when I was here fighting for that year when I sent out news releases galore, came here at every one of your meetings, sent out -- got petitions signed, etcetera. That one thing I had said to those that said they had to be helped, you say, you pay, don't put the burdens on your constituents. And I gave each of the Legislators at the time passport applications so they could go from whence the problem started.

Now, let's see. Then something I had written -- and again, now it's a different situation now when the law was passed making illegal aliens, you're giving all the rights, as I said.

D.P.O. POSTAL:

Mr. Werner, finish up, please.

MR. WERNER:

What's that?

D.P.O. POSTAL:

Your time is up, you have to finish.

MR. WERNER:

I just want to read this one thing.

D.P.O. POSTAL:

No, I'm sorry.

P.O. TONNA:

No, that's it, your time is up. Thank you, sir.

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MR. WERNER:

Tailor the infamous Suffolk County Legislature majority --

D.P.O. POSTAL:

No, no. Mr. Werner, the next speaker is Fred Snyder.

P.O. TONNA:

Sir, you had your three minutes. Thank you.

D.P.O. POSTAL:

Is Fred Snyder here? Annette Sparagio or Sparacio? Anthony Abruscato, Jr?

MR. ABRUSCATO:

Hi, good afternoon. The United States of America, land of the free, home of the brave, these words are synonymous with this great country of ours, second to none. A country with a reputation known for being a protector and benefactor to the world's poor and war-torn countries for two and a quarter centuries. This is a well earned reputation, one to be cherished for over those centuries many millions have passed through Ellis Island and other ports of entry. Many wars have been won and lost, courageous and revered men fought and died honorably for this country of ours, wives and children who long for their husbands and fathers to return but never did.

Today many of our veterans are homeless and disabled they themselves are living in squalor conditions. Our veterans, mine and yours who some are diagnosed with cancer may need dialysis for this is a terminal condition, many who might not have enough insurance to pay out-of-pocket expenses. Many of our veterans might not have transportation for this vital treatment but are told it's up to them to find it. Many nontaxpaying, illegal immigrants -- I'm obliging not to use the politically correct, two-worded phrase undocumented immigrant -- who may be diagnosed with the same treatment, with the same condition pay no cost whatsoever, this is provided to them for free, including free transportation. But the cost is put on the shoulders of veterans and all of us taxpayers who are here legally who do two or three jobs to keep our families above water where we have to pay half of our salaries in taxes. Yes, we are a nation of immigrants, as our Founding Fathers were, and our country was built on the backs of immigrants from many diverse countries, but we are also a nation of laws to be upheld by persons elected to do just that, that being the 18 Legislators sitting before me today. Thank you.

(Applause)

D.P.O. POSTAL:

Thank you.

P.O. TONNA:

I just remind everyone, I would ask that we want to get to a vote, please.

D.P.O. POSTAL:

Marcel Bruszewski? Janet Walerstein? Joann Russo?

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MS. RUSSO:

You saw the pictures I brought last time and those of you that wanted to see and had open eyes saw and those that were blind did not. Here's Los Angeles yesterday, the men are on the street, the site is empty, it is 8:40 in the morning, believe what you will.

I would like to enter this into the record. It is from the Middle American News, Raleigh, North Carolina. Dr. David {Yegley}, a Commanche Indian, has proposed to the Oklahoma Legislature that high schools in the state offer an optional course in patriotism. {Yegley}, who teaches humanities at Oklahoma State University, believes that a revival in national loyalty is necessary to stem the destructive effects of political correctism, multiculturalism. "As an Indian," says {Yegley}, "I feel it is my sacred honor to save the white man again, this time from himself. The first time was when the Indian showed the settlers how to survive. Today," he warns, "White guilt is the biggest flaw in the American Psyche."

{Yegley} is not burden with the misdeeds of his ancestors. "America", {Yegley} observes, "has held out an offer of charity for all, that everyone can have a better life." Hold on, I'm shaking like a leaf. Where is it? Can have a better life. "But if you want to be kind to people and charitable and indulgent, you must do it from a position of strength otherwise you lose the ability to do good for anyone." He adds, "I think it is demonstrable that historically speaking, most people get the best deal under this American system. I am trying to come to the rescue here and say to the white man, look, don't destroy everything you have. If you don't want the country, give it back to me, don't give it away to someone else."

(Applause)

D.P.O. POSTAL:

Thank you. Tom strong? Is Tom Strong here? John Bingham? I'm sorry,

what is your name, ma'am.

MS. SLIPPIN:

I'm Carol Slippen representing Janet Walerstein from the Child Care Council of Suffolk.

P.O. TONNA:

No, we can't do that.

D.P.O. POSTAL:

Sorry.

P.O. TONNA:

If somebody filled out a card, they have to represent, that's it. I'm sorry, ma'am.

D.P.O. POSTAL:

John Bingham?

MR. BINGHAM:

Before I start, I want ask permission, if I can, I'm going to leave my phone because my wife and I are expecting a baby today.

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D.P.O. POSTAL:

I think that's understandable.

MR. BINGHAM:

If the baby is born today we're going to name him Vito or Override, or so I have been suggested to do.

I'm John Bingham. My wife and I are taxpayers and residents of Suffolk County, Legislator Mr. Bishop. We're taxpayers and we also put money in the church basket and we think some of the money we put in both places quite properly ought to go from this County of ours into a solution we think is before you today.

It's not every day that you get a chance to formally thank an elected body for a wise vote, oddly a veto offers that opportunity. To the overwhelming majority that voted for the community opportunity center in Farmingville 12-2, thank you. You voted right for Farmingville and right for Long Island. Catholic Charities, where I direct immigrant services, repeats its offer to be your partner in the center going forward. Be clear, however -- and this is for Mr. Gaffney wherever he listens -- the church will not do this government work without government. We need all your votes again, two-thirds is a high number. It comes down today to three questions. First, will you lead where others in this County and on levels of government above and

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below have decided not to? Enough finger-pointing. Who's job is safety on County roads? Who's job is keeping basic order in unincorporated villages in our County? Who's money pays now for maintaining the sidewalks and roads and police patrols and traffic code enforcement where the shape up activity now occurs in Farmingville? County taxpayer money does now. The center would simply change the address and move from four unmanaged sites to one with controls. Sustain the veto and you go back to four offering Farmingville no alternative, another year of frustration and fear and the boundless appreciation of a network of national hate groups.

A country is watching our County. It comes down today to how big or small you want to make things or be. This is not the ground breaking car cell phone bill. There are already 35 communities in the country with formal shape up sites, 16 partially funded with taxpayer money, including both of them on Long Island. Legality is settled, it's settled. The State Attorney General says there's nothing illegal about the proposed center.

When speaking of the Constitution and your sworn oath to uphold it, it's important to remember the U.S. Constitution guarantees and requires you to protect the rights of far more than just citizens in our country.

LEG. POSTAL:

Mr. Bingham, your time is up.

MR. BINGHAM:

So before allowing anyone to make the Constitution smaller than it is or shred it with the --

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D.P.O. POSTAL:

Mr. Bingham, your time is up.

MR. BINGHAM:

Yeah, I'll sum up.

D.P.O. POSTAL:

Well, no, your time is up. I'm sorry. We have a lot of speakers and very little time left.

MR. BINGHAM:

Our country is watching in today's newspapers --

D.P.O. POSTAL:

Robert Ianchetti?

MR. BINGHAM:

-- and in tomorrow's classrooms.

LEG. FOLEY:

Thanks, John.

D.P.O. POSTAL:

Mr. Bingham, I'm sorry. Robert Ianchetti? Charles Clampett? Is that -- am I mispronouncing your name? Okay, Mary Ann Hart? Philip Goldstein? Carol {Avalo}.

MS. ORTIZ:

My name is Renee Ortiz. It was -- I believe Legislator Fisher discussed with Presiding Officer that I would take --

D.P.O. POSTAL:

Carol {Avalo's} place?

P.O. TONNA:

No.

MS. ORTIZ:

The card was changed previous to the hearing.

D.P.O. POSTAL:

There may be another one further back.

P.O. TONNA:

Ma'am, I'm sorry, nobody has spoken to me about that. I'm sorry.

MS. ORTIZ:

Legislator Fisher told me that it was taken care of.

D.P.O. POSTAL:

Glen Svoboda.

P.O. TONNA:

Can I just ask you one question? Are you at all a relative of the famed baseball player?

MR. SVOBODA:

No, he's SW, I'm SV.

P.O. TONNA:

Okay. Thank you, Sir.

MR. SVOBODA:

But the TV show we do with Chris DiMaggio was related, his uncle was Joe DiMaggio. I'm representing Parental rights and Americans for Legal Reform and the television show Let's Get it Straight.

I'm against a hiring hall because it promotes employers to pay off the books. As a non custodial parent who has been incarcerated for not being able to find a job to meet the standards here in Suffolk County, I find it very relevant, especially that this County just recently imposed the boot bill and is encouraging people to work on-the-books. I know most of you's know what's going on, the fathers are now committing suicide because we have a problem trying to be able to afford to live here. So please, let's not encourage illegal workers here because we need jobs on the books. That's all I have to say. Thank you.

D.P.O. POSTAL:

Thank you very much. Next speaker, Renee Ortiz.

MR. ORTIZ:

Thank you. Sorry for the confusion. My name is Renee Ortiz, I'm a community facilitator for the Suffolk Community Council. The Council is a well established agency since 1933, it was created as a forum for human service providers to communicate Suffolk County -- to Suffolk County Legislators the needs and concerns of all Suffolk County residents. Our mission is clear and simple; we are here to improve the quality of life for all Suffolk County residents.

Last Thursday our agency's board of directors voted unanimously to take a supportive position on the Farmingville hiring hall issue. A letter was sent to Presiding Officer Tonna and the entire Suffolk County Legislature signed by our Executive Director, Thomas B. Williams. There are very few of us here today who can honestly say that when digging into their family's roots, that somewhere on that tree your ancestors were not immigrants themselves. I personally need only look as far as my grandparents. One set came to this country from Puerto Rico before it had commonwealth status, the other set came here to escape persecution in war-torn Germany and Poland in the 1930's. They came here and immediately became hard working contributors to this country's work force. If you ask me if my grandparents came through Ellis Island, yes, one set did. But they have told me firsthand that given the circumstances of their arrival, even if they were turned away they would have found a way the get in; legality was not an issue, survival was.

I am who I am today because of their struggle. The immigrants we speak of today are here fighting that same struggle with that dream of freedom. And for those here who repeatedly refer to the fact that their parents, grandparents or great-grandparents were also legal immigrants years ago, maybe they were, but let us not forget about

acronyms such as WOP, W-O-P, which stood for without papers, or the signs that also read Irishmen need not apply. Let us not forget the spirit on which country's establishment was based, all men are created equal and have the inalienable right to the pursuit of happiness. Is this not the land of opportunity or is it that the opportunity is only here for those we decide are deserving?

It is a sad day when we as a community allow stereotypes and fear to control our actions. Let us look to our neighbors who have had positive results in addressing the same issue by the establishment of an opportunity center. It may not be the final solution but it is a positive, peaceful step toward one. Thank you.

D.P.O. POSTAL:

Thank you. John Sicignano? Neil and Tom Considine? Tamara Fehling? Michael Varacalli?

P.O. TONNA:

Has anybody filled out a card that absolutely has to speak? All right, keep going.

D.P.O. POSTAL:

Elizabeth Bliss?

P.O. TONNA:

Keep going.

D.P.O. POSTAL:

Brian Bliss? Elena Ennever?

MS. ENNEVER:

Good afternoon. My name is Elena Ennever. I am a registered voter and I am opposed to the center being placed in a residential area, namely Fairmont Avenue. This is a not a racial problem, this is a taxpayer problem.

(Applause)

I moved to Fairmont Avenue three years ago from Wyandanch and moved to a quite, peaceful area for health reasons. My old neighborhood is full of drugs, prostitution and violence. I was stressed every day. Since moving onto Fairmont Avenue, the most stress I have experienced are cars running stop signs. I have two teen-aged daughters that I would like to be able to see walk freely through their neighborhood. If the center is approved for Fairmont Avenue, I will be in the same situation I was in Wyandanch. I have recently being diagnosed with Multiple Schlerosis and I am opposed to the center for health reasons.

The center will be directly across the street from where I live presently. I think the attack on the two gentlemen was a travesty and

very inhumane. Placing a day center in Medford, because technically the center, the Farmingville center is Medford, Fairmont Avenue is in Medford, my children are in Patchogue-Medford School District and I own my home. In human -- in an attempt that they attack the day workers. And I believe that the center if approved should not be placed in any residential area. This is a lot -- there is a lot of

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open space for construction in an industrial area. This is -- when contractors are looking for day workers, it would not be inconvenient for any families. Thank you.

LEG. FOLEY:  
Mr. Chairman, if I may?

P.O. TONNA:  
Yes, Legislator Foley.

LEG. FOLEY:  
Ma'am? I just have a question, a question and a point of clarification. Number one, could you tell us how you found out that a site on Fairmont was being considered?

MS. ENNEVER:  
Yes. There was a sheet passed around --

LEG. FOLEY:  
A pamphlet?

MS. ENNEVER:  
Right, that the --

LEG. FOLEY:  
And what did it -- and do you know who --

MS. ENNEVER:  
The {Juno} Center that's on Fairmont Avenue is supposedly the place where you want to have this.

LEG. FOLEY:  
Was there a group's name on that pamphlet? Who was the group that had mentioned that it would be on Fairmont Avenue?

MS. ENNEVER:  
Just --

LEG. FOLEY:  
Pardon?

MS. ENNEVER:

Just people from the neighborhood, they just have Resolution 1193.

LEG. FOLEY:

Okay. It doesn't say what group is distributing that pamphlet.

MS. ENNEVER:

It doesn't, I'm sorry.

LEG. FOLEY:

Okay. Well, let me put your fears to rest. That in no way, shape or form, if this would be approved, would a shape up site, opportunity center be placed on a residential road. That was never the intent. And I can tell you unequivocally that that would not be a road in which a site would be located. What's been said all along, and I'm

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glad to hear the other comments that you made, is that the only areas that were entertained, if we can successfully override the veto, is to place it, as you had said earlier, along the commercial roadways, not in a residential area. So please go back to your neighbors, no matter what may happen today I can tell you that in no way, shape or form was it ever intended to be placed in a residential area. So you can rest easy, however the vote goes today.

MS. ENNEVER:

Thank you.

LEG. FOLEY:

Thank you.

D.P.O. POSTAL:

Thank you. Next speaker, Lisa Vanikiotis? Lisa? Pete and Laurette Lombardo? Michael Sroka? Dr. Charles Kerner? I'm sorry, is this Michael Sroka?

MR. SROKA:

Yes.

D.P.O. POSTAL:

Okay, you have three minutes.

MR. SROKA:

Thank you. Mr. Presiding Officer and Members of the Legislature, I thank you for the opportunity to speak before you on this very important matter. I would like my full statement to be made part of the record.

My name is Michael Sroka and for the last 24 years I have resided in Farmingville with my wife and children. Many things have changed in the last 24 years, but let us examine the problems we now face and how we have arrived at this point. We have arrived here to the distortions and misleading information perpetrated on us by the likes of Newsday and Cablevision. Let us examine these fabrications.

Distortion number one; immigrants, the streets of Farmingville have become a haven for illegal aliens not immigrants. Calling these people immigrants is an insult to every immigrant who entered this country legally. Immigrants come to this country, learn the Constitution, apply for citizenship and proudly display the flag of their new country. Immigrants don't ride down Horseblock Road waving the Mexican flag out the windows of their cars. Newsday and its reporter Bart Jones will not tell the people of Long Island about this. Yes, Mr. Tonna, while you and your special interest groups were burning candles in Hauppauge, the residents and taxpayers in Farmingville were forced to watch this despicable behavior. To add insult to injury, when a resident and taxpayer protested this, she was arrested by the highest paid Police Department in the country. Evidently Suffolk Police are not aware of the rights due to citizens and taxpayers, but only the rights of illegal aliens.

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Distortion two; Newsday wants to save the residents and taxpayers of Farmingville from all these illegal aliens. Even though a majority of residents are against this work site, Newsday claims it is the only solution. What Newsday does not tell you is who pays for the health care of these illegals, who pays to educate their children, who pays for disability if they are injured on the job? That's right, folks, the good old taxpayer pays for this. There are approximately 1,600 illegal aliens in Farmingville now. If this work site is approved, how many more thousands will be here next year, hiding these people where they can't be seen is not a solution to solving the problem.

Distortion three; this will help the workers. Let's get real. The only reason these employers are hiring these illegals is to fill their observe pockets. They want to avoid paying Federal income taxes, FICA taxes, New York State taxes and unemployment and disability payments. Between the Suffolk County Department of Labor and New York State Department of Labor, there are four locations within a ten mile radius of Farmingville that train and assist people looking for work.

D.P.O. POSTAL:

Mr. Sroka, your time is up.

P.O. TONNA:

Your time is up. Thank you, sir.

(Applause)

D.P.O. POSTAL:

Next speaker is Dr. Charles Kerner.

DR. KERNER:

Good afternoon. Yes, we are a nation of immigrants and immigrants mean people who come into this country, and that includes all immigrants. And which of us are not descending from immigrants? And in the law of our families, don't we hear about the opposition which one of the young ladies recently spoke about, the opposition to immigrants in their time; do we want to revisit this? I don't think so.

Aliens we have among us, but do we have to alienate them? The census of 2000 pretty well points out that this is not a group to alienate, that this is a group to embrace. We have heard the message and often a strident message and I sat on this side of the room just to get the flavor of what was being said that no one could hear up in the front. The strident the message to minorities that will come out of this is hostility. Do we want that? That's unfortunate. Because I believe the majority of Suffolk County want this. I have heard of polls for the e-mail, etcetera, I think it's unfortunate that they get this message even though the majority don't feel that way.

These proceedings will get to the inner pages of our newspapers, but you can bet that in the minority communities it will be topic number one, and that's unfortunate because we are cutting off the people who are the future of America. Do we want to solve the traffic and loitering problems? Yes, we do. But we don't want to bring in native

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sentiment, we don't want to start that again. And you can bet that all over this country that nativist groups and Americans in general, as Mr. Bingham tried to say, will be watching what you do, just as they have been watching the good things that this Legislature has done that are so such an initiatives; for instance, the smoking ban. And I would like to say that maybe the union support for day laborers will win this battle, but we may lose the war because the future for unions is to unionize the very people that we're antagonizing if we do not override the veto.

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And as far as my own religious convictions, all throughout the old testament there is the proscription "Protect the alien and the widow". We've got to do that. That doesn't mention what Christ would have said. And having just passed Easter, we know that it was the laws which were used to put him to death. Thank you very much.

(Applause)

D.P.O. POSTAL:

Thank you. Joseph LoSchiavo? Joseph LoSchiavo? Helen Fitzgerald? Pascual Blanco? Eleanor Oakley? Alfred DeSidio or DeSibio? Donna Macaluso? Cheri Reed? Joe Sadow --

P.O. TONNA:

Wait.

MS. MACALUSO:

Hello.

D.P.O. POSTAL:

Is that Cheri Reed?

MS. MACALUSO:

No, I'm Donna Macaluso.

D.P.O. POSTAL:

Okay.

MS. MACALUSO:

There's really just a couple of things I need to say. One is that I resent being called a racist.

(Applause)

In my own family there are different races, creeds, and color. This is not about that. This is about laws that are being broken and need to not be broken. The American flag is outside and it's on the ground because no one knows what to do with it, they just brought it so that they could feel like they belong. That's all I have to say.

(Applause)

D.P.O. POSTAL:

Cheri Reed? Joe Sadowski?

P.O. TONNA:

Wait. Can I just ask, is there a flag on the ground somewhere?

UNKNOWN AUDIENCE MEMBER:

Yes, there was.

P.O. TONNA:

There is or was?

UNKNOWN AUDIENCE MEMBER:

There was on the lunch break.

P.O. TONNA:

Okay. Can I ask somebody from my staff just to go out and see if there's any American Flag on the ground? Thank you.

MR. SADOWSKI:

Hello, everybody. My name is Joe Sadowski, I'm for Sachus Quality of Life. I believe the veto was in order, I believe he is one of the leaders of our community. And I believe there's an issue that everybody has to look at and I would like to put it in terms that everybody can understand.

When we go abroad, everybody has to have a passport, no matter where you go you need that passport. If you don't have a passport you're detained and you have to wait until that passport catches up with you. Now, you can sit there for a few days, you could sit there for a month. This happens in Italy, Spain, no matter where you go, this is life. Now, we have the problem here in America, our problem is Suffolk County. We have a problem with green cards, we have a problem with giving permission to work. As a child, I couldn't get my work permit, my license to work, in Nassau or Suffolk County until I was 15, but that was the law. The law was very, very clear and fair, I needed those working papers. Now, we have a bunch of people that are here in a community with no working papers, with no ID, as far as green cards or passport. Why would the lawmakers of this community have to even think about an issue of this size when every citizen of the United States needs to have a license to work?

(Applause)

Now we have separation of State and church. Our friend, we have a small problem. There's a sanction for a person that goes into a church if they're in trouble, that church, that priest, the father, whoever it may be, will stop the officers from going in, he is allowed to do that. Once they walk outside it's over, it goes back to the public. Where are we standing? We're allowing the church to come here and ask for funds, money for people who we know who do not have green cards. The church is harboring, aiding, abetting and asking for money to do this. The church is putting out over the Internet and flyers asking these people, these people with no working papers, to come to them, to come to them so they can get papers to work within the country.

Now, as far as going over the Internet, paperwork, as far as the flyers are concerned, you all know this is illegal, they can't do this

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because now they're soliciting these people to come in. Who are we to help them? So listen, the police officers themselves --

LEG. POSTAL:  
Mr. Sadowski, your time is up.

MR. SADOWSKI:  
Excuse me?

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

MR. SADOWSKI:  
Well, I'm sure --

P.O. TONNA:  
Sir, your time --

MR. SADOWSKI:  
-- we had Foley here with extra time and other people.

P.O. TONNA:  
Sir, your time is up. Thank you.

MR. SADOWSKI:  
Oh, thank you.

D.P.O. POSTAL:  
Ann Sweeney?

MR. SADOWSKI:  
You got my message through the newspapers.

(Applause)

D.P.O. POSTAL:  
Ann Sweeney? Karen McQueeney? Jason Macaluso?

MR. MACALUSO:  
Good afternoon. My name is Jason Macaluso. I am 21 years old and I've grown up in Farmingville my whole life, I was born and raised. I'm also an Eagle Scout, so I'm one of I guess our community's, I don't know, shining stars or something like that, that's what they tell us. But for some reason I can't earn a living. I can't pay my bills. I'm 21 and I still have to live with my mother because I cannot pay my bills because my salary is pulled one-third to taxes. I

would kill to make a hundred dollars a day tax-free, I would love it.

(Applause)

Now, they say they make \$6 an hour tax-free; well, if do you the math, that works out to like \$11 an hour on the books. Still, ask any 16 year old, he would \$11 an hour on the books, we can't get it. I have to pay for college, insurance, liabilities, all that stuff. Now, when this work center goes up, I ask you, will I be allowed to go there and solicit illegal work? No, because I have a social security number. I

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have already been on the books. I have already been paying takes since I was.

(Applause)

I also had to get working papers. I wanted to work when I was 14. I had family businesses I could have worked illegally in, I wasn't allowed to. So please, make it fair all the way around. Thank you.

(Applause)

D.P.O. POSTAL:

Nadia Marin-Melina? Nadia Marin-Melina? Audrey Van Deusen?

MS. VAN DEUSEN:

Hi. My name is Audrey Van Deusen, I'm here to speak to a different issue. I'm currently serving as Board President for the Child Care Council and I'm here today to urge you to override the County Executive's veto of the child care salary resolution.

Child care is no small issue these days, there's hardly a family that has not had to deal with child care issues at some point, either a child or a grandchild, in early years or after school care. It's not only an issue for single parent families, for it's a rare family that lives in Suffolk County that can get along on one salary these days.

I speak from firsthand experience when I say that we are facing a major crisis in child care. I spent 25 years as the Director of a preschool and child care facility here in Suffolk County. Statistics have shown that child care workers have the second to the lowest paying job in the nation, I'm not sure what the lowest is, I don't think I want to know. It's kind of a sorry statistic because I'm not sure what that says about the value we place on our children or those with whom they spend a good part of their time in their formative years. Because pay is so poor and I know of teachers with Masters Degrees, Bachelor's Degrees making 16 and \$17,000 a year, it's

pitiful, with little or no benefits. And because the work is so poorly paid and challenging and demanding, hiring and retaining a qualified staff, as you can well imagine, is next to impossible.

Staff who work with children in their formative years need not only to be nurturing and caring but highly skilled and educated in child development so that the time children spend in child care, which for some is 40 or 50 hours a week, is quality time with age appropriate activities to stimulate their intellectual development during this critical period of brain development, time which helps them to become emotionally secure which is difficult if you have four or five teachers passing through your classroom in a year, and time which helps children to learn cooperation, respect for differences, non violence and a lot of other issues that will carry with them throughout their life.

We applauded Governor Pataki for the Quality and Protection Act which requires all those working in child care to be fingerprinted and go through the child abuse clearance. Naturally, parents do not want criminals and child abusers taking care of their children, but they

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deserve to have caring professionals who are well trained and a stable work force. We were delighted when this Legislature addressed these critical issues and passed the child care legislation. It helps to impact the quality issues which are now in such jeopardy. It rewards those working in the field for completing educational milestones and offers incentives for our good people to stay in this most important field. We see it as a stopgap measure to stem this growing crisis. I know for a fact --

P.O. TONNA:

Audrey, you're going to have to stop now.

MS. VAN DEUSEN:

Okay. Thank you for your past support of children and family issues and I urge you to override this veto .

P.O. TONNA:

Thank you. We have just 20 more cards, let's just try to get through this because I think that we said an hour and we're a little over that. I would ask if you've already heard what you want to say, I would ask that you think twice about speaking. Michael O'Neill? Chris Harvey? John Judge? Who is that, Chris Harvey?

MR. HARVEY:

Good afternoon. My name is Christine Harvey. I live and work in Lake Ronkonkoma and I am in Mr. Caracappa's district. I'm here today to

again urge this Legislative body to take a step in a positive direction and give the creation of a community opportunity center a chance.

For more than three years we have heard a lot of rhetoric in regard to the influx of the workers and the problems that have been brought to your attention, to the attention of the residents of Farmingville and all of Suffolk County, namely the traffic hazards, littering, overcrowding to name a few. The creation of an opportunity center would certainly address the issues, some directly, others indirectly. Seems to me that considering the fact that some hiring sites around the country have been positive solutions and no other positive solution has been presented by either this Legislative body or the County Executive or any other groups or individuals who are opposed to the community opportunity center, I strongly suggest overriding the veto.

This Legislative body could make the news by doing what so many people like myself believe is the right thing. This Legislative body could stand together united to give peace and cooperation a chance. Not only would residents of Suffolk County applaud you, but many throughout the State and the country who are watching and reading about the goings-on for the past three years. You would be applauded by them for doing something positive rather than burying your heads in the sand and allowing the tensions to escalate. If the United States Government and the New York State Government will not do it, why don't you? Why not be men and women of vision?

(Applause)

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D.P.O. POSTAL:

Thank you is that John Judge? Gentleman, what is your name?

MR. JUDGE:

My name is John Judge.

D.P.O. POSTAL:

Go ahead, Mr. Judge.

MR. JUDGE:

I live with my wife Christine and my two children at 67 Long Meadow Place in South Setauket which has been our home for the past six years. The Honorable Vivian Fisher is my Legislator.

We're all aware that a weak INS will essentially do nothing to address the rising numbers of Mexican day laborers living and working in the

community of Farmingville. The INS mandate is to act only against illegal aliens that have been arrested for a crime against the community, according to Robert L. Bach, INS Associate Commissioner of Policy and Planning. Furthermore, the Supreme Court has ruled that all who reside in the US, regardless of their immigration status, are protected under our Constitution. So the men that gather each and every day on the streets of Farmingville looking for work with area contractors have the legal right to do so.

We are further aware that the method by which these men gather to look for work has created a definite public safety concern that needs to be addressed immediately. Any Federal solution will undoubtedly not be timely, therefore a local solution is required to address this important public safety issue. Legislators Vivian Fisher, Brian Foley, Paul Tonna and Maxine Postal have presented this body with an excellent first step to solving a very complicated problem in bill 1193.

This bill will provide the funding for a community opportunity center which will allow the day laborers to meet with contractors in a safe place off the streets of Farmingville. This body had the wisdom to pass this legislation and present it to the County Executive to be signed into law. I was deeply disappointed to see that County Executive Gaffney chose to reverse his previous position and veto this very important legislation. His opposition -- in his opposition he made an effort to hide behind the letter of the law and in so doing got the law wrong. This press release from Eliot Spitzer, Attorney General of New York State, states, "The County Executive's opposition to government support for the center is based upon a flawed interpretation of the law. Neither the creation of a shape-up site nor the activities of Catholic Charities running the site would be in violation of any law."

We are all painfully aware that there is a real problem happening on the streets in Farmingville that continues to grow worse every year. It has already escalated to the point of violence as we saw last September. If the cycle is permitted to continue, I am afraid that there will be more blood shed this summer. We need the community

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opportunity center and we need it now, it is the only practical solution available to the community that will get the day laborers off the streets and eliminate --

D.P.O. POSTAL:  
Mr. Judge?

MR. JUDGE:

The friction that may --

D.P.O. POSTAL:

Mr. Judge, excuse me, your time is up. I'm sorry. Next speaker, Kimberly Weidner. Kimberly Weidner?

MS. WEIDNER:

Good afternoon. My name is Kimberly Weidner and I live in Medford, New York. In breaking the silence and representing the silent majority, I'm one of 1,148 persons from Joe Caracappa's district that does not approve of Resolution 1193. I would like to read to you the polling sheet that I and 1,147 others signed that Mrs. Connor could not and did not have the opportunity to read due to time restraints.

"Dear Mr. Gaffney and Suffolk County Legislators, we the undersigned made a mistake. We failed to communicate our concerns and our opinions to Suffolk County Legislators regarding a community center and hiring hall in Farmingville. We talked amongst ourselves at bus stops, among friends and with neighbors, but we never talked with or to members of the Legislature. We realize now that we should have but didn't. But we are speaking now through our signatures below and we are saying we do not agree with spending Suffolk County tax dollars to erect or support a hiring hall community. We implore you to sustain the veto of Resolution 1193. We pledge to support the veto by finally making presence of our own at any Legislators meetings and hearings." Thank you.

(Applause)

D.P.O. POSTAL:

Thank you. Angelina Martinez? I think it's Rogav Snyder? Mary DellaVecchia.

MS. DELLAVECCHIA:

Good afternoon. My name is Mary DellaVecchia and I'm the Parish Social Ministry Coordinator at St. Joseph's Parish in Ronkonkoma. I'm also a member of the Brookhaven Anti-Bias Task Force who I believe drafted a letter to your Legislative body in support of the veto, overturning the veto.

I come before you to speak and ask you to override County Executive Governor Gaffney's veto on the establishment of a community opportunity site in the Town of Farmingville. I can't take the time today to speak about issues relevant to this one, issues like political asylum, the lack of affordable housing, the shameful treatments of other human beings because of their national origin and the fact that no human being is illegal; these issues are for another day.

I do want to address, however, the reasons that a shape-up site is needed in Farmingville. We've already heard from respected legal experts that such a site is not illegal. People have expressed that they're concerned about traffic and safety issues, this site would certainly alleviate those traffic problems. There's also been some concern for property value. It would seem to me that a shape-up site would limit the geographic area where the day laborers seek work to one site -- which we now understand would be put in an industrial area -- as opposed to a large stretch of Horseblock road; isn't this a viable step forward? For today I urge you Legislators, especially you Mr. Lindsay, because you represent me and my family who, like Paul Tonna's, is multi-racial and multi-ethnic. I urge you to stand up for not who speaks the loudest or who brings the most people, but to stand up for what is right and moral and just. Perhaps we might remember that slavery was once legal but it was never right. Your veto to override this veto -- your vote to override this veto is right.

(Applause)

D.P.O. POSTAL:

Thank you. Elaine Amoroso? Paul Hart?

MR. HART:

Good afternoon. My name is Paul Hart. I've been a resident of Stony Brook for the past 18 months. Prior to that, though, I lived in Bay Shore for about 24 years, and I think this is pertinent on this particular issue.

During all this time I have been a homeowner, I would like to point out that when I lived in Bay Shore our community did have a very divisive issue which was almost as really inflammatory as this one is, and it concerned -- definitely sometime during the 1980's, New York State decided to release many patients from Pilgrim State and other mental hospitals due to budget constraints. The immediate result that I saw in my area was an increase in homeless people in many cases just wandering around dazed looking, loitering in the downtown area. And on proposed solution was to provide group houses for these ex-mental patients. My wife and myself were involved to establish these group homes, along with a lot of other people. Actually, my wife was more involved than I was at first, I was against it at first. I had serious reservations about having ex-mental patients roaming around my neighborhood. And yes, actually there is a group residence very close to my former house and you would never know it.

UNKNOWN AUDIENCE MEMBER:

Former.

MR. HART:

That is not the reason why I moved. After I did a lot of research on the subject, I changed my mind. I felt that these houses would be well supervised and my five children would be safe. Since these homes were started over serious community opposition, there has been an

improvement in the quality of life. And there were a lot of other steps involved in the upswing in Bay Shore, but that was one very important one. And I think there's a tie-in here. I urge the members of the Suffolk County Legislature to act with courage and vote to

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override Mr. Gaffney's veto of the community center bill. One side is urging that the Federal Government enforce existing laws. The people who are residents of Farmingville do have many legitimate concerns which should not be discounted. There are quality of life issues, however, there are also some fair issues which in most cases are groundless.

All my children graduated from the Brentwood School District which has a very large minority enrollment, and I feel they benefitted greatly from friendships they developed with people of Hispanic and other cultures. The main reason I feel that expecting the Federal Government to step in and not to step in comes down to money and the problem of so many illegals coming in started around the early 90's and it got worse and worse. Well, just coincidentally, in 1994 the NAFTA Agreement was passed causing -- it just wiped out the middle class of Mexico, poverty like doubled and it still hasn't gotten any better. So these people are basically here because they have, they have to feed their families. In Suffolk County we'll be relatively powerless. We have two courses of action --

D.P.O. POSTAL:

Mr. Hart? I'm sorry, your time is up, Mr. Hart.

MR. HART:

Well, you know what the courses of action are. Thank you for your time.

P.O. TONNA:

Thank you.

(Applause)

D.P.O. POSTAL:

Next speaker is Laretta Forgione; is she here?

MS. FORGIONE:

Good afternoon. My name is Laretta Forgione and I am a homeowner in Farmingville, I've lived there for 29 years. I'm going to give you a little -- I wore my blouse today with the daffodils because I felt it was a breath of fresh air for spring coming in.

I'd like to share with you a lesson and get down to business instead

of going into all this horrible rhetoric that I've heard from some of the people that spoke. This document is 80 years old, this says a Certificate of Naturalization. The man that came here to this country over 80 years ago had to work here for six years to obtain this document, he was not allowed to bring his family until he received this. To get this document he had to go through classes to learn English and he had to have a certificate to prove to this body which is our government that he has followed the rules that are a part of our government. To bring his family here -- whoops, I think I lost something, hold on. To bring his family here -- up, no, I have it, it slipped out -- his family had to receive a booklet called Certificate of Identification; these are very, very old, so you know this law has been around and is still around today.

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What I'm trying to tell you is when you became elected to the body of Suffolk County, you raised your right hand and you put your hand on the book and you took an oath and it represents the citizens of this country, of Suffolk County and of my town Farmingville. And I know now that when you go to vote, you must believe in the oath that you took and that you will follow through with the law of this country. Thank you very much.

(Applause)

P.O. TONNA:  
Thank you, ma'am.

MS. FORGIONE:  
Paul, this is off the books but I just wanted you to know, I'm the person that called you about genealogy, you see how wonderful it is. Now I'm going to ask you something. You asked somebody about baseball? My uncle -- my uncle -- I'm sorry, my uncle --

P.O. TONNA:  
Are you talking to me or Legislator Postal?

MS. VAN DEUSEN:  
Yes, yes. No, no, I'm talking to you. My uncle happened to be Arty Fletcher who was the baseball famous man who was -- I think he was the left short stop of the New York Yankees in 1926.

P.O. TONNA:  
Thank you.

D.P.O. POSTAL:  
James Moore? Is James Moore here?

P.O. TONNA:

Did he have a World Series ring? Does he have a World Series ring?

MS. FORGIONE:

Excuse me?

P.O. TONNA:

Does he have a World Series ring?

MS. FORGIONE:

I don't have it, I think it --

P.O. TONNA:

You're good with records, go back and find that out, I'd be very interested. That would be a good trivia question.

D.P.O. POSTAL:

Okay. Mr. Moore, you have three minutes.

MR. MOORE:

I'm here on behalf of the Constitution of the United States of America. I had a grandfather in the Civil War, his son was in World War I, I was in World War II with overseas service, I've been a member

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of the 7th Regiment since 1940 and I've been fighting for the benefit of us and this country for years and think it is an absolute disgrace to permit illegality to be condoned by people who are supposed to be supporting the Constitution of the United States and are not doing so by permitting illegals to come here and be taken care of. That is wrong.

(Applause)

Now, I am absolutely castigated, unbelievably hurt that religious people can ignore the Ten Commandments and the Golden Rule which says we are going to be truthful, honest and abiding. Where do you get the right to call yourself a religious person when you pass laws that are absolutely, 100% wrong and you're {contragaining} your religious upbringing as well? That is absolutely absurd. And then somebody says, "Well, gee whiz, they've got 16 of these places all over the United States." Well, just because they are wrong and breaking the law, that doesn't give you the right to break the law and it doesn't give you, with the Golden Rule in your hand as a religious person going against the truth and honesty and thereby breaking the law and being criminals in the process. It would be an absolute horrible absurdity. Solutions? You've got temporary people in jail. Why not

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use them? You've got kids who are asking mamma, "Give me ten bucks so I can go to the movies," why don't you let them get out and do it like I did when I was a kid. I ran a little business when I was 16 years old, I worked myself all alone and wound up taking care of me. I was willing to go out and work, why can't your kids do the job and not need the illegals? Good-bye.

(Applause)

D.P.O. POSTAL:

Thank you. Janice Sibilina? Janice Sibilina?

P.O. TONNA:

The last one. All Legislators come to the horseshoe.

MS. SIBILIA:

Good afternoon. I am not a resident of Farmingville, I live in Hauppauge and I'm here to tell you people that this is not a matter of race, it's a matter of legality. Why don't you go after the contractors that are hiring these people?

(Applause)

I read in the New York Times, a doctor from Huntington came to Farmingville and hired these people to go work in his backyard. I could do that too, I've got a lot of work to be done in my yard, but I pay a landscaper. And I've asked him, do his people have green cards, and everyone who has a landscaper should do the same thing. This is a matter of the law, not racism, and I'm tired of hearing that from everybody that this is a racist issue, it is not.

I am of Italian decent, my parents came here, worked very hard and my husband and I have worked very hard. If these people want to work in

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this country, then they should become citizens of the United States because --

(Applause)

I'll tell you a story. My husband had two open hearts and a stroke and Medicare told me that he had to be on disability for two years before he could get any health benefits, if I didn't work we would have been bankrupt. But these people come here, they hurt their toe nail, they get help with my money; I resent that. If they want to be part of this country, then let them become a citizen, let them pay taxes, let your contractors that hire them pay taxes. And that's why I'm here. And I hope that you'll reconsider this, Mr. Tonna, because

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I'm very disappointed in you.

(Applause)

D.P.O. POSTAL:

Thank you.

LEG. ALDEN:

Mr. Presiding Officer?

P.O. TONNA:

That's actually a great lead in to the vote. I think we're done with the cards and --

LEG. ALDEN:

Mr. Presiding Officer?

P.O. TONNA:

Yeah? There are three cards on other issues, we're going to get to this vote and then we're going -- so that we have a clear mind -- excuse me? We're missing Legislator Binder. Oh, there he is.

LEG. ALDEN:

Mr. Tonna? Mr. Tonna?

P.O. TONNA:

Yes.

LEG. ALDEN:

I'd like to thank you and the other members of the Legislature for allowing the rest of the people to really go out there and express themselves on this issue. Thank you.

P.O. TONNA:

Great. Thank you, Legislator Alden. Okay. Just a few ground rules, all right? We have no problem with you raising your arms, we have no problems with any of that. We are going to have a problem, though, very quickly if you out-shout or, you know, other comments while we're in debate. So I'd ask that you listen to the debate as we've spent now over since 9:30 this morning, so almost seven hours minus a little time for lunch -- maybe too much time, you might think -- but anyway, minus that time for lunch that we've spent time listening to you. And I can tell you that it's a tradition here in Suffolk County that we do listen to public and there are a lot of things that were said, a lot

LEG. FOLEY:

Motion to override the veto of Introductory Resolution 1193.

P.O. TONNA:

Right, and I'll second that. I'd ask Legislators, I will take -- everybody who wants to speak will have an opportunity, obviously. Legislator Bishop, you're first on the list I think? Yes. If anybody else wants to be recognized, all you have to do is ask me and I will be glad to recognize you.

LEG. BISHOP:

I have a rather boring speech so. Mr. Chairman, how strange it is that the opposition to Catholic Charities erecting --

UNKNOWN AUDIENCE MEMBER:

We can't hear you.

UNKNOWN AUDIENCE MEMBER:

We can't hear you.

P.O. TONNA:

And I'd just ask that people shut off their cell phones, it's against the law or the rules of this Legislature --

(Laughter in Audience)

-- to use your cell phone, to use your cell phones in the Legislature. I'd ask that you please shut them up.

LEG. TOWLE:

We're going to enforce that law, right?

P.O. TONNA:

Yeah. I'm going to have you pistol whip anybody who has a cell phone on. Okay, thank you.

LEG. BISHOP:

Mr. Chairman, how strange it is that the opposition to Catholic Charities erecting a port-a-potty and a tent on a parking lot focuses on the alleged illegality of the day laborers, because that will prove to be the least enduring aspect of our current circumstance. The status of an individual as legal or illegal can change with the stroke of a pen or a vote of Congress and it assuredly will. That's because it's our national policy to promote immigration.

Corporations have successfully lobbied for special visas for high-tech workers who can't be paid off-the-books, but for unskilled labor their immigration does not need to be legalized to exist, so it goes unenforced by the INS. This tacit encouragement inevitably leads to amnesty for the existing illegals, because after a decade or so passes the illegals become so intertwined with our American daily life that it's a mere technicality to change their status. So their status will change but their humanity will remain the same today, tomorrow and for

the rest of their lives. They're here to work, essentially sent by Washington to keep profits high and prices low. I do not support that policy. I support a great increase in legal immigration which can accomplish the same goals with less exploitation and quicker simulation.

But given Washington's policy, the question becomes why Farmingville and what should be done about our policy towards immigrants? Farmingville has become the destination because you have the twin scourges of any neighborhood, absentee landlords and an indifferent town government. Enforcing the housing code in Farmingville would not be an act of violence toward the day laborers, it would be the rightful restoration of the community's quality of life. Why that hasn't occurred is probably the greatest mystery of this entire situation.

Now, this Legislature became involved in this controversy when Legislator Caracappa presented to us legislation that would have addressed a serious traffic safety problem caused by contractors hiring laborers along the side of the road. Banning the practice was his legislation, it was voted down. Then Legislator Caracappa, responding to a crime wave in his community, presented legislation that would have sued the INS for the problems caused by illegal immigration, but it turned out that the police recanted their testimony suddenly and without warning and the rationale for that legislation thus was eliminated. During these debates, however, our passions grew and suddenly resolutions about Farmingville have become proxies for attitudes on illegal immigration and tolerance. If you're against illegal immigrants you're a hate monger, want to deal with the reality of immigrants in your community you're for lawlessness.

Alast, the reality is that the County cannot solve the problem and a tent in a parking lot cannot cause deteriorations of conditions in Farmingville. This is a very little bill to promote traffic safety and sanitary conditions, it has caused far too much tumult. For years I've told the two sponsors, both devoutly religious, that the church is in the best position to deal with the issue. My hope is if the County can not muster the courage to deal with this head on, that the religious community will be stronger than we are. After all, their moral compasses are not set by opinion polls. And being an optimist, it's my sincere hope that in a few months when the Sachem Quality of Life Organization sees that defeating the hiring hall or the tent or whatever you call it will do nothing to improve their quality of life, they will look for solutions that are constructive. That, after all, was the intent of Legislators Foley and Tonna in the first place, to offer something that would improve the situation.

Finally, the only thing more predictable than a change in the legal

status of an immigrant is the appalling erosion of integrity in this County's political process. When the voters go to the polls, they believe they're electing representatives who will vote of their own free will. I hope that the surprising eleventh hour conversions by two Legislators and allegedly by the County Executive are not a return to the bad old days when too many representatives in this body took their orders from political bosses first and voted their minds second. Thank you, Mr. Chairman.

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P.O. TONNA:  
Thank you, Legislator Bishop.  
(Applause)

P.O. TONNA:  
Legislator Cooper. Anybody else want to be recognized?

LEG. D'ANDRE:  
Yeah, I want to be recognized.

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

LEG. COOPER:  
It was only a few months ago that residents of Farmingville came before the Legislature desperate, absolutely desperate for a solution to a problem in their community that they saw as worsening over time. And the solution that we came up with, after much painful debate, was the community opportunity center. The center might work and it might not work, but if we don't give it a chance we'll never know. If we build the center, we should know within a relatively short period of time, perhaps within six months, whether or not it is actually effective, and I don't see any other practical or readily achievable solution to this problem. Do we really want to wait for someone else, whether it be a day laborer or a Farmingville resident to get injured or killed before we decide to take another look at this problem?

I have one question for the Farmingville residents that are present here in the auditorium. If non governmental funding, that is no taxpayer dollars, is somehow forthcoming, how many of you would then support building a community opportunity center?

UNKNOWN AUDIENCE MEMBER:  
Zero.

UNKNOWN AUDIENCE MEMBER:  
None.

UNKNOWN AUDIENCE MEMBER:  
No way.

LEG. COOPER:  
Right. So many of the arguments that were raised today by --

UNKNOWN AUDIENCE MEMBER:  
Excuse me, I do represent opinions that were expressed to me.

P.O. TONNA:  
Jon, Jon, that's what you get for asking the audience. If you want to make a statement, make a statement, okay?

UNKNOWN AUDIENCE MEMBER:  
I have a question.

P.O. TONNA:  
If you want a rhetorical question, you could have asked that during

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the public portion when people came up to speak to give their opinions.

LEG. COOPER:  
The point I was getting at is that mostly the arguments that we heard today over the past how many hours was based on the use of -- the question as to whether taxpayer funding should be used for this and I think it's evident now that even if that's off the table, the opposition to the community center would remain unchanged.

Let's also put things in perspective. An investment of \$80,000 works out to a cost of only 14 cents, it's actually 14.1 cents for the average taxpayer. If 14 cents can help bring peace to the community of Farmingville, then I for one think that's a pretty good investment. Thank you very much.

(Applause)

P.O. TONNA:  
Thank you very much, Legislator Cooper. Legislator Crecca, you have the floor.

LEG. CRECCA:  
I've made my position fairly clear in the days leading up to today's vote on the override. But I feel it incumbent upon myself to state briefly, first of all, that my decision to sustain Gaffney's veto today does not come from any political leader, it does not come from the County Executive, nor does it come from any other political

pressures whatsoever. It comes from my heart, it comes from my conscience and it comes from my further reflection upon my initial decision and my feeling that we cannot as a body take taxpayer money and put it towards a location which, while it may technically within the bounds of the laws, I do believe that there will be illegal hirings happening out of that location.

I sat in committee when we spoke to Catholic Charities about it, a very reputable organization that does great work. I sat here and listened to debate ad nauseam on this issue, as has everyone else, but I do believe in my heart of hearts that illegal hirings will happen there. And when I -- if I vote to go forward with this hiring hall, then I am voting to promote with taxpayer dollars that activity. I have no doubt in my mind that within the first few hours of such a center opening, that we will be -- labor laws will be violated, tax laws will be violated. And let's not forget, the victims of such an event is not really anybody but those immigrants who are in fact working also. Let's remember that they're not going to have workers compensation laws to protect them, they're not going to have disability insurance and when they get hurt on the job, those contractors who are illegally hiring them are not going to take care of them. This hiring hall is not going to fix that problem.

I will say this. I urge our County Executive, I urge my fellow Legislators and I will, too, look at ways that we can somehow try to change the tide on this and get our Federal government to react, the ones who should be reacting. And I agree with you, Legislator Bishop, that for the most part I'd like to see these people assimilated into

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our society, but I would like to see that done through a legal process and with them becoming either citizens or residents and paying taxes like the rest of us.

(Applause)

P.O. TONNA:  
Legislator Alden.

LEG. CRECCA:  
No, I'll just wrap up real quick, I just want to add one other thing. You know, this may seem like a change of heart, but I'd urge anybody who thinks that this is a drastic change of heart for me to go back and look at the record on the day that I casted the original vote. It was with great reluctance and I voiced a lot of these concerns and I did it with great hesitation. And now I think I'm doing the right for the taxpayers and for my constituents in my district.

(Applause)

P.O. TONNA:

Thank you. Legislator Alden, you have the floor

LEG. ALDEN:

I'm going to be real brief. Unfortunately, I've heard some words here that I find very disheartening, words that were said today. And it really does lead me to believe that there is some hate and possibly in regard to this issue, maybe it's well founded, maybe it's not well founded, but that's not really what America is founded on.

I also heard many, many times saying about how wrong we have; well, if that many people are coming to this country in garbage trucks, they're coming here in cement mixers, they're swimming, they're risking their lives to come to this country, I put forth a proposition that maybe America's got something right that the rest of the world does not have right, that we are doing it correctly here in America otherwise people wouldn't be risking their lives to come here and try to live in our country. And with that said, that's about it.

P.O. TONNA:

Okay. Ledge Postal. Thank you, Cameron.

LEG. POSTAL:

You know, we've been trying to address an issue, we've been watching Legislator Joe Caracappa attempt to address a problem within his district for a couple of years. And over those years, we've heard many, many people from the affected community talk about all of the different attempts that they had made to find solutions to the problem. We heard somebody just a little earlier today talk about having gone to the town, talk about having gone to his Congressional representative, and there truly doesn't seem to be an alternative to the problem that would be satisfactory to probably most of the people who are here who would like to see this veto sustained. So we're -- some of us have been trying to find an alternative that would resolve some of the problems, if not all of the problems. I mean, some of them that are absolutely clear are the road safety problems, the issue

of littering, and those problems have been addressed by people from other communities where they have created sites.

Now, there have been people who say those sites won't work, people won't come to those sites. We heard Glen Cove Mayor Thomas Suozzi here today, we heard Delores Thompson from Huntington. You might say maybe Mayor Suozzi wants to communicate that something that he was involved in works, maybe it doesn't work and he doesn't want us to

know about it. But Delores Thompson is a community and civic activist and she has no stake in this, there's nothing personally for her to gain by coming here and I think she told it like it was. She said it hasn't solved all of the problems but it solved many of the problems, it's gone a long way. Has it made everybody happy? No, she told us the truth, she said that there were people who didn't want and still don't want it, there are people who didn't want it who now are pleased that it exists.

So that we've heard that it may work, maybe. We've heard from other places that it can work. At least it can do a couple of things if it does remove a certain number of the workers from the streets, which both Ms. Thompson and Mayor Suozzi told us it has. It can help to overcome the problem of littering, it can help address the issue of road safety. And more importantly, what we were told by a number of speakers who spoke about these sites is that it provides other services and opportunities. It can provide an opportunity for people to find out what their rights are as workers because as we heard, many of these workers are documented, they do have documents; even if they're not citizens, they have documents. So maybe they need to know what their rights are. Maybe a center would even help them to know what some of their rights are with regard to housing issues.

So that people from a community who are beset by slumlords, who rent to tenants who don't know what their rights are and don't know who to complain to if they have health and safety code violations can have the kind of information provided to them so they know where to go and they can file those complaints and they can actually assist the town and the County to enforce codes. But obviously that's not going to happen without a place that people can have that information, where they can be assisted to get documentation if they'd like to, where they can be assisted to get their citizenship papers if they already have green cards, where they can make progress to moving toward not only where a lot of our ancestors moved to, but also where they can begin to be educated and aware of what there is in the American culture that's different from perhaps the culture they came from that may make things that they do offensive without even knowing it. So that we at least have a chance, if we have such a center, to make some progress to address some of the problems.

The issue of tax money being used for illegal purposes, first of all, I heard a young man talk about how he could have been employed off the books. I would venture to guess that if everyone was asked if we ever heard of anybody who worked off the books, we'd all say that we heard have such a situation, and it was not, in fact, an undocumented person in every one of those cases. So that doesn't make it right, but it doesn't mean that illegal labor practices are confined only to people who are undocumented.

With regard to use of tax money, we have County health centers which we fund with all of our tax dollars. And when someone comes in there with a child, whether they're documented, undocumented or a citizen, that child is given immunization injections, and not only is that for the benefit of that child but it's for the benefit for every other child and person who comes into contact with that child who won't catch measles from that child because he or she hasn't been inoculated. That's our tax money at work and I guess you could say the same thing, that that child being the child of an undocumented person may be using tax dollars for something that's illegal. We pave County roads, we pave them in Farmingville, we pave them all over the place; should we say that people who are undocumented cannot ride on those County roads or that we shouldn't pave the County roads because we enable those undocumented people to ride over them?

I think that if we're saying that we should not make this investment in this center because there will be illegal activities that may take place there, then we should stop paving and constructing County roads left there any illegal activity that takes place on a County road or any undocumented person who uses that road. This is --

UNKNOWN AUDIENCE MEMBER:  
(Inaudible).

P.O. TONNA:  
I'll tell you right now. You've had your opportunity -- and Ray, I'm looking right at you -- you've had the opportunity to be heard in this auditorium and I'd ask you to give the same respect.

UNKNOWN AUDIENCE MEMBER:  
Three minutes.

P.O. TONNA:  
The same respect. Thank you. If not, I will clear this hall. Thank you.

LEG. POSTAL:  
The point I'm making is that this is not a perfect solution, but it's the best solution that anyone has come up with and it's the best solution that anyone is likely to come up with. And it will at least go a fair way toward resolving the problems that people in the Farmingville community face.

P.O. TONNA:  
Thank you.

(Applause)

P.O. TONNA:  
Ledge D'Andre, you have the floor.

LEG. D'ANDRE:  
Thank you, Mr. Chairman. Can you hear me?

UNKNOWN AUDIENCE MEMBER:  
A little louder.

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LEG. D'ANDRE:  
I only need two sentences to clear this up, Mr. Chairman.

P.O. TONNA:  
Thank you, Legislator D'Andre. You have your two sentences.

LEG. D'ANDRE:  
We took an oath when we were elected to protect all our tax paying citizens in towns and in villages in Suffolk County. There was no mention for illegal aliens there when we took our oath, all of us, all 18 of us. Is this working?

LEG. BISHOP:  
Yeah, you're doing all right.

LEG. D'ANDRE:  
Now a great American who's no longer with us had these few words to say, and I don't remember all of them, I didn't go to the library and look it up but I'm going to start off with them. Jim Moore, 85 years old, 86 years old, you're a hero. Let the message go out -- henceforth, "let the message go out loud and clear to friend and foe alike." You know who said that. There will be no hiring hall in Farmingville with taxpayer dollars or Suffolk County. Thank you.

(Applause)

P.O. TONNA:  
Okay. That was the two sentences. Legislator Fields.

LEG. D'ANDRE:  
You got that?

LEG. FIELDS:  
We've heard testimony today that in Glen Cove and in other areas sites such as this one that has been contemplated have dramatically improved the conditions in those communities. We've heard that --

P.O. TONNA:  
Michael, you had your two sentences, now Legislator Fields wants to have her turn.

LEG. D'ANDRE:  
Sorry.

P.O. TONNA:  
Thank you.

LEG. FIELDS:

We've heard that it hasn't increased the numbers of illegals. We've also heard, and I think some tend to ignore the fact that not all of the people who go to these sites are illegal. This is our responsibility, it truly is our -- 18 of us, our responsibility and other residents in Suffolk County and one of my many, many reasons for voting not to sustain the veto. I choose to address the problem, not ignore it.

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(Applause)

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

LEG. FISHER:

In the two years that I've served on this body, I've heard many people speak regarding this issue. There have been many resolutions brought before this Legislature regarding this resolution. And it's very easy for us to polarize ourselves and have one group of people hold up signs to sustain, another group of people holding up signs to override and to have a great divide between those two groups of people. But if you look below the surface, if you just scratch below that rhetoric and those signs, there's a lot more commonality here than difference. Every one of us here comes from an immigrant family or is an immigrant, we all have that in common. Every one of us here cares about the quality of life in Farmingville; whether or not we live in Farmingville, we care about the quality of life in Farmingville.

When a woman spoke earlier about her 12 year old daughter and her concern about her 12 year old daughter, I thought of my daughter yesterday who went riding down the street with her friend who's also 12 years old. And I know that if I were that mother, I would have been concerned about my daughter riding down a street that was lined with men waiting for work. I understood what that woman was saying because I'm a mother, just as she's a mother.

And I'm voting to override the veto because of our commonality, because we care about the quality of your lives, because we care about the quality of our lives and because we care about the quality of the lives of the men who stand on Horseblock Road, because we are all human and we all have dignity and we all have a love for our family, we want to provide a good life for our family. And I believe that this is the only proposal that has come before us that will help to

restore some of the quality of your lives. I truly believe that. And I'm voting the weigh I'm voting because I believe that and because I respect the pain that you've had and the burden that you've had to bear. And I respect the men who are standing on Horseblock Road and the indignities that they've had to bear. And I hope that my colleague will understand that we can't hide from our responsibilities, that we must vote to do something. Thank you.

(Applause)

P.O. TONNA:

Thank you, Legislator Fisher. Legislator Caracappa, you have the floor.

LEG. CARACAPPA:

Thank you, Mr. Chairman. It's been a long road on this issue so far and to be quite honest with you, I wasn't prepared to speak other than to cast my vote because that's loud enough, I think, for people to understand how I feel.

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But I just have to say, there's been a lot of words used today, some bad, some good. The good ones have been words such as respect and I can tell you over the last four years working on this issue, as you've heard from my colleagues, I've been pretty much the only one out there alone legislation-wise trying things; it may have been viewed as good, it may have been viewed as bad but it was an attempt, an attempt maybe grasping at straws, maybe at something that we're doing here as well.

But getting back to respect, there's been respect from me to both sides of the people on this issue. And I can tell you quite honestly in certain instances I've been absolutely torn as a human being with relation to the direction I'm going, in the past and in the future. I've had the absolute pleasure to work with people such as John Bingham who I consider a complete gentleman, Ed Hernandez who I consider a friend and a caring civic-minded person, the Gysek Family, the Harvey Family, and the list goes on and on, Dave Nelson from Catholic Charities, I consider them honorable, caring people. And because I'm on the different side of the fence regarding this issue with them, I will never ever hesitate to tell them that it's been nothing but on honor and a privilege to work with them, though we haven't come to a consensus was regard to a mutual agreement on what we should do in Farmingville.

To the other side. There's a lot of people in Farmingville talking

about tension, this is all about tension, people talking about tension building up. Yes, there's tension because the men are standing on the corner, there's tensions in so many different areas. But I can tell you, there are two main areas where the tensions have been rising and what caused them to rise. Number one, and I think first and foremost, is people such as homeowners, soccer moms, dance class moms, little league coaches have been painted with such a broad brush, called a racist, anti-immigrant, bigot, words that I can't even -- don't even want to describe they've been labeled because they have a difference of opinion, and that's wrong and that creates tensions more than anything.

Also, there's the matter of double standard of law. Now we're going back and forth as colleagues, as people on different levels of government, what is the law, what does it stand for. When ordinary, average, every-day citizens, and I say that in a term being homeowners who are paying taxes, they feel like maybe they're being slighted because there's a double standard being imposed, or possible a double standard being imposed, with relation to a whole host of laws and you heard them. You heard that young man eloquently say it, that he could work off the book but he doesn't because of law, and we have seen it top to bottom and I think that's been one of the major points. There's been such a double standard from the Federal government down to the local villages with relation to statute, and that's been another building factor with relations to the tensions that have gone on.

I think the people in Farmingville want the law equal for everybody. I do believe the hiring hall, though so well thought of and intended, there's too many gray areas, way too many gray areas relating to it, and many of those gray areas have to do with the law. And I cannot in good conscious support any taxpayer dollars where there's absolutely

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any gray area regarding the law for my constituents. I did take an oath, I do take it seriously. Unfortunately, there is a division with relation to what side you want to take on this issue, but my mind is perfectly clear at this point in time and firmly made up and I will support the County Executive's veto.

(Applause)

P.O. TONNA:

Thank you, Legislator Caracappa. Legislator Lindsay and then Binder.

LEG. LINDSAY:

I've sat here all day and I've probably listened to almost all the comments that were made and I have taken all the comments in. The

only thing that's crystal clear after listening to hours of debate is that this community is divided. The one thing missing is a consensus of what to do about this problem. We live in a representative government and this Legislature is certainly an example of that democratic form of government. And I for one do not feel comfortable as a representative forcing a solution on a community that cannot come up with a consensus themselves of what to do with the problem.

(Applause)

P.O. TONNA:

Thank you. Legislator Binder.

LEG. BINDER:

Thank you. The pain and anguish that I hear today, and I don't only hear it from the community, I actually hear it in Legislators' voices, is not being able to come up with a solution. So you have 18 people here at a local level of government trying to find a solution to a problem that, by the way, goes beyond Farmingville, it goes throughout the Island, it goes throughout the region, it goes throughout the country. And that's why we have so many cameras here, because this is way beyond us, this goes way beyond the question that we deal with.

And you hear a lot of the talk today about United States, immigration, national policy, that's not what why we're here. We're 18 Legislators who have responsibility for Suffolk County, we're trying to come up with a solution and all of us have in front of us a quasi, possible, maybe a solution that is possibly, maybe legal, we don't even know. But what we do know is that we hear this anguish and I think what it is, which sometimes is interpreted as prejudice, as hatred, as empathy, as caring, all of these things, I think what we're actually listening to is frustration, and the frustration is because it really shouldn't be here. These cameras shouldn't be here, they should be in another level of government because this is a question that is so beyond something we can do about it. We can try to pinpoint right there in Farmingville what we think might be a solution that we really know won't be and we have questions about, but where is the government that's supposed to listen? Why is there such a silence from the Federal government, the place where the real problem emanates?

It was suggested by another Legislator, and maybe possibly correctly, that the silence is a directed policy. And by the way, and I appreciate his not saying it was Republican or Democrat, it was this administration or the last administration or any administration, kind

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of a directed policy of Washington to allow us to have free, low cost, or whatever you want to call it, labor so we can go forward. And who hurts? People that we all agree have a very, very difficult life, had a much more difficult life and risked all to come here -- as Legislator Alden said, because this is the best place in the whole world to be -- so they risk all to be here, but they risk all in violation of the law. We have law, we have borders. We may think we shouldn't, maybe some people think they should be open, maybe we should give citizenship, but we have borders and we have laws, laws that we're supposed to follow, laws that keep order, laws that make our society what it is.

The problem is that these people are in pain. And what do we end up doing? At a local level of government, we continue to add to their pain and their pain is compounded by the pain of our communities. All of this is pain because at this level of government, the people sitting here, the 18 people who are working very hard, very hard with their own emotion, this is not just policy, this is emotional even for everyone up here. In fact, it goes beyond emotional because it gets so emotional that there are threats made because no one else knows what to do. My heart goes out to people on this very Legislature and their families who have been threatened. Imagine that. We're Legislators, there are 18 people who are trying to grapple with a problem, no one buys into that, you don't run because you think maybe you're going to be at risk, your family, your children. This is wrong. It's wrong for -- it is an incredible amount of pain.

The Federal Government must listen. If there's nothing good that comes from this whole process, if there's anything, I should say, good that comes from the whole process, what's got to come from this process is that another level of government has to listen and start responding, they have to be involved and they better be involved now.

(Applause)

This pain will only heighten, no matter what would have happened, by the way. Whether we would have had a hiring hall, which it looks like we're not going to have, or we don't have the hiring hall, there is going to be more pain on all sides of this. And it is all our responsibility to find a solution to it, but more than anything else, the responsibility has been laid by the Constitution that formed this country that makes it so great on the Federal government and their silence is absolutely deafening. So I hope that that will be the positive outcome from all that we've heard today. Thanks.

(Applause)

P.O. TONNA:  
Legislator Foley, I think -- is there any other Legislators still that I did not recognize yet? Legislator Foley, you have the floor.

LEG. FOLEY:

Thank you, Mr. Chairman. Now, I want to thank all who have been working on this issue for months and for years for the support that many of you have given to the cosponsors of this resolution over the past several months where we've been trying to deal with this in the form of 1193.

Now, I can go back to last fall. It was a Friday where a representative from Legislator Tonna's office and Darren Sandow from Long Island Community Foundation had come to my office on a certain Friday last Fall to discuss a proposal that was given to the County Executive about seven months earlier. I looked at the proposal, this was after Legislator Caracappa's resolution was defeated, and I said to myself that particular day, speaking with staff from Legislator Tonna's office as well as Mr. Sandow, that we have to try and do something, that the worst of all words would be to allow the status quo to continue. Because as of last summer, as we all know, the tensions were rising. So I said that particular day, let's meet again next week, let's speak with some other folks about this proposal, let's see how we can apply it to County government. That was on a Friday. That Sunday, no more than two days later, is when two day laborers were severely beaten in Shirley. My point is the status quo helped cause that to happen.

So what I had done in the Fall, speaking with others around the horseshoe, was to place monies into the budget for this year in order to address issues, concerns -- and please hear this out -- issues and concerns that are within the authority and therefore the responsibility of County government. What are those issues, what are those problems that we in County government are supposed to address? We heard about them earlier. Traffic safety along County roadways; this resolution addresses that issue. Public health and public sanitation issues which the County Charter gives us the authority and therefore the responsibility to address; this resolution addresses sanitation and health issues as well. The third area is public safety. We heard today, for instance, Mr. Chairman, from a person who had a car accident just the other week on the very roadway that this resolution would help solve that problem. On North Ocean Avenue a lady was hit, she has bad back problems because of that accident, this resolution will address that problem by moving the men off the sides of County roadways to an area where they can wait for work. These are things that are within our responsibility as County residents.

We cannot, despite all the distortions that have gone on over a number of months and years on this, the County government is not in a position to resolve national or international migration dynamics. We can do and what the public has a right to expect us to do, to do those things that we have the authority and therefore the responsibility to address. That's what this resolution does.

And let's clear up another misconception; this is not about a hiring hall. I've been hearing time and again the words hiring hall, hiring hall. If you took the time to do your homework and look at the resolution, there is no mention of a hiring hall. We discussed this as an opportunity center and its an opportunity center for the community as much as it is for others. We talk about a shape-up area

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for these men. Why do we need to have a shape-up area? If we want to improve traffic safety along the roadways, if we want to improve sanitation in the area, if we want to improve the litter problems in the area, we have to find a site where the men would be encouraged to go to. If they cannot be encouraged to go to this site, then the bill would be a failure.

As we were putting this resolution together over a number of months -- and I would like to thank the Brookhaven Citizens for Peaceful solutions, they have done a wonderful job, many of whom live in the Farmingville community. I would like to thank Catholic Charities, I would like to thank the philanthropic organizations as well who have been part of this effort. Now, while we've been trying to put this resolution together, we spoke to a lot of people throughout this island, in fact, some within particularly Brookhaven -- as we call them, BCPS, Brookhaven Citizens for Peaceful Solutions. They on their own time went to other areas of the eastern seaboard in the middle of the country and out in the west coast to see what elements were utilized in those other areas that we could bring back to this area to make this a success. And when they came back to some meetings that we were holding in my office, they said time and again that invariably, in almost every instance, whether with government money or without government money, that it helped to do those things that local government has the authority and therefore the responsibility to undertake. It has helped down in Montgomery County in Maryland, we heard that earlier. We heard from Ms. Olshansky who mentioned that it helped in that County. We heard from Dee Thompson, to bring it closer to home, that it's worked in Huntington Station. We heard from Mayor Suozzi that it's worked in Glen Cove. We heard from the Aguilera's that it's worked in other parts, whether in California and other parts of the County.

So as a County Legislator standing -- sitting here looking at this problem, sometimes agreeing with Legislator Caracappa who I have the highest regards for and sometimes disagreeing with him, I sit here and say is there something that I can do, that we can do on a County level? And the answer is yes, if it's working elsewhere we can try to make it work here. So when I had residents along Robinson Avenue in Medford, when I had residents from Long Island Avenue in Medford, when I had residents in other parts of Farmingville say to me, "You know

what? We've got to try something because the status quo is the worst of all possible worlds." That's what this resolution was about, that was the motivation of this resolution, was to attempt to do those things that we in County government have the authority and the responsibility to do.

For anyone, and we heard it earlier from a person who lives over on Fairmont Avenue, part of the problem, part of the problem that has been circling this issue for too many years is the amount of disinformation and distortion. No one entertained an idea of placing this in a residential area, no one, but we heard that a pamphlet was being distributed to areas in order to raise fears, in order to raise fears. We know that given the chance -- and I think everyone wants to have a reduction in tensions -- given a chance, as has been the case everywhere, elsewhere this has been applied, this will help to reduce tensions. Now, I see some shaking their heads no, but we have

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evidence to the contrary. If you want to look at this objectively, it has helped in those regards. Now, some --

UNKNOWN AUDIENCE MEMBER:  
Where?

LEG. FOLEY:  
Where? Well, we heard plenty of places where. Now --

UNKNOWN AUDIENCE MEMBER:  
(Inaudible).

LEG. FOLEY:  
Mr. Chairman, I would like to continue, please. I would like to continue. Some have quite accurately stated that this does not address housing issues; they're absolutely right, it doesn't. It doesn't address the housing issue. Why? Because under New York State Town Law, the towns and villages are the areas that have housing ordinances.

Now, I have been, let's say -- some have said that I've been trying to pass the buck by saying that the County can't do anything about housing. No, what I have been trying to do, and I can recall as I'm speaking now, with Jay William Fullbright, a great Senator from Arkansas had said many years ago, that part of the responsibility of a Legislator is to also be an educator. And what I've attempted to do my own way, in a very sincere way, although many in the Farmingville community don't think I'm sincere about this, is to try to educate them as to which levels of governments they need to go to in order to address their very legitimate concerns. And almost every time when

I've tried to educate those in the community of what is the responsibility of the Federal government, as Legislator Binder mentioned earlier, what is the responsibility of the State Government -- which parenthetically, I've never seen a State Legislator ever address this issue -- what are the responsibilities of town government, every time I've tried to educate people in this community to go where they need to go in order to express their views, and I believe that I have approached it in a very sincere way and at the same time approached things that we in the County have the right and therefore responsibility to undertake which is what this resolution is all about. That's why I put this resolution forward.

I didn't put it forward because I condone illegal activities. As Pat Gysek said very eloquently in the letter that she had written to Newsday, this is not about condoning anything, it's about containing, it's about containing the problem that has existed on these county roadways. And if you want to look no further than what Bishop Wcela had said, a person who -- a man of deep faith and great love for the Farmingville community; as many of you will recall, he was the founding pastor for the Resurrection Church. As he stated in Newsday not too long ago, "Resolution 1193 offers a local step to resolve local concerns, that is all that local government can do. The Legislature should override Gaffney's veto."

Now, Mr. Chairman, we've heard a lot of very angry people here today and I've people say that they're rather angry with me as well, but the fact of the matter is anger is not going to solve the problems. What's going to solve the problems is trying to find common ground. Joe Caracappa has attempted to try to find common ground as a representative of Farmingville, I have tried to find common ground as a representative of Farmingville, that's what this resolution is about. You can agree with it, you can disagree with it, but the thing that I -- you have some resentments, there are some things that I have resented over the last three years. And now, Mr. Chairman, this is as good a time as any to air those resentments.

For over 50 years, starting in 1947, my own family has represented Farmingville in public service in one form or another. Back in the late 40's my Dad was a teacher at Bayport/Blue Point High School and those were the pre-Sachem days. At that time, a number of families from Farmingville came to Bayport High School in order to be educated and Dad had developed a very strong liking that was returned by the families, the Terry's, other families from Farmingville from 1947 on. So whether it's through public education or as a County Legislator or

now as a son as representing this area, I've taken great umbrage at the vilification that has been pointed in my direction.

There was a sign earlier that said "Foley's Folly." Well, the real folly, the real folly is to do nothing. The real folly is to place one's head in the sand as the County Executive has done to veto a resolution and veto a resolution without offering any alternative; that's the key, Ladies and Gentlemen, without offering an alternative. His veto is a confirmation of the status quo and it is the status quo that has caused the problems since last summer. And you may agree or disagree with this approach, but no one should walk away from here today thinking that we are condoning illegal activities when we're not. This resolution -- and this is what we should talk about, not the national/international issues -- this resolution does those things with success, does this things with success that we in County government have the authority and therefore the responsibility to do.

Mr. Chairman, I would hope that my colleagues would override the veto. Thank you.

(Applause)

P.O. TONNA:

Anybody else? Just a quick -- I don't know how quick, but just a concluding remark.

First of all, much to maybe some of the people here surprise, I'm actually very encouraged today. I'm very encouraged for a number of reasons, and the very first is that I am so proud of our colleagues here in the Legislature. There has been not one discussion from the standpoint of a political issue. This has been an issue that every single Legislator has made a matter of conscious, and I really want to commend my colleagues on that. This has not been politicized. And so at least from the standpoint of listening to the public today, we have been able to be free from any type of political influences and be able to vote with our hearts and with our heads.

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Secondly, as most of you know, we do not have the votes to override. And yet in a certain sense, to listen -- and I have listened very, very carefully to a good number of residents from the Farmingville area, and I want to say that I think that there has been some mischaracterizations, mischaracterizations on both sides. First of all, I didn't hear bigotry today, I heard frustrated people.

(Applause)

And I think if we're going to look at the situation, we're going to

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have to be bridge builders. Because as Legislator Foley has said, and I want to commend both Legislator Caracappa and Foley, it's often I think about the words of Theodore Roosevelt when he talks about at least somebody's willing to enter the arena; by sitting and putting your head in the sand, you get nothing done. But Legislator Caracappa and Legislator Foley have both offered solutions, maybe not perfect, but attempts to do something, and with blood, sweat, tears, mischaracterizations, an enormous amount of time, they have at least attempted to do something here. I know behind the scenes that every Legislator here in this body wants to find a solution, there is great, great personal interest in making sure that the Farmingville area is not being prayed upon.

And yet, I would also like to say for me there is polls also, because in my heart I know that whether somebody, whoever it may be, that humanity has to be respected. And I know that probably in each one of us who are willing to really listen to the other side, for each one of us who are not so sure that we have all the answers, okay, that maybe, maybe for the future that we can find some common ground. There's common ground in that the Federal government has failed terribly and that actually if the Federal government was doing its job we would not have this situation today. But the tradition of the Suffolk County Legislature has never been to back down from difficult issues, to never walk away from difficult issues. And when people, from whatever side of the debate that you're on, that we have not shied away from listening and trying to do something, maybe imperfectly but we have tried to do something.

It's clearly -- in my mind, it was reasonable to suggest the idea of some gathering site because in my district I'm not saying it worked perfect, as Dee Thompson very, very clearly said, but it was a partial solution to reduced tensions in the community, to deal with public safety issues and to answer some of the very, very clear concerns that local businesses had. Today's voice from a majority of people who took the time and energy from Farmingville that came out said this solution, doesn't look like, is not appropriate for our area, I heard you loud and clear.

UNKNOWN AUDIENCE MEMBER:  
Thank you.

P.O. TONNA:  
But to walk away from this and to hear the rhetoric that you think the are going to be helicopters that are going to come in tomorrow and remove illegal immigrants, okay, and that's the only stance that you're going to be able to take, you do just as much a disservice to

your community. There has to be practical solutions. Let's stop demonizing each other and let's start working together, let's find common ground to build bridges. Legislator Caracappa and Legislator Foley have attempted to do that. I have not supported, from time to time, Legislator Caracappa's solutions and suggestions because I didn't think in my mind that they were proper, I am supporting Legislator Foley's. I'm not saying I'm right, I'm not saying I'm wrong, all I'm saying is let's find common ground.

This Legislature has handled this issue professionally. I would call on all of us, though, to be able to say there's got to be one common ground, and that is on a human level to respect the dignity, to deplore violence, to deplore and resist the mischaracterization on either side. Let's not call each other bigots or let's call other people insensitive, let's try very, very hard in the months ahead to do something real about Farmingville. Through my -- I call on the County Executive Bob Gaffney, he's made a statement that he does not think that this is a proper way to do it, that's fine. I'd like to find out what he has to say and what he would like to suggest as an alternative. Because if there is complete silence, at least this Legislative body was willing to get into the fray and offer some solutions. I'm waiting to hear County Executive Gaffney's response. I'm waiting to hear and maybe our common ground to begin with petitioning the Federal government together, petitioning the State government together.

(Applause)

And then finally, you have to go back to your town. There are issues with code, there are issues with housing that is not a part of this Legislative body to deal with. I just want to commend my colleagues, you have done an excellent job at trying to do the best you could for a community that's concerned.

And my last thought is, people, I cannot get away from the actual fact that I feel real sympathy and concern and a solidarity with people who want to protect their families, would travel anywhere to be away. I have -- I am absolutely in love with my wife and children, I can't imagine what it would be like to spend a few days away from them, let alone months away from them to be able to provide them {sussinance}. It was the same exact emotions that brought many of our parents and grandparents to this country. And I know I don't want to get involved in the legality of it, but at least on a human level can you understand that people are trying to do the right thing, who are willing to work very, very hard in a foreign place away from their families. And if we can have a starting ground based on the dignity and respect of everyone, local communities, taxpaying citizens, people who are trying to work and people who are trying to protect their families in whatever manner. If we can start there, maybe build bridges, maybe we can find some very, very good solutions. Thank you very much. Roll call.

(Applause)

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

MR. BARTON:  
On the motion to override, Legislator Foley?

LEG. FOLEY:  
Yes to override.

P.O. TONNA:  
Yes.

LEG. COOPER:  
Yes.

LEG. BINDER:  
No.

LEG. BISHOP:  
Yes.

LEG. D'ANDRE:  
No.

LEG. CRECCA:  
No.

LEG. CARPENTER:  
Yes.

LEG. ALDEN:  
No to override.

LEG. FIELDS:  
Yes.

LEG. LINDSAY:  
No.

LEG. HALEY:  
No.

LEG. FISHER:  
Yes.

LEG. CARACAPPA:  
No to override.

LEG. TOWLE:  
No.

LEG. GULDI:  
Yes to override.

LEG. CARACCIOLO:  
No to override.

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LEG. POSTAL:  
Yes.

MR. BARTON:  
Nine, the override fails.

P.O. TONNA:  
Thank you very much. And I'd ask any group --

(Applause)

Any group that is interested in finding a solution, I will be working with both Legislators from the Farmingville area to help. Thank you.

LEG. BISHOP:  
Mr. Chairman?

LEG. GULDI:  
Mr. Chairman, five minute recess?

P.O. TONNA:  
We're going to a five minute --

LEG. BISHOP:  
No wait, before the recess.

P.O. TONNA:  
Yes?

LEG. BISHOP:  
Mr. Chairman, I just want to --

P.O. TONNA:  
Lay on the table?

LEG. BISHOP:

No, discharge from committee for the hour Resolution 2036.

P.O. TONNA:

Okay, I second the motion. All in favor? Opposed? Fine.

MR. BARTON:

18. Mr. Chairman, what was the number of the resolution?

P.O. TONNA:

Great. We're going to take a 15 minute recess and come back. Thank you.

[THE MEETING WAS RECESSED AT 5:33 P.M.\*]

[THE MEETING WAS RECONVENED AT 6:10 P.M.\*]

P.O. TONNA:

Okay, will all Legislators please come to the horseshoe? Okay. I'd ask once more, all Legislators please come to the horseshoe. Okay, we're going to move ahead. Roll call, Henry.

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Okay, we still have four cards. Linda Fleming, are you here? Linda?

MS. FLEMING:

I'm Linda Fleming, I'm Executive Director of Alternatives Counseling and, given that others are not here, I'm also representing today Quality Consortium and Peconic Community Council which I'm Co-Chair.

The issue I want to address is the County Exec's cut to the contract agencies of 3% of our budget. This -- as many of you know, the human service agencies, the contract agencies have not had a raise in their budgets for a long time, we're in effect working on a negative growth. We've had enormous problems in the last year or so being able to attract and retain personnel because of the salaries. The County Exec's Office recently told us in anticipation of reduced sales tax and the economy, they wanted to take -- head off any problems. And I would just submit to you as you review this, is to make sure there are not other savings before you cut the contract agencies.

Many of us have been operating with at most a 1% increase in our budgets from State level or County over the last five years. My own agency has never made up a big state cut it got in 1996; we work with less full-time equivalent staff than we did in 1987 when I took over the agency. We're all finding this really very difficult and we just could really hope that as you review this process, you would look at what that means.

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Just to let you know that I think the County Exec was really just grabbing for money. Originally the 3% was to be of our total budget which meant State and County money, I think that's been cleared up now. But basically what we were told was we don't care whether you take your State money, your County money, we just want more money, even if it meant giving up the 50% match that some of the agencies have. For the drug and alcohol agencies which are mostly State funded, that just did not make a lot of sense. So I can only appeal to you to please really look at where your dollars are and how much you would really save in cutting the contract agencies.

Also, our demand for services does continually grow. My agency currently has a waiting list of about 55 clients. If the Rockefeller drug laws are repealed, we are assuming there will be a lot more criminal justice clients asking for services. So I would really ask you to consider not cutting the contract agencies.

D.P.O. POSTAL:

I have a question, Ms. Fleming. Within the Consortium, because we've had a lot of discussion of the DARE Program, we now have a task force on the DARE Program and obviously preventative program are very important. Can you talk to us a little bit about what preventative programs are included in the Consortium?

MS. FLEMING:

Many of the agencies have prevention personnel. Southampton Town recently went through sort of a self-examination which the Supervisor had himself challenged the DARE Program. As a result of that, a number of us in the field got together, school people, agency people, to really discuss the alternatives. And when you really look at what's

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out there, there are a lot of programs from curriculums, many of you are familiar with the Suffolk's Coalitions COMPASS which is a very comprehensive program, many of you are familiar with HUG which is another comprehensive program, we have educators -- we often say, of course, we could provide you with 3 personnel for every one DARE.

One of the things somebody said to me in terms of the DARE I think that made the most sense, if you took fifth graders and you gave them math for just eight weeks and that was the only math they ever got, would they learn math? I think it's the same with any of these programs. One single program alone can't do very much. Prevention is a process, it's ongoing, it's lifelong, and it can be done inside schools, outside, in the homes and so on.

D.P.O. POSTAL:

Thank you. Next speaker is Charles Clampett?

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MR. CLAMPETT:

Hello, Ladies and Gentlemen of the Legislature. I was here before with -- due to Brian Foley and Steve Levy and I spoke about a child support issue that's really getting to me at this point.

The Child Support standards Act states that I make less than \$7,488, that's what I make a year, and anything that's less than \$8,300 a year, I fall under the Poverty Income Guidelines which should only be \$25 a month. Social Services law says the same thing, Family Court Act says the same thing as well. I am asking the Legislature here, somebody to call the Riverhead Courthouse and let them know that this is going on.

I also called the Worker's Comp Bureau because I wanted to satisfy the \$7,000 lien that I have against me and I wanted to settle my worker's comp case so that I can settle this so I can go to court and tell the Judge -- tell the Hearing Examiner that I have no more money, I have nothing. And at that point when I was talking to Albany, I had told them, "What do you want me to do, put a rope around my neck and kill myself? Is that what's going to be heard? Is that how people are going to start looking and listening to me? " With that, I slammed down the phone and three minutes later five police officers were at my house.

I am seeking counseling, I'm going to see a psychiatrist, I'm on all kinds of medication. I stay home all the time because I can't go out and eat anywhere. I have friends of mine that bring food to me because I cannot go out and eat, I don't have the money for the food. My landlord lowered my rent down to \$215 a month instead of 600 a month because he knows my income. Now, I'm asking the Legislature here, just because I'm only one person and not a group of Farmingville people standing here, I'm asking for help, and I know I was told before that I have to go somewhere else. Now, this is unfair for me and unfair for my daughter Holly which is 22 years old, to have me talk about suicide. And then this child that I have is three years old and I haven't even seen that child at three years old. Then later I find out that the lady that I had this child with, that she had incest with her father and her brother and she's having the daughter, my daughter go over there and visit her father and her brother. This

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is kind of getting ridiculous. Now, can anybody help me? Can anybody give me some sort of guideline?

LEG. BISHOP:

We know the question; who's district it?

MR. CLAMPETT:  
Brian Foley's.

D.P.O. POSTAL:  
Well, have you --

LEG. CRECCA:  
I'll -- Madam Chairman?

D.P.O. POSTAL:  
Go ahead. Legislator Crecca.

LEG. CRECCA:  
Just a question for you. What was there a judicial determination by the Hearing Examiner that you should pay a certain amount of support?

MR. CLAMPETT:  
Eighty-five dollars a week plus day-care.

LEG. CRECCA:  
Okay. What you need to do is, and I'm just telling you, we can't help you per se but you probably need to get an attorney or you need to file your own objection pro se to that Hearing Examiner's finding.

MR. CLAMPETT:  
I hired an attorney, {Gerry Mimps}. I hired an attorney, \$1,500 of money that I don't have, I had to save for that for this hearing. I go to the hearing and then the Hearing Examiner lowered my payment down to \$50 a week and I don't even have that.

LEG. CRECCA:  
Again, it's -- unfortunately, to a certain extent, we're limited to what we can do. Judicial determinations in child support matters, they're made by a different branch of government. We don't have the power to override that determination, you have to appeal the decision if the decision is not proper. In fact, the best way to do that is either with an attorney or if you have to do it, you've got to do it on your own, but that's the bottom line. I mean, we certainly can make a referral to you to Legislator Foley and see, you know, if somehow he can help you out. But the reality is is that the judicial determination that's been made by the hearing examiner, you know, there are certain steps you can take to appeal it or to file an objection and make sure that they were properly made.

MR. CLAMPETT:  
Well, with my understanding, Brian Foley is not too clear about this Family Court Act. He's not too clear about the family law.

LEG. CRECCA:

But that's what I'm telling you. What you really need to do is -- again, I'm not here to give specific legal advice --

MR. CLAMPETT:

Yes, I understand.

LEG. CRECCA:

-- you need to pursue this within the Judicial Branch of Government. You need to, you know, file an objection to the findings and go through the process; you might be successful, so you really should pursue that route. And the longer you wait the more you may be hurting your case to change the order.

MR. CLAMPETT:

I have been before the Judge -- not the judge, the Hearing Examiner and it keeps going, I keep going back and forth with it and it's just getting to me.

LEG. CRECCA:

You need to go to a higher court, though.

LEG. BISHOP:

Are you on social security disability?

MR. CLAMPETT:

I'm on Social Security Disability and Worker's Comp. Social Security Disability I get \$424 a month, Worker's Comp I get \$45 a week, that's my only income, which comes out to 624 a month.

LEG. CRECCA:

And what do you have, one child?

MR. CLAMPETT:

My daughter is -- my other daughter is 22 years old, I'm 43.

D.P.O. POSTAL:

Can I suggest that it might be -- if you're willing, Legislator Crecca, if you're willing to share -- obviously you have professional experience in this area -- if you are willing to share that, maybe the two of you can schedule a time that you can talk privately?

LEG. BISHOP:

He's not going to do it pro bono.

D.P.O. POSTAL:

No. Well, you know, I mean, rather than --

MR. CLAMPETT:

Well, I don't want --

D.P.O. POSTAL:

Rather than discuss it -- I mean, even today at this point, you know. It's just we're all sitting here and listening.

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LEG. CRECCA:

Yeah, I'll talk to you in the lobby in a few minutes.

LEG. POSTAL:

You know, and there are speakers who are waiting to speak to the Legislature who have probably been waiting since 9:30 this morning.

MR. CLAMPETT:

Thank you.

D.P.O. POSTAL:

Thank you. Next speaker is Kathleen Roche.

MS. ROCHE:

Hello, everyone. Must have been a very exhausting day and I appreciate your staying and listening to the last of us speak.

For many years we have tried to give child care workers a reason to hope that their work was needed and valued and that they should stay in the field and that their plight was noticed. Last month you gave them a reason to rejoice when you approved legislation that would boost their wages based on education and quality aspects. This legislation was based upon other legislation already tried and tested in other states. The outcomes have proven to be immensely successful in promoting quality, early childhood education and care and in supporting economic development. Now with the County Executive veto of your legislation, what can we tell the Suffolk County's early education and care workers? The State's Child Care Retention Program will only give a child care worker \$3 a day, the Suffolk measure would grant an associate level child care worker another \$6 a day; together those stipends would boost wages \$45 a week and that is enough to make a difference.

Our early education curriculum teaches children how to make choices and how to discern which decision will have the best long-term results. We ask the children to consider what will happen next and then what will happen after that and after that? Our children have learned to make very good decisions even at three years of age. Please take a moment to consider what will happen next and after that if the County Executive's veto stands. The notion that early childhood educators aren't doing valuable work and worthy work will be underscored. Wages will remain at the bottom of the national index

and the few quality child care workers that there are left to remain for the children are all we have. Consider the economic and development aspects. Without child care workers, the welfare rolls will swell again. Without child care workers, businesses cannot get their own workers, parents cannot work. Without child care workers, revenue isn't generated, major purchases for families aren't made.

There is not an adequate supply of qualified people to care for and educate young children. Colleges don't even offer degrees in early childhood education anymore. And who in their right mind would send their child to college to study it, must less work in a field that is heralded as the second worst paying industry in the nation. To those that are dubious about salary enhancements for one industry over another, let me point out that tax monies are already being spent to

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support the entire infrastructure of public education and health care, not just wages.

D.P.O. POSTAL:

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

MS. ROCHE:

Okay. You who are Legislators already know these truths, these are the things that let you to do your job like when you approved Vivian Fisher's child care worker wage stipends based upon education and quality. I have known that Bob Gaffney for many, many years and I know he is a conscientious, good man who tries very hard to balance all needs, but you also have a job to do. You have heard so much testimony that Mr. Gaffney has not heard --

D.P.O. POSTAL:

Katie? Katie, please.

MS. ROCHE:

Please override Mr. Gaffney's veto to support child care workers.

D.P.O. POSTAL:

Thank you. Next speaker is Carol Slippen.

MS. SLIPPEN:

Hi. Well, I'm going to try again. It's been a long day. I am Carol Slippen and I'm the Resource and Referral Coordinator at the Child Care Council of Suffolk. You have been supportive of child care issues and in the past you supported our resource and referral contract to help County employees find quality child care. That is why you must override Mr. Gaffney's veto of salary enhancement for child care workers; without it we will continue to lose qualified child care

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teacher. They can't afford to stay in the field and programs can't open more rooms for infants and toddlers and school-aged children.

As the Resource and Referral Coordinator at the Council, I know from hearing my staff on the phones talking with parents all day long, and we get over 4,000 calls from parents a year, there are no openings for children in these age groups. This is an economic development issue, without child care, parents can't afford to be in the work force. Children are in programs where staff has changed so often that the children aren't being called by their given name. Consistency in child care supports a quality program. We need to give our children the best available child care by supporting the caregivers who provide this most necessary service. This is only a beginning. Please reinstate salary enhancement for child care teachers in Suffolk County. Thank you.

LEG. FISHER:  
Thank you.

D.P.O. POSTAL:  
Thank you. And the last card I have is Todd Stebbings.

MR. STEBBINS:  
Good afternoon. I am here representing the New York Public Interest

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Research Group in support of Sense Resolution 21-2001 --

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

MR. STEBBINS:  
Sorry about that -- 21-2001 which is a Sense Resolution requesting the State Legislature to refinance the New York State Superfund. As of March 31st of this year, the New York State Superfund to clean-up over 124 toxic waste sites in New York State is bankrupt, this leaves 124 toxic waste sites on Long Island stranded. All of these toxic waste sites that have been designated for clean-up simply have no more money. As of right now there is political wrangling going on in Albany as to the financing of this program, or the refinancing of this program. We would like to request that the County Legislature as well as the Nassau County Legislature request that the State refinance the Superfund at the same standards that were created in 1986 through the \$1.1 billion Environmental Quality Bond Act. Toxic chemicals in our environment threaten sensitive natural resources while including surplus water and ground water, area and soil resources. The Legislature -- we request that the Legislature support Assembly Bill A-3609 which is sponsored by Assemblyman Pete {Granniss} and Senate

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Bill S-3338 which is sponsored by Senator Ken LaValle. This is to amend the New York State Environmental Conservation Law to refinance the State Superfund, maintain New York's remediation policy and enforce our Polluter Pay Liability Laws which means a four to one matching from polluters to remediate known hazardous sites within a ten year time table and improve public participation through technical assistance grants.

The other piece that I wanted to support, and I'm not sure if Legislator Caracappa has gotten the Sense Resolution introduced, but it is a resolution to request that the New York State Legislature ban ATM fees in New York State. For five years now, consumers have been I guess inundated with, you know, needless ATM fees that we continue to see and we call this a gauche; this is paying twice at the ATM machine. We all pay ATM fees day in and day out. As of right now, throughout the country there are several municipalities that have banned ATM fees in the country, most notably San Francisco and Santa Monica, and a couple of towns that are going through legalize battles in New Jersey. To begin this process, to begin to look forward to protecting consumers, we'd like to see that the County Legislature request that the New York State Legislature ban ATM fees and see where we can go from there and start to work on this in protecting consumers in Suffolk County. Thank you.

D.P.O. POSTAL:

Thank you. Will all Legislators please report to the horseshoe? We're about to address the consent calendar. Is there anyone else who would like to address the Legislature? Yes, have you spoken today?

MR. CIANCHETTI:

No, but I did fill out a card this morning and somehow or other --

D.P.O. POSTAL:

Well, maybe you weren't here when we called your name. Please just

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step to the podium and give you name. You have three minutes.

MR. CIANCHETTI:

My name is Bob Cianchetti, I'm the Director of Day-care at Little Flower Children's Services in Wading River. I come to you tonight because I need the answer to a question, but I can't raise the question until I give you a little background.

I have in my right hand here a copy of Resolution 2051 which was a resolution implementing day-care for County employees. It was presented by Legislator Towle and in committee, it was voted out of committee by a unanimous vote early this year. This resolution

identifies Little Flower as the potential operator for a day-care program for County employees.

I also have in my hand, in my left hand here, a copy of an RFP which just recently was distributed soliciting proposals from the community to do the very same thing that this resolution calls for. At this particular point in time, we at Little Flower are somewhat confused and we need to have some kind of a response as to how we do not qualify, based on this RFP, in order to submit a proposal while we qualify under this resolution to provide day-care for County employees. And I was hoping that tonight I could get some kind of an answer --

LEG. TOWLE:  
Legislator Postal?

MR. CIANCHETTI:  
-- I could bring back to my board of directors so they don't think I'm crazy.

D.P.O. POSTAL:  
Legislator Towle?

LEG. TOWLE:  
First of all, you're definitely not crazy, although I'm starting to wonder whether or not we are or not. The reason the bill has not been approved is because we have been told over the last few months that the County was putting out an RFP and that we would be involved in that process and we were receptive to putting out a competitive bid. The County did that, to give you a quick synopsis, and no one responded to the bid, not one person, not one company.

Then when we asked the County Executive staff at the last meeting what we were doing in regards to that, we were told that there was some possibility of putting myself or a member of the Human Services Committee that I chair on the RFP committee and that we were sending out proposals directly to providers in hopes that they would also respond, so we tabled the resolution for one more meeting. Well, the meeting went for a month and I received no telephone calls. And earlier this afternoon I was informed that we were not going to be putting anybody on the Legislature from the RFP committee, that they had not received any bids back at this point, however they did receive some inquiries, and that there was some belief that Little Flower may

or may not be qualified to provide these services; I don't agree with that analogy.

I'm going to be moving my resolution tonight, I'm going to be asking the Legislators to support that. It's clear to me that based on my conversations with the County Executive's Office, that the County Executive will likely veto that resolution, at our next meeting we will hopefully have enough votes to override that. Because I'm tired of for the last six years that I've sat here we've continued to talk about day-care and not do anything about it. And I've come out to look at Little Flower's operations and I've had an opportunity to speak to the folks at your facilities and I've had an opportunity to speak to some of the people that you certify that are doing home day-care and we're not reinventing the wheel here. We need to put a program in place in which we can provide services to our over 12,000 employees who clearly, from our own study, have indicated that they want day-care services. And instead of making it work, we have continued to put obstacles in front of it and hopefully tonight we'd be able to move that resolution once we get to the agenda. So I'd ask you to stay, I can't imagine it would be any more than a half hour.

MR. CIANCHETTI:

Great. Thank you very much.

D.P.O. POSTAL:

Is there anyone else who would like to address the Legislature? Okay.

LEG. CRECCA:

Cameron, you've got three minutes.

LEG. ALDEN:

That's all?

LEG. FOLEY:

Cameron, you want to make any motions to reconsider?

P.O. TONNA:

Cameron, where are you going?

D.P.O. POSTAL:

Legislator Fisher for purposes of a motion.

LEG. FISHER:

Yes. I would like to make a motion to override the veto of Resolution No. 1129, expediting implementation of enhanced child care program.

LEG. FOLEY:

Second the motion.

LEG. FISHER:

I'm hoping that we don't have to enter into a debate and just call the vote on this.

MR. SABATINO:

This is Resolution 279, just for the record.

LEG. FISHER:  
I'm sorry, 279. Sorry.

D.P.O. POSTAL:  
Okay. On the motion?

LEG. HALEY:  
Roll call.

D.P.O. POSTAL:  
Roll call.

P.O. TONNA:  
All Legislators please come to the horseshoe. This is to override the veto?

D.P.O. POSTAL:  
Well, do you want the floor?

P.O. TONNA:  
Wait, can I mention one thing on this?

LEG. HALEY:  
You have another prepared statement?

P.O. TONNA:  
No. We're talking about the overriding of the child care. I just want to remind Legislators, those who were part of the Omnibus process, that this was something that we saw as -- Andrew, you don't have to worry about that, Andrew. Anyway -- or probably the next four Omnibus processes if I have anything to say about it. But no, anyway --

LEG. HALEY:  
Whoa.

P.O. TONNA:  
I'm teasing, you know I'm teasing.

LEG. CRECCA:  
Let me write that down.

P.O. TONNA:  
Yeah, right. No ticky, no washy, that's how it works. Anyway, the concern that I have --

LEG. HALEY:  
I had half though, right?

P.O. TONNA:

Yes. The only concern that I have is just to remind Legislators that this was a priority that was placed on top of the list among Legislators, all right, through the Omnibus process, that this was something that was so vital and so important. Okay? Thank you very much. Roll call.

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

LEG. FISHER:  
Yes.

LEG. FOLEY:  
Yes to override.

LEG. COOPER:  
Yes to override.

LEG. BINDER:  
No.

LEG. BISHOP:  
Yes to override.

LEG. D'ANDRE:  
Pass.

LEG. CRECCA:  
Yes to override.

LEG. CARPENTER:  
Yes.

LEG. ALDEN:  
No to override.

LEG. FIELDS:  
Yes to override.

LEG. LINDSAY:  
Yes.

LEG. HALEY:  
Yes.

LEG. CARACAPPA:  
On this one? Yes.

LEG. TOWLE:  
Yes.

LEG. GULDI:  
I'm with him, yes.

LEG. CARACCIOLO:  
No.

LEG. POSTAL:  
Yes.

P.O. TONNA:  
Yes.

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LEG. D'ANDRE:  
Yes to override.

P.O. TONNA:  
Just let that go, Bob Gaffney had one override sustained and now we're back to our old patterns again. Thank you.

MR. BARTON:  
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LEG. FISHER:  
Thank you, everybody, for keeping the Legislature strong.

P.O. TONNA:  
Thank you.

LEG. FOLEY:  
Well, at least one Legislator whose name starts with letter F had a veto overridden, so.

D.P.O. POSTAL:  
Okay.

P.O. TONNA:  
All right. Legislator -- I mean, Deputy Presiding Officer Postal, could you continue for me?

D.P.O. POSTAL:

Yes.

P.O. TONNA:

Because I've lost my mind.

LEG. POSTAL:

We're going to the consent calendar, Introductory Resolution 1269 - Authorizing use of County property for law enforcement commemoration days.

P.O. TONNA:

No, this is the consent calendar.

D.P.O. POSTAL:

Oh, excuse me. Sorry. Motion to approve the consent calendar by Legislator Caracappa --

P.O. TONNA:

Second, second.

D.P.O. POSTAL:

-- seconded by Legislator Towle. All in favor? Any opposed?

MR. BARTON:

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D.P.O. POSTAL:

Okay, Tabled Resolutions:

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Introductory Resolution 1525 - Requiring the Department of Public Works to prepare and disseminate program evaluation and review techniques timeline charts for all Capital Construction Projects (Foley). Legislator Foley?

LEG. FOLEY:

Mr. Chair -- Madam Chair, I'm going to make another motion to table.

LEG. HALEY:

Second.

LEG. FISHER:

Second.

D.P.O. POSTAL:

Motion to table, seconded by Legislator Haley. All in favor? 1525 is tabled.

MR. BARTON:  
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D.P.O. POSTAL:  
1948 - Calling a public hearing upon a proposal to form Suffolk County  
Sewer District No. 24, Yaphank, Town of Brookhaven.

LEG. TOWLE:  
Legislator Postal?

D.P.O. POSTAL:  
Yes.

LEG. TOWLE:  
I would like to make a motion to table subject to call.

D.P.O. POSTAL:  
Motion by Legislator Towle to table subject to call. Is there a  
second?

LEG. GULDI:  
Second.

D.P.O. POSTAL:  
Second by Legislator Guldi.

LEG. HALEY:  
On the motion.

D.P.O. POSTAL:  
On the motion, Legislator Haley.

LEG. HALEY:  
I just want an explanation.

D.P.O. POSTAL:  
Explanation.

LEG. TOWLE:  
The explanation is that I went and met, between now and the last  
meeting of the Legislature, with the Department of Public Works. Our  
Sewer District is in place now, the sewer district is in place,  
however the district itself was never created. We do have extra  
capacity, but in order to hook-up outside companies to that sewer  
treatment plant, they have to hold these public hearings to move  
forward in creating a sewer district. And the community is clearly

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opposed to creating a sewer district over there to allow companies to come and develop on some of the open space that's left there such as the American Tissue Facility and a couple of other proposals that are being considered. So they don't even want to go down this route because that's already going to enable these companies to come in and by not having the sewer district they're unable to look into that facility.

D.P.O. POSTAL:  
Legislator Haley?

LEG. HALEY:  
Well, what my concern is is that they'll build their own so you're adding some costs, and I guess you don't obviously have a problem with that, right?

LEG. TOWLE:  
Well, that was one of the issues that was discussed and many of the companies, because of financial reasons, will not do that for those types of facilities.

LEG. HALEY:  
So what will they do?

LEG. TOWLE:  
Well, they'll be forced to look somewhere else to build the facilities.

LEG. BISHOP:  
Not build on open space.

D.P.O. POSTAL:  
Okay? All right, there's a motion to table subject to call that's been made and seconded. All in favor? Any opposed? 1948 is tabled subject --

P.O. TONNA:  
I'm opposed.

D.P.O. POSTAL:  
Excuse me. Opposed, Legislator Binder, Legislator Alden, Legislator Tonna, Legislator Haley, Legislator Caracciolo.

LEG. CRECCA:  
You know, put me down, too, on that.

P.O. TONNA:  
Well, you want to make a motion to table?

D.P.O. POSTAL:

What takes precedence? Subject to call takes precedence and we're in a roll call.

LEG. TOWLE:

It still stays on the agenda but the issue is that it's --

MR. BARTON:

It's eleven.

D.P.O. POSTAL:

Excuse me, I didn't hear you.

MR. BARTON:

The vote is eleven to table subject to call.

D.P.O. POSTAL:

It's tabled subject to call.

2051 - Implementing Day Care Program for County employees (Towle).

This was the issue --

LEG. TOWLE:

The one I spoke about earlier, yes.

D.P.O. POSTAL:

You want to jump --

LEG. TOWLE:

I want to make a motion to approve this tonight.

D.P.O. POSTAL:

Okay.

LEG. FISHER:

I'd like to second that.

D.P.O. POSTAL:

Motion to approve by Legislator Towle, seconded by Legislator Fisher.

LEG. CRECCA:

On the motion. ?

D.P.O. POSTAL:

On the motion.

MS. ROSENBERG:

Legislator Fisher, can I speak on the motion?

D.P.O. POSTAL:

Brenda?

MS. ROSENBERG:

Hi. I just wanted to let you know that the process, the RFP process

has been going forward and 34 agencies were contacted and a bidder's conference is taking place this Friday. Questions have been received

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by the Purchasing Department and they're very good questions and we're answering them, Purchasing is answering the questions. The process is taking place and we feel at this point that there is no provision in the RFP to allow Legislator Towle to be on that committee.

LEG. CRECCA:  
I have a question for Brenda.

D.P.O. POSTAL:  
Legislator Crecca?

LEG. CRECCA:  
Brenda, did Little Flower qualify for the RFP or not?

MS. ROSENBERG:  
We haven't heard from them, actually. And per our --

LEG. CRECCA:  
They're right behind you.

LEG. TOWLE:  
Yeah. He spoke earlier and he also got a copy of the RFP

MS. ROSENBERG:  
I am not qualified to say whether or not they are qualified for it. They haven't submitted anything as of yet.

LEG. CRECCA:  
Question for Legal Counsel. Does -- if we approve this, does that -- we're not -- we're within our bounds as far as there doesn't have to be an RFP for this or does there, under the County Charter?

MR. SABATINO:  
Well, I think there's a little confusion because it was represented before that the RFP went out and there was no response.

LEG. TOWLE:  
That's correct.

MR. SABATINO:  
Now we're getting a statement that there was a response. The reason the bill was tabled --

LEG. CRECCA:

Well, hold on a second. I don't mean to interrupt you, Paul, but I don't know if they're saying there was a response. They said they're having a bidder's conference but they didn't say there were any bidders or anybody who's responded to the RFP. I guess the question is --

LEG. TOWLE:  
Legislator Crecca, if you would suffer an interruption?

LEG. CRECCA:  
I'll suffer an interruption, sure.

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LEG. TOWLE:  
My understanding -- and obviously Mrs. Rosenberg can correct me -- is the County put out a bid, we advertised a legal bid; there were no responses to that legal bid. The County then took it upon themselves to reach out to agencies that do day care and asked them, you know, in a second round to respond to this. Apparently those are the 34 four groups that they've reached out to, maybe even more, some if not all of those groups may show up on Friday.

LEG. CRECCA:  
But with an RFP, don't they have to submit a written proposal or that's not -- they're doing a second one now?

LEG. TOWLE:  
I'm not an attorney but I would think that the County's met its -- first of all, I will let Counsel address the legalities of the bill itself on its own. But I think quite honestly, if we were just talking about the RFP process, the County met its legal obligation when we put out the bidding notice and nobody responded.

MS. ROSENBERG:  
Legislator Crecca, as of yet the RFP is not due back, the date has not been reached.

LEG. CRECCA:  
Is this the second time, second RFP, is that what it is?

MS. ROSENBERG:  
No, this was the first one.

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

LEG. CRECCA:

I'm sorry. Paul.

D.P.O. POSTAL:

You know, I think it's a good suggestion to have our Counsel respond to that question because this is -- first of all, there's a lot of confusion about whether there was an RFP, whether there was any response to the RFP, if that happened and if there was no response to the RFP, whether the County is then obligated to make a second attempt at an RFP.

MR. SABATINO:

I know you want a short answer but there's not a short answer.

LEG. CRECCA:

Give us the long answer.

MR. SABATINO:

The long answer is that there's been a Local Law on the books for about 12 years to have day care in Suffolk County facilities, it's been delayed on three separate occasions for a variety of reasons. Last August Legislator Towle was approached by this organization, Little Flower, which indicated they could try to meet the need of that

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Local Law. At the time that Legislator Towle filed the bill, there was no RFP process in place, so the legislation was going to call for the County to evaluate the proposal and then come back to the Legislature and see if this would satisfy the requirements of the Local Law. It wasn't going to select Little Flower, it was going to do an evaluation and analysis and see if they could, under that Local Law, perform the services.

Someplace in the middle of that process it was represented at the Social Services Committee that there was, in fact, an RFP process that was about to begin. In deference to that process, the bill was tabled which made sense, even though Legislator Towle's bill could have gone forward. His bill was held back pending the outcome of that RFP process, so it really hinges on what happened to the RFP process. If the RFP process took place and it was concluded and now we're taking a second shot at it, then Legislator Towle's bill would be eligible for action. On the other hand, if the RFP process has not been completed, then I would say you would want to wait for that process to be completed just subject to the one caveat which was made way back in the Social Services Committee last December or November which was that Little Flower was supposed to be added to the list of providers to be given the opportunity to respond.

LEG. CRECCA:

If I -- no, that explains it. I think what we need is we need somebody from the County Exec's Office who could explain to us exactly what has taken place in this RFP process; can somebody explain that?

MS. ROSENBERG:

Well, the RFP process, it takes them some time to actually formulate the RFP.

LEG. CRECCA:

But the original RFP that went out, there had to be a date on it that they had to respond by.

MS. ROSENBERG:

It's not due yet.

LEG. CRECCA:

The original RFP, that date is not back yet?

MS. ROSENBERG:

That's correct.

LEG. TOWLE:

What is the date?

MS. ROSENBERG:

I believe it's this Friday? No, I think the bidder's conference is -- May 11th? May 11th.

LEG. CRECCA:

All right. Can we get a commitment from the County Exec's Office tonight that Little Flower will be included in that RFP?

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MS. ROSENBERG:

They have been already, we have sent them the copy of the RFP.

LEG. CRECCA:

So they could be one of the responding parties by May 11th.

MS. ROSENBERG:

Absolutely, absolutely.

LEG. TOWLE:

Legislator Crecca, if you would suffer another interruption? I'm sorry to do this.

LEG. CRECCA:

No, please. I'm trying to clarify this, so.

LEG. TOWLE:

Not only are they obviously interested by being here tonight, but they were the first to submit a plan which is what generated this resolution. They didn't submit it obviously as part of this process because they're really not sure what's going on and the bill has obviously been tabled or in committee for over eight and a half months.

LEG. CRECCA:

I am not disagreeing with you, Legislator Towle, I'm just trying to get to the bottom of this.

D.P.O. POSTAL:

Right. Legislator Lindsay.

LEG. LINDSAY:

I'm still confused. The man from Little Flower had two documents, one said that they were requested to bid on this and the other one said they weren't qualified; am I correct?

MR. CIANCHETTI:

The RFP --

D.P.O. POSTAL:

He can't -- excuse me.

LEG. LINDSAY:

Okay. I just want to know, can somebody answer that question for that man, can the Executive's Office answer it?

D.P.O. POSTAL:

Brenda?

MS. ROSENBERG:

Can you repeat the question? I'm sorry.

LEG. LINDSAY:

Well, you probably weren't in the room before, but he had two documents, one was a Request For Proposal which he would like to bid on.

MS. ROSENBERG:

Okay.

LEG. LINDSAY:

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And the other one, the way he read it, said he wasn't qualified to bid on it.

MS. ROSENBERG:

I wasn't in here and I don't know who that letter was from.

D.P.O. POSTAL:

You know, perhaps we can --

LEG. HALEY:

Madam Chair, can we pass over this and come back?

D.P.O. POSTAL:

Yeah, I would suggest that we come back to this. Maybe Little Flower and the County Executive's Office can have a mini-conference?

LEG. LINDSAY:

And one other --

LEG. TOWLE:

Legislator Postal?

LEG. LINDSAY:

I have another question.

D.P.O. POSTAL:

Yeah, Legislator Lindsay.

LEG. LINDSAY:

The other thing that has me confused is the RFP isn't due back until May 11th but you're having a bidder's conference already, how is that possible?

MS. ROSENBERG:

They always have a conference before so that bidders can ask questions regarding the qualifications.

LEG. LINDSAY:

The prebid.

MS. ROSENBERG:

Correct.

D.P.O. POSTAL:

Legislator Caracciolo?

LEG. CARACCIOLO:

Maybe one of these mikes will work. Brenda?

D.P.O. POSTAL:

Legislator Caracciolo, does that mike work?

LEG. CARACCIOLO:

Yes, it does. I have a question for Brenda. What is the expectation as to when this RFP will come to closure and a successful contract vendee selected; are we looking at weeks or months or years, what are we looking at?

MS. ROSENBERG:

I don't know what the time is.

LEG. CARACCIOLO:

I mean, that's the threshold issue here.

MS. ROSENBERG:

It takes several weeks to look at all of the proposals.

LEG. CARACCIOLO:

Well, can you give us an idea of the timetable; weeks, months or years?

MS. ROSENBERG:

I don't have it right now, I'm sorry.

LEG. CARACCIOLO:

And what is the rationale as to why you cannot have a representative of the Legislature involved in the RFP process?

MS. ROSENBERG:

There is no provision to place a member of the Legislature on the committee, there's no provision in the Charter and we have no mechanism to do that.

LEG. CARACCIOLO:

So you can't tell us when this will take place. So then really the alternative for the Legislature is to consider this resolution and approve it so that we can move forward and meet the needs of County employees that gave child care, that need child care, and that's one of the options we have. Thank you.

D.P.O. POSTAL:

Legislator Bishop and then Legislator Towle.

LEG. BISHOP:

Legislator Towle --

D.P.O. POSTAL:

Legislator Bishop, go ahead.

LEG. BISHOP:

Well, I just spoke with Counsel to clarify something.

LEG. HALEY:  
Stand up, Dave. Where's my computer?

LEG. CRECCA:  
Wait, wait, wait. Dave, do you need the laptop? Is it a prewritten speech, do you need the laptop?

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LEG. BISHOP:  
I was just advised by Counsel that current conditions -- in other words, with an RFP out -- we can't pass the Towle bill at this point.

LEG. GULDI:  
I don't like the way this looks.

LEG. BISHOP:  
So we need to table this --

D.P.O. POSTAL:  
Would you speak into YOUR microphone?

LEG. BISHOP:  
-- until that conflict is concluded.

LEG. FOLEY:  
George, do we really want the majority in the Legislature?

D.P.O. POSTAL:  
Legislator Towle.

LEG. TOWLE:  
I give my mike to Legislator Caracciolo and now it's not working. Let's just go through the chain of events here one more time so that I'm clear on this and I think that we're all clear on this. For the last -- yeah, let's just go through the chain of events so we're all on the same page, so that Little Flower will walk out of here tonight with an understanding.

D.P.O. POSTAL:  
Why don't we --

LEG. TOWLE:  
For 12 years, for 12 years we have talked about doing day-care. Back in 1999 I met with the then Commissioner of Social Services, John Wingate, at the Little Flower site in regards to an adoption day {stam} program and in that conversation the issue of day care came up. At which point I asked Little Flower, why don't you put something together in a proposal, which they did, and we filed a resolution and

that resolution was continued to be tabled for months as the County put together an RFP process. The RFP process took place, apparently the deadline is the 11th, although I have never seen the RFP. During that time, we agreed to table the resolution.

Part of that agreement was that there would be a representative from the Legislature on the RFP committee; ie, myself as the Chairman of the committee or some member of committee that the committee would designate if they don't want to pick me,. But since I had sponsored the bill, that obviously seemed to make sense and since the committee I chair is also responsible to day care. The County Executive staff agreed to that on more than one occasion. And each and every time they agreed to it and each and every time I asked the question when that was going to happen, I was given one excuse after another with the final excuse tonight being there's no provision for that to allow to be happen. And that's where we are.

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We can continue with no date certain -- because make no mistake about it, it's not May 11th that we're going to know who is willing to provide day care for employees, it could be weeks or months after that where we may have nobody -- or we could move forward with this resolution tonight and at least know we're moving forward. And if the County Executive were to veto it and we were to override the veto, within two meetings we'd have an agency that's prepared to step up to the plate and work with the County Executive's Office and Social Services to get day care in place this year to our County employees.

D.P.O. POSTAL:

I'm going to skip over this and come back to it. And I'm going to ask if the County Executive and Little Flower could enter into some kind of a little discussion so that they can be able to address some of our questions that they're not able to answer at this time.

LEG. CARACAPPA:

Legislator Postal, Madam Chair?

D.P.O. POSTAL:

Brenda?

LEG. CRECCA:

I want to know what prohibits the --

LEG. CARACAPPA:

There is no law prohibiting it. I just sat on an RFP committee as Parks Chairman for the --

LEG. FISHER:

So did I as the Parks Chair.

LEG. CARACAPPA:

And in the past, Vivian has sat on RFP committees when she was Parks Chair.

LEG. FISHER:

Yes.

LEG. CRECCA:

No, because there was a representative --

LEG. CARACAPPA:

I just sat on an RFP Committee for the selection of a vendor at Smiths Point County Park. So to say that Legislators are prohibited for sitting on --

MS. ROSENBERG:

I didn't say --

D.P.O. POSTAL:

No, that's not what she said.

LEG. CARACAPPA:

Oh, you're saying it just isn't -- you just didn't want Freddy to so, it wouldn't be appropriate?

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D.P.O. POSTAL:

No, no. I think --

LEG. CARACAPPA:

Then what are you saying?

MS. ROSENBERG:

I didn't say that.

D.P.O. POSTAL:

If I could. I don't know whether Brenda Rosenberg said this or Paul Sabatino, that there was no provision in the legislation -- maybe it was Brenda.

MS. ROSENBERG:

There's no provision in this particular legislation --

D.P.O. POSTAL:

For representation from the Legislature.

MS. ROSENBERG:

Correct. I didn't say we don't want Fred.

D.P.O. POSTAL:

But that's an issue that I think, you know, we could address at whatever point. And I think the question has to do with whether there was some kind of agreement with Little Flower, whether Little Flower was included in the RFP process and where the whole situation is now. In the second -- you know, whether it's first round or a second round, there's some question about whether there were two rounds of RFP's.

MS. ROSENBERG:

There were not.

LEG. POSTAL:

But at any rate, I think that perhaps if there's a discussion and we skip over this, we can come back to it later with some clarification. And we're going to move to --

LEG. TOWLE:

Legislator Postal?

D.P.O. POSTAL:

-- the next resolution

LEG. TOWLE:

I hate to do this, but with all due respect, there was a motion and a second to approve this and both of those motions were recognized. If we want to withdraw the motion and table this -- I mean, the County Executive's Office and Little Flower talking is not going to resolve this issue. They got a copy of the RFP, they've already submitted a proposal to the County, it's attached to this resolution.

D.P.O. POSTAL:

Legislator Towle, if you would like to -- were you the maker of the motion?

LEG. TOWLE:

Yeah, and there was a second, I believe Legislator Guldi seconded it.

D.P.O. POSTAL:

If you would like to go ahead with it, you know, that's another issue.

LEG. CRECCA:  
On the motion.

LEG. FISHER:  
Legislator Towle, if I may, because I'm the second on it and I do have one more quick question for Counsel.

D.P.O. POSTAL:  
Legislator Fisher.

LEG. FISHER:  
If indeed the RFP process is not concluded, if it hasn't been completed, if we were to pass this, would we then be liable, would there be liability on the part of the County if we're in the midst of an RFP? It was so long ago that this RFP was mentioned that I thought that by now it would certainly have been concluded. But if no one submitted a proposal, then what's to make it a complete process? I'm very confused by that.

MR. SABATINO:  
Well, a complete process would be that the RFP was published, it was circulated and then there was a deadline for a response and when the deadline came, for example, nobody responded, then you can say at that point the RFP process was concluded. In the alternative, if several entities responded but the RFP committee said no one who responded satisfied the needs, the terms and the conditions of the RFP and made no award or recommendation for an award, you can say the process was concluded at that point. I thought that that's what was being alluded to in the earlier discussion, but listening to the dialogue back and forth, it appears that we're one or two steps away from that kind of --

LEG. FISHER:  
From completion, okay.

MR. SABATINO:  
The only concern would be that the representation that was made way, way, way back when Social Services first tabled the bill was that this legislation in effect became the prod to move that RFP process forward and that Little Flower would be contacted and given the opportunity to respond to the RFP. I mean, as long as that has occurred, then the goals of the legislation and the goal of the tabling of the bill in committee have been achieved, then you can let the process run its course. And then at the end of this response period the RFP Committee

either gets no responses, is not satisfied with the responses and makes no recommendation, then you can deem it to be concluded and move to this --

LEG. FISHER:  
And they are mutually exclusive.

MR. SABATINO:  
(Inaudible)

LEG. FISHER:  
You can't pass this and have an RFP process in process, it has to have been completed.

MR. SABATINO:  
Well, you can't interfere with the process once it's in midstream.

LEG. FISHER:  
Okay.

MR. SABATINO:  
And I think what's happened here is that it appears to be a little bit beyond midstream but certainly short of conclusion.

LEG. FISHER:  
Fred, I think I'd have to withdraw my second then.

LEG. TOWLE:  
Counsel, I just --

D.P.O. POSTAL:  
Excuse me.

LEG. TOWLE:  
Go ahead. It was Legislator Guldi who --

D.P.O. POSTAL:  
The second has been withdrawn. Is there another second?

LEG. CRECCA:  
I'll second for the purposes of discussion.

D.P.O. POSTAL:  
Okay. Legislator Crecca, you have the floor.

LEG. CRECCA:  
I think there's a simple solution and I would ask Legislator Towle a question. If they put you on the RFP committee, do you feel that you could get the process moving so that this May 11th -- my concern, Legislator Towle, is if we don't let the RFP finish through to May 11th, that we could subject the County to lawsuits if another competitor wants to sue us for not being able to put their bid in now that it's started.

LEG. TOWLE:  
Legislator Crecca, I could not agree more, however, there's two things

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that I think we need to keep in mind. First of all, I have not delayed this process.

LEG. CRECCA:  
Oh, I know you haven't.

LEG. TOWLE:  
We could have approved this bill in August or September, this has only been tabled as a courtesy. And every deadline that they have given us has turned -- and they didn't give it to me, they gave it to Legislator Fisher's committee first -- has turned out to absolutely not true. And as far as appointing myself or a member of the Human Services Committee, originally they said yes and every month I've gotten a different excuse to the excuse we got tonight, you know, that the resolution which is seven or eight or ten years, you know, doesn't provide that ability.

D.P.O. POSTAL:  
Legislator Towle, can I -- to try to cut to the chase on this. It seems that Legislator Crecca's question addressed some means of resolving this issue. Obviously there's some concern, which I share, with moving forward with this at the time that the proposals have not come in by the deadline. And Legislator Crecca is asking whether it would help to resolve this issue, regardless of whether you were on the committee or why you weren't on the committee or why there was not a Legislative representative, if you were now to serve on that committee whether we could move forward with the RFP process.

LEG. TOWLE:  
I'd be willing to table this, Legislator Postal, but the reality is they refuse to do that.

D.P.O. POSTAL:  
Well, you know, obviously then I don't think that there's support to approve this judging by the discussion I'm hearing. So you know, I would make a motion to table it.

LEG. TOWLE:  
So the question becomes, Legislator Postal, do we continue --

LEG. BISHOP:  
Second to table.

LEG. TOWLE:  
On the motion to table, now that there's a second.

LEG. BISHOP:  
Motion to close debate.

LEG. TOWLE:  
Thank you. The question becomes do we continue to table this to a date uncertain, because let's make no mistake about it, May 11th is not a certain date, that's the date that the bids are back. They said it would be a couple of weeks probably to look over the bids, we don't know who's on the RFP committee -- by the way, they don't know who's on the RFP Committee either because I asked that question this

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morning, it's representatives of different agencies but there's no names attached to those. And as Legislator Caracciolo asked, there are no dates certain that we're going to have an answer for the Legislature. So it's very possible we can be sitting here till our summer break in June once again with no day-care for our County employees, if anybody bids on it at all.

D.P.O. POSTAL:  
Well, you know, I have a motion and a second on tabling 2051 and I think we'll go to a roll call.

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

LEG. POSTAL:  
Yes.

LEG. BISHOP:  
Yes.

LEG. COOPER:  
Yes.

LEG. BINDER:  
Yes.

LEG. D'ANDRE:  
Pass.

LEG. CRECCA:  
Pass.

LEG. CARPENTER:  
Pass.

LEG. ALDEN:  
Pass.

LEG. FIELDS:  
Pass.

LEG. LINDSAY:  
Yes.

MR. BARTON:  
Decisive man. Legislator Foley?

D.P.O. POSTAL:  
Whoa, editorial comment.

(\*Roll Call Continued by Mr. Barton\*)

LEG. FOLEY:  
No.

LEG. HALEY:  
No.

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LEG. FISHER:  
Yes, only one round.

LEG. CARACAPPA:  
No.

LEG. TOWLE:  
No.

LEG. GULDI:  
No.

LEG. CARACCIOLO:  
No.

P.O. TONNA:  
No.

LEG. D'ANDRE:  
No.

LEG. CRECCA:  
No.

LEG. CARPENTER:  
No.

LEG. ALDEN:  
No.

LEG. FISHER:  
I'm going to change my vote to a no, too.

LEG. FIELDS:  
No.

MR. BARTON:  
Five.

D.P.O. POSTAL:  
All right. There's a motion to approve and a second. Roll call.

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

LEG. TOWLE:  
Yes.

LEG. BISHOP:  
On the motion.

P.O. TONNA:  
No, no, we're in the vote.

LEG. BISHOP:  
Point of order. I think that if Counsel has directed us that we can not approve this resolution at this time if the process described by

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the County Executive is actually occurring, if that's the fact, which we have every reason to believe that it is, we can't do this. So this is out of order.

LEG. HALEY:  
We're in the middle of doing it.

LEG. POSTAL:  
Well, we're in the middle --

P.O. TONNA:  
You have -- you asked --

LEG. HALEY:  
We're doing it.

D.P.O. POSTAL:

Can we ask our Counsel --

LEG. BISHOP:

I'm going to make a motion -- I'm appealing to the Chair --

D.P.O. POSTAL:

Is it in order for us to be --

LEG. BISHOP:

-- on a point of order that this is out of order.

D.P.O. POSTAL:

-- voting on this motion to approve?

LEG. BISHOP:

It's not.

MR. SABATINO:

It's not a point of order. I was asked for a legal opinion and my legal opinions are sometimes recognized and adhered to and other times they're not.

LEG. HALEY:

He admits it.

MR. SABATINO:

I'm not offended, I don't take it personally, it's just -- I mean, I want to be fair to Legislator Towle. Legislator Towle --

LEG. TOWLE:

Thank you. I'm buying you lunch.

MR. SABATINO:

Legislator Towle made a good faith effort to move a process forward that was going nowhere as recently as 1995. His legislation would have worked if he had not been deferential to another process. I mean, to some extent, this makes the case for micromanaging an agency because if you do the micromanagement approach it would have been done and finished by now.

LEG. FOLEY:

Amen.

MR. SABATINO:

But that didn't happen so you have deal with the facts in front of you; the facts in front of you create a conflict. The conflict is

that his legislation will bump up against the process that's currently under way. I can't in good conscience --

LEG. BISHOP:  
It creates chaos, legal confusion --

D.P.O. POSTAL:  
Legislator Bishop.

LEG. BISHOP:  
-- lawsuits and ultimately undermines the purpose of Legislator Towle's heroic efforts.

LEG. POSTAL:  
Legislator Bishop, I think you interrupted the roll call for a point of order. The Counsel indicated that that was not a point of order, it was a legal question. So we're in the middle of a roll call and I'd like to ask the Clerk to continue.

(\*Roll Call Continued by Mr. Barton\*)

LEG. CRECCA:  
Pass.

LEG. FISHER:  
You seconded it.

D.P.O. POSTAL:  
We're voting -- this is a motion to approve 2051. What is going on? Oh, she's changing the paper.

(\*Roll Call Continued by Mr. Barton\*)

LEG. COOPER:  
Pass.

LEG. BINDER:  
Pass.

LEG. BISHOP:  
Abstain, I don't know what else to do .

LEG. D'ANDRE:  
Yes, bring it to a head.

LEG. CARPENTER:  
Pass.

LEG. ALDEN:  
Yes.

LEG. FIELDS:

Yes.

LEG. LINDSAY:

Yes.

LEG. FOLEY:

Pass.

LEG. HALEY:

Yes.

LEG. FISHER:

Yes.

LEG. CARACAPPA:

Yes.

LEG. GULDI:

Yes.

LEG. CARACCIOLO:

Yes.

LEG. POSTAL:

No.

P.O. TONNA:

Yep.

LEG. COOPER:

Yes.

LEG. BINDER:

No.

P.O. TONNA:

Let's override another one.

LEG. CRECCA:

For Freddy, yes.

LEG. CARPENTER:

Abstain.

MR. BARTON:

14.

D.P.O. POSTAL:

Okay, 2051 is approved.

15th, 2000, auction pursuant to Local Law 13-1976 as per Exhibit A, the Omnibus Resolution. Is there a motion to approve?

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LEG. ALDEN:

Motion to skip over this one.

MR. SABATINO:

Before the vote, there's a conflict with 1340 and 41. If you recall, 1340 and 41 which are on the next page were laid on the table at the last meeting as last starters to provide --

D.P.O. POSTAL:

Oh, and they were two separate resolutions. Okay.

MR. SABATINO:

You have an option, you can either do 2289 by itself or you can jump to the next page --

D.P.O. POSTAL:

Well, am I correct in getting the feeling that it was the wish of the resolution to break the two?

LEG. GULDI:

Skip over it.

LEG. TOWLE:

Yeah. Just a clarification, Legislator Postal?

D.P.O. POSTAL:

Yes.

LEG. TOWLE:

We tabled this subject to call, I believe the other resolutions passed out of committee, if I'm not mistaken, Counsel?

MR. SABATINO:

Yes, they're at the top of the next page.

LEG. BISHOP:

Motion to table subject to call.

D.P.O. POSTAL:

Okay. Motion to table subject to call by Legislator Bishop, seconded by Legislator Tonna.

LEG. CRECCA:  
On the motion.

D.P.O. POSTAL:  
On the motion, Legislator Crecca

LEG. CRECCA:  
With all fairness, I was at the committee. At that time, we had told the County Executive and Allen Grecco if they wanted to be here to speak on this on the merits that they should be and I would just ask if anybody is here from the County Executive --

LEG. TOWLE:  
Legislator Crecca, if you would suffer an interruption, I believe it's

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still on the agenda. And I spoke to Mrs -- the resolutions are on the agenda under Ways and Means, if I'm not mistaken.

LEG. CRECCA:  
Right.

LEG. TOWLE:  
This resolution was the original --

LEG. CRECCA:  
Yeah, I know. But we may want to consider that with the other two, that was my point.

LEG. TOWLE:  
No, the other two was everything else.

D.P.O. POSTAL:  
Can we -- let's -- I would suggest that if either you go ahead with the motion subject table to call, there are two resolutions on the next page, or if you would like to skip over this. But, you know, we have a motion -- who made the motion to table subject to call?

MR. BARTON:  
Legislator Bishop.

D.P.O. POSTAL:  
Would you withdraw that and we'll just skip over this?

LEG. GULDI:  
Skip over it until we do the others.

LEG. BISHOP:

Yes, yes.

LEG. POSTAL:

Okay. You're withdrawing your motion, Legislator Bishop?

LEG. BISHOP:

Yes.

D.P.O. POSTAL:

Thank you. Okay, 2325 - To grant quarterly open transfer period for health insurance (Alden). Legislator Alden?

LEG. ALDEN:

Motion to table, they're still negotiating.

D.P.O. POSTAL:

Motion to table 2325, seconded by Legislator Caracappa. All in favor? Any opposed? 2325 is tabled.

MR. BARTON:

18.

D.P.O. POSTAL:

1005 - (Changing designation of "Pet Safe" Program to provide

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temporary shelter for pets of domestic violence victims in Suffolk County to "Safe Pets and Families" (Cooper). Legislator Cooper?

LEG. COOPER:

I was thinking about making a motion to approve. I wanted to know if I could make a technical correction to change it from Safe Pets And Families as the acronym SPAF to Safe Pets and Mammals which would be SPAM; that's Legislator Binder's suggestion.

D.P.O. POSTAL:

I like SPAF better.

LEG. COOPER:

But if I can't make that correction, I'll just move to approve.

LEG. CARPENTER:

SPAM is not kosher

LEG. POSTAL:

Okay. Second -- I'll second the motion to approve. Legislator Binder is not allowed to even think about SPAM. But I'll second the motion to approve. Roll call.

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

LEG. ALDEN:  
Roll call?

LEG. CARACAPPA:  
No, come on.

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

MR. BARTON:  
Legislator Cooper?

D.P.O. POSTAL:  
Oh, okay. You want all in favor?

P.O. TONNA:  
Opposed?

LEG. CARACCIOLO:  
Opposed, Henry. Mr. Chairman?

MR. BARTON:  
Who's opposed?

LEG. CARACCIOLO:  
Can we proceed by just reading resolution numbers? We all know what the title is.

D.P.O. POSTAL:  
Yes, I will do that, I will certainly do that.

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MR. BARTON:  
Who was opposed?

D.P.O. POSTAL:  
Who was opposed to this resolution?

MR. BARTON:  
17-1 (Opposed: Legislator Caracciolo).

D.P.O. POSTAL:  
Okay. 1005 is approved.

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

LEG. HALEY:

Madam Chair, I would like to move to approve this. It's been sitting for a while for people to think about it, but it's pretty straightforward. When the LIPA deal was put together, there was an agreement by --

LEG. BISHOP:

Is there a motion?

D.P.O. POSTAL:

Is there a second?

LEG. HALEY:

There's a motion and a second by --

LEG. CARACAPPA:

Second.

D.P.O. POSTAL:

Second by Legislator Caracappa.

LEG. ALDEN:

On the motion.

D.P.O. POSTAL:

Legislator Haley first and then Legislator Alden. Go ahead, Marty.

LEG. HALEY:

When the LIPA deal was put together there was an agreement by the Town of Brookhaven to forego pilot payments in the amount of nearly \$8 million, or 7.9 million and change. The problem in the whole agreement was there was no reverter clause which simply stated, as we found out with the Gowan decision, that if the Gowan decision was upheld, that that \$7.9 million wouldn't revert back to the town which was part of the original deal. I originally had put legislation in asking that we hold up the expenditure of that \$7.9 million for such things as affordable housing, so on and so forth, but I thought about it again and withdrew that and said the County --

LEG. CARACAPPA:

That's not --

LEG. HALEY:

Joe, I can still hear that.

P.O. TONNA:

Somebody's got to shut a radio off or something, there is a sound thing going on and I'd just ask them please to shut that off.

LEG. FOLEY:

Couple of mikes, turn down the mikes.

LEG. HALEY:

Thank you.

D.P.O. POSTAL:

Go ahead.

P.O. TONNA:

Law and order.

LEG. HALEY:

So I didn't want to interfere with any affordable housing initiatives. All this simply says is that if the Gowan decision is upheld at a later date, the County would then owe that money, those pilot payments they've received and expended in those nine other towns, those nine other towns wouldn't be responsible for it, by the way, just the County would be responsible to return that \$7.9 million back to the Town of Brookhaven. Did I correctly characterize the legislation, Counsel?

MR. SABATINO:

That's correct.

LEG. HALEY:

Thank you.

D.P.O. POSTAL:

Legislator Alden?

LEG. ALDEN:

It presents a couple of problems. One, I would support -- if you want to do a moratorium on spending that money, that's fine, so it's there in case. But the Gowan decision could be modified, there could be some kind of an agreement reached between the different parties. And what we're going to do is we're going to end up -- we're establishing a legal precedent here and an obligation to pay that money back and it might even be disregarding an agreement that was made or other types of legal action that is taken in this. So I really think that we have a really big problem with actually doing that. Plus, what it doesn't do is it does not prevent us from spending the money now. So what we could create is we could end up spending the money on the program and then create a huge hole in the budget later on when we automatically have to pay this back.

LEG. HALEY:

Madam Chair, if I could respond. I understand exactly what you're saying, but I really felt I got a sense of some of the other

Legislators that would have a problem with holding up that 7.9 million. Because I have a reasonable expectation that the Gowan decision will be reversed, and even if it was or it wasn't, that's going to take quite a long time before I think that may be decided. So I didn't want to hold up the expenditures because I think there was or is the feeling of this Legislature to go forward with those affordable housing initiatives. I just want to memorialize, if that particular decision is reversed, all right, I mean is upheld, that those monies come back to Brookhaven. It's a pretty straightforward, simple, fair resolution.

D.P.O. POSTAL:

Can I --

LEG. ALDEN:

I had one more point, though.

D.P.O. POSTAL:

Okay, go ahead.

LEG. ALDEN:

We entered into that type of a program with a funding source in place, this actually takes that funding source away. And in light of the County's financial situation at this point, I really think it's fiscally irresponsible to go forward with something like this.

LEG. HALEY:

It doesn't remove funding, it's just simply redirecting it back.

D.P.O. POSTAL:

Marty, rather than it being a debate, I'd like to recognize Legislator Foley.

LEG. FOLEY:

Thank you --

LEG. HALEY:

It's supposed to be a debate.

D.P.O. POSTAL:

Not at this point.

LEG. FOLEY:

Thank you, Madam Chair. Although I represent a portion of the Town of Brookhaven, I think it's premature to approve this particular resolution, with all due respect to Legislator Haley. I'd like to see what happens through the judicial process and then at some point in the future, if and when the judicial process is exhausted, so to

Speak, or finalized, then we can make a determination at that time where we'd like to be. As a matter of fact, that could take anywhere from a year to a year-and-a-half perhaps and there could be a different make up of this particular Legislative body.

So I don't think we need to at this point to hamstring any future -- again, with all respect to Legislator Haley, we shouldn't hamstring any future legislation by passing the resolution right now, especially

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when we don't know what's going to happen eventually through the judicial process. So let the judicial process run its course and then once it's finalized in that particular court, then this Legislative body at that point in the future can make some final determinations in how they want to move forward.

D.P.O. POSTAL:

Thank you. Legislator Binder?

LEG. BINDER:

My concern is that we created a policy without information, this information would have been this reverter. While I can understand Legislator Haley's concerns and I fully support him, if he were talking about putting aside the money and saying let's not go forward with that \$8 million until we know the outcome of the Gowan decision, I could understand that, that would be fine. Because then the County is not on the hook, we wouldn't have created a program without the information on the fact that it might revert back to Brookhaven, and that's the most important part. When we voted for the program, we thought we were doing it with monies coming from Brookhaven so it wouldn't come from general taxpayer funds for the people of Suffolk County; this changes the rules of the game or possibly does and I don't think that we should put the people's money in that kind of jeopardy.

The other thing is my understanding is we haven't even gone through any of the money from the County Executive's \$20 million program. So that it would seem to me that at least for now we could put that money aside, and I know Legislator Haley has said there are concerns about that and he figured he'd go down the reverter road rather than the other road because people don't want to cancel the program because they want to go forward with affordable housing. But let's consider the number of months that have passed, this money hasn't moved, and the \$20 million program from the County Executive hasn't moved. So why don't we start with that \$20 million, put this \$8 million aside, and then I could live with -- I mean, just putting it aside would protect Brookhaven and would protect us in the program. I would yield to Legislator Alden who I think is looking to --

LEG. ALDEN:  
Motion to table.

D.P.O. POSTAL:  
Motion to table. Is there a second?

LEG. HALEY:  
Madam Chair?

D.P.O. POSTAL:  
I know, you're next. Seconded by Legislator Fields. Legislator Haley.

LEG. HALEY:  
I would just assume an up or down vote, if you guys would give me that courtesy. I don't have a problem with it failing today, but I think the message should be very clear for the Legislators in Brookhaven on how this particular reverter clause should have been in there from the

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very get-go, somebody should have sort of considered protection of the Brookhaven taxpayers in this regard. So I'm willing to take it up or down today.

D.P.O. POSTAL:  
Legislator --

LEG. HALEY:  
I'll tell you what. You know why? It's going to age out by August and you know what, you're just going to table it till August and it will just age out; I don't want to kill it that way, I'd rather have a vote. Because you're not going to get --

LEG. CRECCA:  
I agree with Legislator Haley.

LEG. HALEY:  
You're not going to get a decision out of the Appellate Division by then.

D.P.O. POSTAL:  
Well, Legislator Guldi, did you want the floor?

LEG. GULDI:  
Yeah, but I'll yield to Legislator Caracciolo.

D.P.O. POSTAL:  
Okay.

LEG. CARACCIOLO:

Thank you. Since Legislator Alden made reference to County budgetary problems, I think it's a good time to take an interlude and maybe ask Budget Review exactly where we stand with respect to our budgetary problems. Right?

LEG. HALEY:

I'm sorry, I apologize.

LEG. ALDEN:

Mike? Mike?

LEG. TOWLE:

Motion to break for dinner.

LEG. ALDEN:

I'll withdraw my comments if that's where it's going.

LEG. CARACCIOLO:

Fred, could you just tell us where we stand in terms of numbers?

LEG. BINDER:

Motion to close debate.

LEG. TOWLE:

Second.

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LEG. HALEY:

Second.

D.P.O. POSTAL:

It's his right.

LEG. CARACCIOLO:

Madam Chair, could we have Budget Review?

D.P.O. POSTAL:

Yes, yes. Please respond, Fred.

LEG. BINDER:

It's not --

D.P.O. POSTAL:

He has a right to ask Budget Review.

LEG. BISHOP:

He does not have a right to ask.

D.P.O. POSTAL:

Yes, he does.

LEG. CARACCIOLO:

Thank you, Dave. For someone who insists on everybody being heard, thank you, Dave.

LEG. HALEY:

Stand up, Dave.

MR. POLLERT:

Currently the Budget Review Office is forecasting for 2001 that there will be a shortfall of approximately 90 to -- excuse me, roughly \$98.2 million shortfall in the General Fund, primarily associated with the cost increases of mandated cost increases, the continued moderation of sales tax, but most importantly because we don't have a carry-over fund balance of a magnitude which we have had in previous years. If the funds were to be not expended, it would create no real financial problems on the part of the County because the funds are designated not for the General Fund but for a specific program which is other than the General Fund.

LEG. CARACCIOLO:

Thank you, Fred. Madam Chair, I would just point out that as with the Farmingville issue and Legislators think between now and subsequent meetings how this Legislative body would like to deal with that issue, that's a real problem. Thank you.

D.P.O. POSTAL:

Legislator Guldi?

LEG. FOLEY:

Thank you, Mike.

LEG. GULDI:

Yeah, just on the issue of the reverter clause and the ripeness for the legislation. Is it correct that this law would only create a reverter ripe to the towns if the judgment is absolute and final having exhausted all appeals and creates no present rights whatsoever?

MR. SABATINO:

That's correct, there would be full exhaustion of all appeals. You're

probably talking December of the year 2002.

LEG. GULDI:

The legislation is specifically crafted to carve out no present rights until then.

MR. SABATINO:

I'm not sure what you mean by no present. It says that the money would not be available unless or until there was a full exhaustion of the entire Appellate process right through the highest court, whatever that would be, and the decision was not overturned.

D.P.O. POSTAL:

There's a motion and a second to table. I don't know whether the maker and the seconder of that motion would like to -- no?

LEG. BISHOP:

I apologize, Mike, I thought you were going to take much longer.

LEG. CRECCA:

I didn't make the motion to table.

D.P.O. POSTAL:

No, I think Legislator Alden made the motion to table, I don't remember who seconded it. Did we have a second from the clerk? No? There was no second.

LEG. FOLEY:

I second.

D.P.O. POSTAL:

Oh, Legislator Field seconded it.

LEG. HALEY:

I just assume it go down, Madam Chair. I'd like to have the vote on it.

D.P.O. POSTAL:

What is your pleasure, Legislator Alden?

LEG. ALDEN:

I could change it to table subject to call.

LEG. HALEY:

No, I'd like to have a full vote.

LEG. ALDEN:

Here's my problem. I'm afraid that if -- we don't have a funding

source to replace the money, so if we go and spend the money and this decision goes just the route of -- the Appellate Division is upheld, we're going to have to replace that at some point in time.

LEG. HALEY:

Well, I think that's only fair but, I mean, I'm giving everybody -- I would like everybody to have the opportunity to decide whether that's a fair issue to deal with at this point.

LEG. ALDEN:

Well, then vote down the tabling motion.

P.O. TONNA:

Can I make a suggestion here, just before we finish up this exact issue. I thought we'd be done by now, we're not out of tabled resolutions. All right? We're either going to take a dinner break or we're going to keep moving with the agenda, one or the other. In 15 minutes I'm going to make that decision because I'm pissed; no, anyway. Can we -- I want to be a father, I want to go home and see my children, please.

LEG. HALEY:

All right. To finish debate, I'll go along with this tabling but next time I'd ask the opportunity for this to be voted up or down.

P.O. TONNA:

All right. There's a motion to table and a second, right?

MR. BARTON:

Correct.

P.O. TONNA:

All in favor? Opposed? Tabled.

MR. BARTON:

18.

P.O. TONNA:

Thank you.

1121 - (Directing the County Department of Public Works to educate the public as to health effects of pesticide applications (Caracciolo).  
Legislator Caracciolo, what do you got?

LEG. CARACCIOLO:

Table.

P.O. TONNA:

Table, second by myself. All in favor? Opposed? Tabled.

MR. BARTON:

18.

P.O. TONNA:

Beach Fire Department, Inc., for Fourth of July Fund Drive (Towle).  
Motion, Legislator Towle?

LEG. TOWLE:  
Motion to approve.

LEG. CARACAPPA:  
Second.

P.O. TONNA:  
Motion to approve, seconded by Legislator Caracappa. All in favor?  
Opposed? Approved.

MR. BARTON:  
18.

P.O. TONNA:  
No. 1249 - (Allocating funding for pay-as-you-go financing for roofing  
of various County buildings (CP 1623.321) (Foley). Is there a motion?

LEG. FOLEY:  
Motion to approve.

P.O. TONNA:  
Motion to approve, okay. Seconded by?

LEG. FISHER:  
I'll second it.

P.O. TONNA:  
Seconded by Legislator Fisher. On the motion, just is this going to  
be using more of our pay-as-you-go money, where are we up to?

LEG. FOLEY:  
Yes, Mr. Chairman. This will use pay-as-you-go monies to replace some  
roofs in the County structure.

P.O. TONNA:  
How much money?

LEG. FOLEY:  
It's half a million dollars. This will --

P.O. TONNA:

Half a million? What are we up to, Fred, then?

LEG. FOLEY:  
What, about five?

P.O. TONNA:  
Five out of ten, five out of five, five out of --

MR. POLLERT:  
No, five out of ten.

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P.O. TONNA:  
Five out of ten. Now, are we stopped now or are we going to go on a pay-as-you-go the next meeting too?

LEG. FOLEY:  
Mr. Chairman, I think the question we need to ask the Budget Review Office is in their calculations, when they were looking at the different models for a deficit at the end of this year, within your models did it assume utilizing five of the ten million for pay-as-you-go or all \$10 million?

MR. POLLERT:  
We had anticipated using approximately one half of the pay-as-you-go.

P.O. TONNA:  
That's it. Is this the priority, Legislator Foley, as Public Works Chairman, is this your priority? Because this is the last piece.

LEG. FOLEY:  
Well, as --

P.O. TONNA:  
After this I'm not voting for anymore pay-as-you-go.

LEG. FOLEY:  
As Legislator Caracciolo had -- Caracappa had mentioned before, to do a little bit of micromanaging for a moment, the department head said to me that this was a priority of theirs because of -- thankly, of some problems with some of the roofs in some of the County buildings.

P.O. TONNA:  
Okay. County Executive's people, I'd like to ask you a question. You can't always just be taking notes, come on up here, venture a guess.

MS. GODSMAN:  
I'll get Brenda.

P.O. TONNA:  
No, no, no, come on up. Come on up.

LEG. FOLEY:  
This is actually a County Executive resolution, this is not a  
Legislative resolution, it's from the County Executive.

P.O. TONNA:  
I know that there is a County Attorney out there just itching to stand  
up to the podium.

LEG. FOLEY:  
It's Foley? I stand corrected. Hey, Allen, I'm getting ahead of  
myself.

P.O. TONNA:  
All right, we're going to pass by it for two seconds just so that we  
can get the County Executive on this, okay?

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All right, let's go to VETERANS & SENIORS:

1313 - (Approving the appointment of Arlene D. Stevens as a member of  
the Suffolk County Senior Citizens Advisory Board (County Executive).

LEG. CRECCA:  
Motion to approve.

P.O. TONNA:  
Legislator D'Andre, do you have a motion?

LEG. D'ANDRE:  
Motion to approve.

P.O. TONNA:  
Okay, second by Legislator Crecca. All in favor? Opposed? Approved.

MR. BARTON:  
18.

P.O. TONNA:  
WAYS & MEANS:

1042 - (Adopting Local Law No. 2001, a Charter law to rotate  
Page 222

Chairmanship of Suffolk County Joint Audit Committee (Tonna).  
Motion by Legislator Guldi.

LEG. CRECCA:  
Motion to approve.

P.O. TONNA:  
Motion by Crecca, seconded by Guldi. All in favor? Opposed?

LEG. TOWLE:  
Roll call. Opposed.

P.O. TONNA:  
Roll call, 1042.

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

LEG. CRECCA:  
Yes.

LEG. GULDI:  
Pass.

LEG. COOPER:  
Yes.

LEG. BINDER:  
No.

LEG. BISHOP:  
Pass.

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LEG. D'ANDRE:  
Yes.

LEG. CARPENTER:  
Yes.

LEG. ALDEN:  
Yes.

LEG. FIELDS:  
Yes.

LEG. LINDSAY:  
Yes.

LEG. FOLEY:  
Yes.

LEG. HALEY:  
No.

LEG. FISHER:  
Yes.

LEG. CARACAPPA:  
No.

LEG. TOWLE:  
No.

LEG. CARACCIOLO:  
Yes.

LEG. POSTAL:  
Yes.

P.O. TONNA:  
Yep.

LEG. BISHOP:  
Yes.

LEG. GULDI:  
No.

MR. BARTON:  
13-5.

P.O. TONNA:  
Thank you very much.

1149 - (Authorizing reduction of special tax assessment for lot cleanup of property located at 331 Montgomery Avenue, West Babylon, New York (SCTM No. 0100-144.00-03.00-025.000). (Postal). Motion, Legislator Postal, seconded by Legislator Bishop. All in favor? Opposed? Approved.

LEG. CARACCIOLO:  
Opposed, Henry.

P.O. TONNA:

Excuse me?

LEG. CARACCIOLO:  
I'm opposed.

MR. BARTON:  
17-1 (Opposed: Leg. Caracciolo).

P.O. TONNA:  
That's 1149, Legislator Caracciolo; is that 1149 you're opposed to?

LEG. CARACCIOLO:  
Yes.

P.O. TONNA:  
Okay, 1190 --

LEG. POSTAL:  
Motion to approve 1189.

LEG. GULDI:  
Second.

LEG. FISHER:  
Second.

P.O. TONNA:  
Okay. Say it again, which one?

D.P.O. POSTAL:  
1189.

P.O. TONNA:  
Okay, 1189 was discharged by Deputy Presiding Officer Postal.

1189 - (Authorizing conveyance of parcel to Town of Babylon for transfer to Habitat for Humanity of Suffolk for affordable Housing (Section 72-h, General Municipal Law) (Postal).

LEG. POSTAL:  
Motion to approve.

P.O. TONNA:  
Yeah, motion to approve by Legislator Postal, seconded by Legislator Guldi. All in favor? Opposed? Approved.

MR. BARTON:  
18.

P.O. TONNA:  
Okay, now we're at 1190 - (Authorizing conveyance of parcel to Town of Babylon for transfer to First Step Development for Affordable Housing

(Section 72-h, General Municipal Law) (Postal). Same motion, same second, same vote.

MR. BARTON:  
18.

P.O. TONNA:  
Thank you.

1244 - (Authorizing the Director of the Division of Real Estate, Department of Planning, to issue a Certificate of Abandonment of the interest of the County of Suffolk in property designated as Town of Southampton, (SCTM No. 0900064.00-01.00-023.001) (County Executive). Same motion, same second, same vote.

MR. BARTON:  
18.

P.O. TONNA:  
1326 - (Approving the appointment of Randy Berler to the position of Senior Assistant County Attorney II in the Department of Law (County Executive). Same motion, same second, same vote.

LEG. FISHER:  
Opposed.

P.O. TONNA:  
Okay. Opposed, Legislator Fisher.

MR. BARTON:  
17-1.

LEG. CRECCA:  
Why?

P.O. TONNA:  
Because she is.

Okay, 1327 - (Approving the appointment of Thomas Luciano to the position of Senior Assistant County Attorney II in the Department of Law (County Executive).

LEG. GULDI:  
Motion.

LEG. CARACCILOLO:  
Motion.

P.O. TONNA:  
Motion by Legislator Guldi, second by Legislator Caracciolo. All in

favor? Opposed? Approved.

MR. BARTON:  
18.

192

LEG. FISHER:  
Opposed.

P.O. TONNA:  
Opposed.

MR. BARTON:  
17-1.

P.O. TONNA:  
Okay. Motion -- 1328 - (Approving the appointment of Kathleen Casey as an Assistant District Attorney III (County Executive).

LEG. GULDI:  
Motion.

P.O. TONNA:  
Motion by Legislator --

LEG. CARACCIOLO:  
Guldi.

P.O. TONNA:  
Guldi, second by Legislator Caracciolo. All in favor? Opposed?  
Approved.

MR. BARTON:  
18.

P.O. TONNA:  
Okay. 1329 - (Approving the appointment of Mary Kate Mullen as a Senior Assistant District Attorney III (County Executive). Motion by Legislator Crecca, second by Legislator Carpenter. All in favor? Opposed? Approved.

MR. BARTON:  
18.

P.O. TONNA:  
1330 - (Approving the appointment of Adam Oshrin as an Assistant

District Attorney I (County Executive).

LEG. HALEY:  
Motion.

P.O. TONNA:  
Legislator Haley, seconded by Legislator Crecca. All in favor?  
Opposed? Approved.

MR. BARTON:  
18.

P.O. TONNA:  
Okay. 1331 - (Approving the appointment of Brian Doyle as an  
Assistant District Attorney I (County Executive). Motion by  
Legislator -- come on. Legislator Alden, second by Legislator Cooper.

193

All in favor? Opposed? Approved.

MR. BARTON:  
18.

P.O. TONNA:  
Okay. Motion -- 1332 - (Approving the appointment of Timothy McGrath  
to Detective in the Suffolk County Police Department (County  
Executive). Motion by Legislator Fields, seconded by Legislator  
Carpenter.

LEG. BINDER:  
On the motion.

P.O. TONNA:  
Was this yours? All right, Legislator Carpenter, second by Legislator  
Fields.

LEG. BINDER:  
On the motion.

P.O. TONNA:  
So it's in order with the Women's Coalition, we have to follow that.  
Go ahead.

LEG. BINDER:  
I just want to question what the background is on 1332.

P.O. TONNA:  
Tim McGrath?

LEG. BINDER:

Right.

LEG. GULDI:

He has a relative who is a Sergeant or better in the department.

LEG. CRECCA:

And I think it was a Sergeant, if I remember correctly from committee. It was a Sergeant, he's related to a Sergeant, I think it's his cousin or his uncle or something.

P.O. TONNA:

And he's documented.

LEG. BINDER:

I'll tell you what. I'm putting together legislation right now, one of the parts of the legislation because we have so many detectives, and the way they're becoming detectives, and the Commissioner just made 16 out of one brand new division recently. I think they should be taking tests. So part of what I'm going to look at is not only to cap the number of detectives in Suffolk County but also to look at giving them tests and having -- continue with the anti-nepotism. So I'm going to vote no because I think they should --

194

P.O. TONNA:

Okay, you want them to take a test.

LEG. BINDER:

I think they should be taking tests and they should be qualified to become detectives, not just made it because their cousin's brother is an uncle.

P.O. TONNA:

Okay, thank you, Legislator Binder. All in favor? Opposed?

LEG. BINDER:

Opposed.

MR. BARTON:

17-1 (Opposed: Leg. Binder).

P.O. TONNA:

Thank you.

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Okay, No. 1336 - (Approving a settlement between Hellmuth, Obata & Kassabaum, PC, and the County of Suffolk, appropriating a portion of the settlement to CP 1109 and authorizing the County Executive to enter into an agreement for said settlement (County Executive).

LEG. ALDEN:

Do we have an executive session or wouldn't that fall --

P.O. TONNA:

On this one, 17 -- I mean 1336?

MR. SABATINO:

Well, we had an executive session at the committee level, people seemed to be satisfied with the answers.

LEG. CARACCIOLO:

Well, for those of us who are not on that committee, could Counsel give us a summary, unless we have to go into executive session?

MR. SABATINO:

Well, the short version is that there were design problems with the Medical Examiner's Building, there is a dispute. The County brought a lawsuit for \$1.4 million based on the theory of negligence and the County is going to receive \$735,000.

P.O. TONNA:

Great.

LEG. ALDEN:

I make a motion to approve.

P.O. TONNA:

Motion to approve by Legislator Alden, second by Legislator Carpenter. All in favor? Opposed? Approved.

195

MR. BARTON:

18.

LEG. CARACCIOLO:

Abstain.

P.O. TONNA:

Abstain, Legislator Caracciolo.

MR. BARTON:

17, one abstention (Abstain: Leg. Caracciolo).

P.O. TONNA:  
How do I say that?

LEG. FOLEY:  
Caracciolo.

P.O. TONNA:  
Okay.

LEG. CRECCA:  
Actually, we have the County Executive here, too.

P.O. TONNA:  
We have the County Executive here?

LEG. CRECCA:  
Not him, I mean, you know, the people.

P.O. TONNA:  
We'll go back to that in a second, hold it.

LEG. TOWLE:  
Mr. Chairman?

P.O. TONNA:  
Brenda, you're just going to have to take -- just wait one second.

Okay. Now, 1340 and 1341 you want us to skip.

LEG. TOWLE:  
Mr. Chairman.

LEG. ALDEN:  
No, 1341.

P.O. TONNA:  
1340 - (Authorizing the sale of surplus property sold at the November 15, 2000, Auction pursuant to Local Law 13-1976 as per exhibit "A" (Two Parcels)(Towle). Motion by --

LEG. TOWLE:  
Whoa, whoa, whoa, whoa. Mr. Chairman?

P.O. TONNA:  
Yes.

LEG. TOWLE:  
I'd like to make a motion to table 1340 and we can approve 1341.

P.O. TONNA:  
Okay.

LEG. CARACAPPA:  
Second.

P.O. TONNA:  
Motion to table 1341, seconded by Legislator Caracappa.

LEG. CRECCA:  
On the motion.

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

LEG. CRECCA:  
Again, just want to give the County Executive, we told them at committee they could come argue this, that's one of the reasons we approved it out of committee. So if they have anybody here prepared to speak about 1340, 1341 and also 2289, I would ask them to have them here now because this was -- when it was approved we did approve it under the understanding that they could come here and make all the arguments to the full Legislature. So I don't know if anybody is here.

P.O. TONNA:  
Brenda, are you here to make a full argument in front of the Legislature?

MS. ROSENBERG:  
No.

P.O. TONNA:  
Okay, with graphs and everything else. No? Okay. 1340, motion, okay, and a second. All in favor? Opposed?

LEG. FOLEY:  
To table?

P.O. TONNA:  
Tabled.

LEG. TOWLE:  
This is the two parcels that we're pulling out.

MR. BARTON:  
18

P.O. TONNA:  
Eighteen for the tabling.

197

LEG. ALDEN:  
1341.

P.O. TONNA:  
1341 - (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) (Towle). Motion to approve by Legislator Alden, seconded by Legislator Haley. All in favor? Opposed? Approved.

MR. BARTON:  
18.

P.O. TONNA:  
Okay, let's go back to --

MS. BURKHARDT:  
1249.

P.O. TONNA:  
-- 1249, the pay-as-you-go. Brenda, you're coming up to talk about pay-as-you-go.

Brenda, Legislator Foley has indicated on the record, for the record, that we're up to five million now, all right, with the roofing and everything and he has indicated that it's the County Executive Branch wish that we spend this money.

LEG. FOLEY:  
The department's.

P.O. TONNA:  
The department's wish.

LEG. FOLEY:  
Speaking to the department, they said --

P.O. TONNA:  
What do you say, Brenda, what do you think?

MS. ROSENBERG:  
We'll agree with the Legislator.

P.O. TONNA:  
Okay. Now, Brenda, you realize we're at the \$5 million mark.

MS. ROSENBERG:

Yes, we do.

P.O. TONNA:  
All right? Kenny, come on up here.

LEG. TOWLE:  
That's what you get for walking in the room.

P.O. TONNA:  
Kenny? Kenny.

198

LEG. FOLEY:  
And if you're going to oppose the bill, I want you to be in the building where the roof leaks, okay?

P.O. TONNA:  
Kenny, we're at five mill, all right? So this fiscal discipline that you have worked out with the Executive Branch, no more pay-as-you-go money, I guess you're going to say from this point on; am I correct? Your budget model says five mill

MR. WEISS:  
That's right.

P.O. TONNA:  
So nothing.

MR. WEISS:  
We will send over nothing, right.

P.O. TONNA:  
Okay. Now -- wait, wait, wait. I understand that you'll send nothing over, but when Legislator Foley says, "oh, just another road, please?" I'm asking you --

MR. WEISS:  
I will oppose it.

P.O. TONNA:  
Okay. All right, what will the County Executive do?

LEG. CARACAPPA:  
Veto it.

P.O. TONNA:  
Okay. Five mill, that's it, right?

MR. WEISS:  
That's it.

P.O. TONNA:  
Okay. I just want everyone for the record.

LEG. CRECCA:  
You know what? I have -- on the motion. On the motion.

P.O. TONNA:  
You know, there is another bill later on, right, for pay-as-you-go over five mill, you know why I was making this point. And you're opposed to the one that the County Executive put in, but that's okay.

LEG. CRECCA:  
On the motion. On the motion.

P.O. TONNA:  
Okay. Just look at the agenda, maybe we'll talk about it later. Okay, on the motion; who wants to be on the motion here?

199

LEG. FOLEY:  
Crecca.

P.O. TONNA:  
Crecca, go ahead. What the heck.

LEG. CRECCA:  
Yeah, I just -- you know, unless this is an absolute safety problem where the roof is going to fall in on somebody's head, I don't think we should approve this. I'd make a motion to table for that purpose.

P.O. TONNA:  
Okay.

LEG. CRECCA:  
Unless, Brian, you can --

LEG. FOLEY:  
There's no roof in imminent -- in nature of a collapse. This is just to do the ongoing, as we've tried to do in the past. And as we have said over the period of years, the pay-as-you-go is to do these things on a yearly basis so that we avoid more costly Capital Projects that would require a complete replacement of the roof.

P.O. TONNA:  
But we have --

LEG. FOLEY:

You know, again, this is -- every Legislator can do as they wish on this, this is not earth shattering policy. This is just something I'm putting forward and people are free to do as they see fit.

LEG. CRECCA:

Motion to table.

LEG. FOLEY:

My only caveat --

LEG. HALEY:

Second the motion to table.

LEG. FOLEY:

My only caveat is that for those who may be opposing this, that if there is a building whose roof is leaking, I would ask you to move your offices into that building.

P.O. TONNA:

Okay, this is what I would suggest.

LEG. HALEY:

Whoa.

P.O. TONNA:

Kenny, we'll talk to you later, we'll talk to you later, Kenny.

200

MR. WEISS:

I missed it.

P.O. TONNA:

Yeah, no kidding. Why do you think I ask the questions? Okay, what I would like to do is there's a motion and a second to table. All in favor? Opposed?

LEG. FOLEY:

Opposed.

LEG. FISHER:

Opposed.

P.O. TONNA:

Opposed, Legislator Lindsay, Legislator Foley and Legislator Fisher,

okay.

LEG. BISHOP:  
And myself

P.O. TONNA:  
And Legislator Bishop.

MR. BARTON:  
14 (Opposed: Legs. Lindsay, Foley, Fisher & Bishop).

P.O. TONNA:  
Okay. Let's go on.

LEG. HALEY:  
Go back to 2289.

P.O. TONNA:  
Okay, let's go back to 2289, page seven, 2289 Legislator Towle, do you have something to say here?

LEG. TOWLE:  
It's a moot point. As I said, before we were going to approve the --

P.O. TONNA:  
Let's table it subject to call. Why don't you make that motion, you'll get a little extra satisfaction out of that.

LEG. TOWLE:  
I did before actually, I was asked to withdraw it. Motion to table subject to call.

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

LEG. TOWLE:  
He was the one who objected to it.

P.O. TONNA:  
Tabled subject to call.

201

MR. BARTON:  
18, tabled subject to call.

P.O. TONNA:  
There we go, it's amazing what you can do with a little bridge building.

ENERGY, LAND ACQUISITION & PLANNING:

All right, we're now to 1197, let's move on please. 1197 - (Adopting Local Law No. 2001, a Local Law to ban sale of mercury fever thermometers in Suffolk County (Cooper). Motion by Legislator Cooper.

LEG. COOPER:

Motion to approve.

P.O. TONNA:

Okay, this is the mercury fever thermometers, Legislator Cooper?

LEG. COOPER:

Right.

P.O. TONNA:

Seconded by Legislator Fields. Okay, I just ask on the motion, what is -- what is the argument; why mercury? I don't want to ban an item from an industry without some type of rationale. I mean, just because we haven't had the mercury fever --

LEG. COOPER:

Mercury is one of the most hazardous substances on the planet. The amount of mercury contained in a typical fever thermometer is enough to contaminate all the fish in a lake of a surface area of 20 acres. Similar bans have been enacted in I believe three states and about 15 other municipalities across the country. The EPA strongly supports our request.

P.O. TONNA:

Has any industry type come here and said, "You ruined our thermometer business"?

LEG. COOPER:

There are many alternate thermometers available, digital thermometers and other types.

P.O. TONNA:

I mean, we use the one that you just stick in the ear and stuff today.

LEG. TOWLE:

It's not accurate.

P.O. TONNA:

What's not accurate?

LEG. TOWLE:

190 in the ear is not that accurate.

P.O. TONNA:  
I agree.

LEG. ALDEN:  
Which is the most accurate one?

LEG. CRECCA:  
The mercury thermometer is probably the most accurate.

LEG. CARACAPPA:  
On the motion.

LEG. HALEY:  
Motion to table.

P.O. TONNA:  
Okay, just wait.

LEG. CRECCA:  
Second.

P.O. TONNA:  
Okay, we're getting very giddy. All right, there is a motion and a second to table; who made the motion to table?

LEG. HALEY:  
I did.

LEG. CRECCA:  
Marty did, I seconded it.

P.O. TONNA:  
Okay. On the tabling motion.

LEG. CARACAPPA:  
On the motion.

LEG. HALEY:  
On the motion.

P.O. TONNA:  
On the tabling motion, just for a -- oh, go ahead. Legislator Haley.

LEG. HALEY:  
I appreciate this letter, but it doesn't really state that it supports this specific legislation, it just supports and commends efforts on reducing potential health hazards posed by releasing --

LEG. COOPER:  
Legislator Haley, I can tell you that we sent them a copy of our bill. There was actually a chance when we thought this was would be taken up at the last Legislative session that someone from the EPA would come

out to testify in support of the bill, that didn't pan out. We were in a rush to get something because, again, I thought it would be voted on last time when we got this letter from them. But this was sent in response to the resolution.

203

LEG. HALEY:

All right. So then we can table it then.

P.O. TONNA:

We have arsenic in the water, why are we banning -- no, I'm joking. Anyway. All right, there's a motion and second to table. Legislator Caracappa.

LEG. CARACAPPA:

Just a quick question. Have the hospitals and the med industry weighed in on this, have they contacted you, any big hospitals?

LEG. COOPER:

There's been no opposition whatsoever. As I said, I believe three states, New Hampshire and a couple of other states --

LEG. CARACAPPA:

I mean here in Suffolk.

LEG. COOPER:

There's been no opposition whatsoever.

P.O. TONNA:

Jon, the only concern that I have and I -- you know, it's not like we put in a bill and it's, you know, teletyped to every single health care industry. I mean, these type of things could get kind of under the radar and then cause a huge problem that we haven't foreseen. All I would ask, I would be willing to vote for this, not at this time, can your office, you know, send a letter to the Nassau-Suffolk Hospital Association --

LEG. COOPER:

Sure.

P.O. TONNA:

-- to the thermometer king of the world and, you know, just to ask so we can find that we're not presenting an undue burden on industry? You know, we might have a whole bunch --

LEG. COOPER:

I can do that, no problem.

P.O. TONNA:

-- of people come here with their children and their pets, okay, and say, "Hey, you know what? You're putting our families at risk right now." And I just want to know that we're not doing that.

LEG. BISHOP:

He's mocking you.

LEG. COOPER:

Is that true, are you mocking me? I just want this on the record.

P.O. TONNA:

No, my sensitivity for pets have grown since being with you on the Legislature. Anyway. Okay, a motion to table, seconded by Legislator

204

Caracappa. And I'd ask, Jon, my office will help any in any way, whatever you want.

LEG. COOPER:

No problem. In two weeks we'll get the letters to you.

P.O. TONNA:

If you can, that would be great. Okay, thank you.

MR. BARTON:

18.

LEG. BISHOP:

I'm opposed.

P.O. TONNA:

All right.

MR. BARTON:

All right, Guldi -- 16, two opposed (Opposed: Legs. Guldi & Bishop).

P.O. TONNA:

Now let's move this quickly. Okay, these are all SEQRA.

LEG. CRECCA:

Motion to approve 1297.

P.O. TONNA:

1297 - (Making a SEQRA determination in connection with the proposed replacement of Electrical Feeder at the Sewer District 18 - Hauppauge Industrial Facility (Presiding Officer Tonna).

LEG. FOLEY:  
Motion.

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

MR. BARTON:  
18.

P.O. TONNA:  
Okay. 1298 - (Making a SEQRA determination in connection with the proposed Stotzky Park expansion (Active Recreation/Greenways) Town of Riverhead (Presiding Officer Tonna). Same motion, same second, same vote.

MR. BARTON:  
18.

P.O. TONNA:  
1299 - (Making a SEQRA determination in connection with the proposed reconstruction of Deer Lake Spillway, Towns of Babylon and Islip, CP 5376 (Presiding Officer Tonna). Same motion, same second, same vote.

205

MR. BARTON:  
18.

P.O. TONNA:  
1300 - (Making a SEQRA determination in connection with the proposed removal and replacement of cable on runway 6/24, Francis S. Gabreski Airport (Presiding Officer Tonna). Same motion, same second, same vote.

MR. BARTON:  
18.

P.O. TONNA:  
1301 - (Making a SEQRA determination in connection with the proposed construction of a check-in building at Cedar Point County Park, Town of East Hampton (Presiding Officer Tonna). Same motion, same second, same vote.

MR. BARTON:  
18.

P.O. TONNA:

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1302 - (Making a SEQRA determination in connection with the proposed reconstruction of Quogue Canal Bulkhead, South Side, Town of East Southhampton (Presiding Officer Tonna). Same motion, same second, same vote.

MR. BARTON:  
18.

P.O. TONNA:  
1303 - (Making a SEQRA determination in connection with the proposed construction of a check-in building at Cupsogue County Park, Town of Brookhaven (Presiding Officer Tonna). Same motion, same second, same vote.

MR. BARTON:  
18.

P.O. TONNA:  
Okay. Now we're in Finance & Financial --

LEG. BISHOP:  
Mr. Chairman?

P.O. TONNA:  
Yes.

LEG. BISHOP:  
Before you leave Environment, I'd make a motion to discharge from committee 2036 which has previously been distributed.

P.O. TONNA:  
Right. Second by myself.

206

LEG. BISHOP:  
My explanation -- on the motion.

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

LEG. BISHOP:  
I make a motion to approve. I need a second. Is it before us?

P.O. TONNA:  
Yeah.

LEG. BISHOP:  
On the motion.

P.O. TONNA:  
It was discharged at 5:30, we have over an over. So all you have to do is make a motion to approve it.

LEG. BISHOP:  
Yeah, okay. So I'm making a motion to approve.

P.O. TONNA:  
2036?

LEG. BISHOP:  
2036, right.

P.O. TONNA:  
Legislator Bishop, I second it. All in --

LEG. HALEY:  
On the motion

P.O. TONNA:  
On the motion.

LEG. HALEY:  
Why did we discharge it, why didn't it get out of committee?

LEG. BISHOP:  
It -- why didn't it get out of committee?

P.O. TONNA:  
Legislator Bishop, you're the Chairman of that committee, you don't have to ask yourself that question.

LEG. BISHOP:  
We didn't have the resolution from the Village of Lindenhurst at the time which we have now. In any case, this bill expires today and I have to refile it if we don't --

LEG. HALEY:  
All right, thank you.

LEG. BISHOP:  
What it is --

LEG. HALEY:  
That's enough for me.

P.O. TONNA:  
That's enough.

LEG. HALEY:  
Motion to close debate.

MS. ROSENBERG:  
Legislator Tonna?

P.O. TONNA:  
Let's just vote on it.

LEG. ALDEN:  
On the motion.

MS. ROSENBERG:  
Legislator Tonna?

LEG. CARACCIOLO:  
Question.

LEG. ALDEN:  
Is this the old one or the new one?

LEG. BISHOP:  
This is the new quarter cent program but it's not open space, it is under the wetlands protection provision, the estuary protection. And what this will do is purchase land in the Village of Lindenhurst and the village has committed by resolution to construct a water recharge basin also known as a sump.

LEG. HALEY:  
You're losing my vote.

P.O. TONNA:  
Okay.

LEG. CRECCA:  
You're talking, we're not going to vote for it.

P.O. TONNA:  
Yes, Brenda?

MS. ROSENBERG:  
We wanted to on the record say that we did get notification from the Clerk's Office that this was rescinded. And in light of the -- that this bill was rescinded.

MR. BARTON:  
It was listed on the LADS Report as stricken.

MS. ROSENBERG:

It was listed on the last LADS Report as stricken.

LEG. BISHOP:

But I checked that earlier today and it was the Counsel's office that advised me that today was the last day.

MR. SABATINO:

You always get the meeting after the expiration date because you have the right to reconsider legislation. So we've always taken the legislation to the meeting after the six months.

LEG. BISHOP:

So I'm good.

MS. ROSENBERG:

Well, we also asked BRO for an updated fiscal because the fiscal does not correspond to the corrected copy and they don't have it.

P.O. TONNA:

Okay. Fred, you made a mistake, I'm telling you right now, there'll be no -- go ahead.

MR. POLLERT:

On 2036 we should have the fiscal impact statement, if it's not a current fiscal impact statement it would be because it was on the first version of the bill. But if the bill is only going to be tabled at this point in time --

P.O. TONNA:

No, it's not, it's being approved.

LEG. BISHOP:

It's being approved. The fiscal impact is the appraised value of the property, which is less than 200,000, and it's coming out of a fund which is -- this is the first time that we'd be using the fund. It's pay-as-you-go money from the new quarter cent program and we have a specific percentage.

P.O. TONNA:

We're almost done. Dave, we're almost done and look at what you're doing to us.

LEG. BISHOP:

Well, I'm making sense.

LEG. ALDEN:

Paul, I have another question now.

P.O. TONNA:

Okay. Where are we right now; can we vote on this or can't we?

LEG. CRECCA:

Well, the Clerk's saying the bill is stricken, isn't he?

209

LEG. BISHOP:

No.

MR. BARTON:

No.

P.O. TONNA:

Who cares what the Clerk says. No, I'm joking. Paul, could you please make some sense out of this? Because Bishop is not --

MR. SABATINO:

If the bill was discharged the bill is eligible. The issue about a fiscal impact statement, you know, that's a question of judgment. The bill calls for \$200,000 to be allocated from the fund, so I can tell you right now the impact of the bill is to allocate \$200,000.

LEG. BISHOP:

It would be up to 200,000. I assume it's going to come in, the appraised value, at less than 200,000.

LEG. HALEY:

Move it.

D.P.O. POSTAL:

Legislator Alden?

LEG. ALDEN:

Legislator Bishop, you mentioned before that the purpose of this is to acquire the property and make a sump out of it?

LEG. BISHOP:

Right, the Village is going to construct a sump and it's part of the initiative to clean storm water run-off.

LEG. ALDEN:

Oh, okay, it's for storm water run-off.

LEG. BISHOP:

Storm water run-off, exactly.

LEG. ALDEN:  
So it's almost like a --

LEG. BISHOP:  
No, it's Strongs Creek to --

LEG. ALDEN:  
Okay.

D.P.O. POSTAL:  
Okay, motion --

LEG. CARACCIOLO:  
On the motion.

210

D.P.O. POSTAL:  
On the motion, Legislator Caracciolo.

LEG. CARACCIOLO:  
Budget Review.

MR. POLLERT:  
Yes.

LEG. CARACCIOLO:  
Is the County engaged, outside of storm drains or catch water basins along County roads, in acquiring land for the purpose of water recharge in towns or villages?

LEG. BISHOP:  
We haven't done anything under the program, it's a new program.

MR. POLLERT:  
Not to my recollection. I believe that --

LEG. CARACCIOLO:  
Well, the point I want to make -- I think your answer is no.

MR. POLLERT:  
Not to my recollection.

LEG. CARACCIOLO:  
Okay. So we are now -- you know, going down the road, I should say,

perhaps having towns and villages coming to the County utilizing this County-wide program which, you know, should be -- some of these proposals perhaps should be considered, but realize that it may not just be exclusively on County-owned properties and byways and highways. So it's another new initiative, it may be worthy of consideration, but just realize we're opening up new floodgates, no pun intended, for utilizing the funding source that could rapidly, rapidly be evaporated.

P.O. TONNA:

All I can say is, Dave, when you --

LEG. BISHOP:

No, hold on.

P.O. TONNA:

When you do these things, I know something's going on, all right. You only do these things when there's a weasel deal. Okay, so tell me what's going on; come clean, Bishop.

LEG. BISHOP:

Come clean? First of all, Counsel, under the new quarter cent program, purchasing property to clean wetlands and to clean the bay and to preserve our estuaries is exactly what was considered and the policy direction that we always wanted to go in. So this is consistent with the authorizing statute; correct?

211

MR. SABATINO:

That's correct. There's a whole new component, it's that 11.55% which is for --

LEG. BISHOP:

It's not like some --

MR. SABATINO:

-- establish water quality protection remediation. You can do -- there's about 13 or 14 subcomponents under that category.

LEG. BISHOP:

I think that what Legislator Caracciolo is hinting at is you don't want to use the program to clean the bay as a way to purchase open space, you know, as a new funding source just to purchase open space. But this has a direct link to cleaning the bay, they're doing a water recharge basin whose purpose is to make sure that the water that's drained into Strong's Creek is clean when it reaches the bay further

down. So I don't think that what you've --

LEG. CARACCIOLO:

Dave, don't misinterpret my remarks. My point was simple and that is it's a new initiative, you know, we're embarking on another course, a new direction, and that we're going to see probably a plethora of resolutions come forth from towns and villages to the County to participate in this program and the funding that was earmarked for this purpose could very quickly be evaporated. That was my point.

LEG. BISHOP:

We're taxing the people for this very purpose currently.

P.O. TONNA:

Okay.

LEG. BISHOP:

When we did the quarter cent program, this was the purpose that we did it for.

P.O. TONNA:

There's a motion right now to approve and a second. All in favor? Opposed? Approved. Thank you.

MR. BARTON:

18.

P.O. TONNA:

All right, Dave, great. FINANCE & FINANCIAL SERVICES:

1256 - (Adopting Local Law No. 2001, a Charter Law to require annual expenditure disclosure for contract agency funding (Carpenter). Legislator Carpenter, is there a motion?

LEG. CARPENTER:

Yes.

212

P.O. TONNA:

Seconded by myself.

LEG. TOWLE:

Explanation.

P.O. TONNA:

Explanation. Counsel?

MR. SABATINO:

This is a proposed Charter Law that would require all contract agencies which have at least 50% of their proceeds being used for salaries to itemize on a line by line basis the categories of spending together with the list of employees and salaries paid to those people. And in those cases where the compensation exceeds 50% of the total contract funding, then Audit and Control would be obligated to conduct management audits of those contract agencies.

P.O. TONNA:

This is something that's really -- I want to commend Legislator Carpenter. This is something that's going to ask for greater accountability for not-for-profit organizations which in the times that we're talk about right now when so much of our money goes to contract agencies and not-for-profit organizations, I think this is a good financial control. And I think we, you know -- by the way, I want to change -- Henry? I was the second, I would like to change the second to Legislator Fisher, okay? And just to announce that this was a women's caucus issue. Okay, thank you.

LEG. FOLEY:

Mr. Chairman, does this include Jaquars?

P.O. TONNA:

Well, that we'll talk about later. All right. All in favor? Opposed? Approved.

LEG. HALEY:

Abstain.

P.O. TONNA:

Abstain, Legislator Haley.

MR. BARTON:

17, one abstention (Abstention: Leg. Haley).

P.O. TONNA:

Okay. No. 1263 - (Reducing certain appropriations in the 2001 Adopted Operating Budget (County Executive). Is there a motion?

LEG. CARACCILO:

Motion.

LEG. FOLEY:

Explanation.

P.O. TONNA:  
Okay, motion by --

LEG. TOWLE:  
Explanation.

P.O. TONNA:  
All right, let's make a motion first. Legislator Postal, you make --

LEG. POSTAL:  
I'd make a motion to table.

LEG. CARACCIOLO:  
Whoa.

LEG. FISHER:  
Second.

P.O. TONNA:  
Okay, and second by Legislator Fisher.

D.P.O. POSTAL:  
On the motion to table.

P.O. TONNA:  
There's a motion to approve --

LEG. CARACCIOLO:  
Yes.

P.O. TONNA:  
-- by Legislator Caracciolo and seconded by Legislator Crecca. On the motion.

LEG. POSTAL:  
To table. Legislator Tonna, in the Finance Committee where this was discussed, this is the resolution that enacts a 5% reduction in funding to consultants, a 3% reduction in funding to contract agencies, including our health centers, and a 3% reduction to any program which is not a hundred percent Federally or State funded.

LEG. CARACAPPA:  
Five.

LEG. POSTAL:  
No, three. It thought it was five, three and three; but anyway, it's reductions. Questions were asked with regard to what the impact on services would be because there was also a question about State and Federal funding that's provided to some of these agencies dependent upon local matching funds. So that we asked questions about whether reducing appropriations by 3% or 5% we would actually be reducing State or Federal matching funds and we ask that we have that information at today's meeting; I haven't received anything like that.

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LEG. CARACCIOLO:

The Budget Director is here, Mr. Chairman, I would ask that he come forward and give us an answer.

LEG. POSTAL:

Okay. We also asked --

P.O. TONNA:

Not till Legislator Postal finishes her comments.

D.P.O. POSTAL:

We also asked -- we asked for, I guess, a list or a breakdown of what the impact on services would be and a quantification of what the reduction in services would be based on those cuts. So I don't know if those are available. I think that before we do something like that, this is kind of momentous, we need to have that information. The other issue, you know, and I'm speaking only for myself.

LEG. BISHOP:

I don't think anybody wants to support this.

D.P.O. POSTAL:

Well, you know, I'm speaking only for myself on this. But I just would like to say that when we discuss the projected deficit, I was very public and very clear about my willingness to support an increase in the sales tax which I have been willing to do every step of the way. But I can not ask the public to pay increased sales tax at the same time that they're getting reduced services, and I'm very concerned about this. And if we succeed in doing this and this is not rescinded, then I cannot in good conscious support a sales tax increase.

LEG. CARACCIOLO:

Mr. Chairman?

P.O. TONNA:

Dave, you're down to three, baby.

LEG. BISHOP:

Two, I think Foley's with her.

P.O. TONNA:

Two, two.

LEG. CARACCIOLO:

Mr. Chairman? Could we have the Budget Director answer the question?

P.O. TONNA:

I just want to say, my whole point with the sales tax was I'll only vote for it if the County Executive shows willingness to cut the budget, you know, that before we impose a tax increase, we have to cut our budget. So here, we might have a philosophical difference.

LEG. POSTAL:

Well, if I could just say one last thing.

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P.O. TONNA:

Sure, go ahead.

D.P.O. POSTAL:

The other issue, if we're talking about cutting the budget, and that's a really good point. At the Finance Committee I pointed out that last year this County paid over \$8 million for outside consultants for such things as road projects and capital improvements to buildings; everything, in fact, except surveys for land acquisition. So that we're paying over -- we paid over \$8 million last year for outside consultants when for years this Legislature has advocated doing that work in-house, it would cost us far less than \$8 million a year. As a matter of fact, we could probably maintain the level of funding to those contract agencies, spend \$2 million at hiring in-house people and have \$2 million in surplus.

LEG. CARACCIOLO:

Mr. Chairman?

LEG. ALDEN:

Would you suffer a brief interruption?

LEG. CARACCIOLO:

Mr. Chairman?

P.O. TONNA:

Wait, wait, wait. I know you want to hear Budget Review --

LEG. CARACCIOLO:

I just want to bring to everyone's attention that in the Finance Committee --

D.P.O. POSTAL:

I'm --

LEG. CARACCIOLO:

-- the Vice-Chair, Maxine Postal, brought up these issues. And at my request, the Budget Review Office was to have prepared a reply so that we would all have the benefit of that today along with the Budget Director.

P.O. TONNA:

Okay.

LEG. CARACCIOLO:

So I think if we give them a chance to respond to some very valid questions, we would all have the benefit of --

LEG. POSTAL:

Yeah, and I would be happy to do that, but I think I still have the floor --

LEG. ALDEN:

Would you yield for one minute, Legislator Postal?

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D.P.O. POSTAL:

-- and I'll yield to Legislator Alden.

P.O. TONNA:

Okay. Well, how about this, Legislator Alden is next to be recognized anyway. Legislator Alden, you have the floor.

LEG. ALDEN:

Legislator Postal gave you the good news. I mean, the even better news is that we bond that so it costs us even more money.

P.O. TONNA:

What are you talking about bonding? Anyway -- don't confuse me.

LEG. ALDEN:

The money is bonded when we go out for these consultants.

P.O. TONNA:

Oh, okay, now I got it.

LEG. ALDEN:

Also, we need an explanation from Paul Sabatino as to why this resolution is before us because the County Executive is imposing some of these cuts and he could do without our --

P.O. TONNA:

Yeah, why do we need a resolution? But anyway, let's deal with some of the financial issues and then we'll have --

LEG. BISHOP:

Mr. Chairman?

P.O. TONNA:

-- Paul say that we don't need this and then we'll say, "Okay, go ahead and do it on your own." Go ahead.

LEG. BISHOP:

Mr. Chairman, am I on the list?

P.O. TONNA:

No, no. Right now we're going to listen to Kenny Weiss respond to the question that Legislator Caracciolo, when he had the floor, asked.

LEG. BISHOP:

I don't want to speak to the substance, I want to speak to the process; can you recognize me for one minute.

P.O. TONNA:

All right. You want to do process first, you think process is better than substance?

LEG. BISHOP:

Yes, because --

P.O. TONNA:

Okay, go ahead. Legislator Bishop.

LEG. BISHOP:

-- at previous meetings when we discussed our fiscal situation, you indicated that you were going to set up, in conjunction with the County Executive, a working group to go over the current fiscal condition and to develop a plan. And what this resolution suggests to me, either there was a working group that I did not know about or we're going to do this in a piecemeal fashion. If we're going to do it in a piecemeal fashion and it's going to be a very long, arduous process with 18 Legislators asking many, many questions -- and I don't think that's the road we should go down -- perhaps this should be tabled at this time so that you can create that working group and you can consider that and perhaps revenue measures at one time. So that there would be one bundle to deal with the fiscal condition rather than a piecemeal approach which could be very arduous and ugly.

P.O. TONNA:

All right. Before we get to you again, Kenny, I just want to ask the Legal Counsel, because we're dealing with the issue of process, does there have to be enabling resolution for the County Executive to not spend the money?

MR. SABATINO:

Currently under the County Administrative Code, the County Executive has the authority to cut up to 10% from the County allotment. My initial reaction was why are we seeing the resolution and I thought it through and I think the answer is because there is no allotment system in Suffolk County; we uncovered this about ten years ago, the last time we had some fiscal problems. So in the absence of an allotment system, I suspect that the County Executive is concerned that the cuts being imposed unilaterally might not be valid. So I suspect that it's erring on the side of caution that it's better to get Legislative approval since we have no allotment system which doesn't allow the provisions of the Administrative Code to be triggered.

P.O. TONNA:

Kenny, is that why you sent the resolution over?

MR. WEISS:

There were so many questions, I don't know which one to answer first.

P.O. TONNA:

Answer that one first.

MR. WEISS:

Okay. The reason is the County Executive believes that he has the power to cut 10% of the budget, as Mr. Sabatino stated. The only reason we sent the resolution over is there are certain contracts that have already been executed. Our County Attorney has advised us that in order to cut contracts that have already been executed, the non appropriation clause language could only be triggered by a Legislative resolution. We have made the cuts to all contracts that were not executed at that time.

P.O. TONNA:

Okay. Thank you, Kenny. Now let's get to the substance of the issue now.

LEG. BISHOP:

No, what about the process question?

P.O. TONNA:

We've discussed process, now we want to hear about substance and then we'll get back to it. How you vote is --

LEG. BISHOP:

You reneged on your commitment to have a working group?

P.O. TONNA:

No. I wanted to hear Kenny and then we're going to deal with the whole issue together because we're not voting yet. Thank you very much. Kenny.

LEG. BISHOP:

No, this is piecemeal approach, this is --

P.O. TONNA:

I want to hear --

LEG. BISHOP:

-- (inaudible) part of a plan; is there a plan or is there not a plan? Has there been a working group created that a lot of people around this horseshoe don't know?

P.O. TONNA:

Dave, let's hear what Kenny has to say which was the request of some Legislators. It got out of committee, these are questions that should have been asked in committee, it gets out of committee. After we --

LEG. BISHOP:

You are a member.

P.O. TONNA:

No, I am not a member of that committee. I'm an ex-officio member of every committee, Legislator Bishop. But anyway, what we'll do is we'll listen to the substance of the issue and then we'll get back to see how we're going to deal with this. Thank you, sir. Go ahead, we're deadlocked without you there. Go ahead.

MR. WEISS:

In the County Executive's State of the County, he talked about a plan of reducing expenses and increasing revenues.

P.O. TONNA:

Uh-huh.

MR. WEISS:

As far as the expenditure reductions, they were laid out in an All-Department-Head-Memorandum that was sent to the departments. These -- that's left over are the remnants of that All-Department-Head-Memorandum. The total cuts related to the spending cut initiative is roughly \$7 million, that doesn't include the savings from the moratorium on hiring which we haven't fully calculated yet.

P.O. TONNA:

Michael, did that answer your question? And Maxine, did that answer your question because you started the questioning.

LEG. CARACCIOLO:

Well, Mr. Chairman, it answers part of my question. The other question was directed to Budget Review, I had requested to look into Legislator Postal's question -- Maxine?

LEG. POSTAL:

I'm sorry.

LEG. CARACCIOLO:

Fred, did you have an opportunity to look at the cost benefit analysis?

MR. POLLERT:

With respect to hiring spots?

LEG. CARACCIOLO:

Well, the whole -- all of the issues that Maxine had in terms of the consultants. In other words, do you remember we found out, you reported \$8 million as what the cost is. Now, in order to replace that cost with in-house personnel, you would have to calculate how many individuals you need, what the training period and education period would be involved to get those individuals up to a caliber where they could provide these services 52 weeks out of the year and provide a cost benefit if that cost would be less than the consultant fees of \$8 million a year.

MR. POLLERT:

Right. We specifically got four requests, one of which was to look at that. We're in the midst of the Capital Program, we haven't completed those requests yet. We were also requested to find out about what the impact of this resolution was. We had a meeting with Ken Weiss yesterday specifically with this resolution. Ken, I think was directed to come up with the details of the contract agencies that would be cut. We had reviewed what the macro costs are. On a net basis the County Executive is estimating that the totality of the cuts will be about five to \$6 million when you net out offsetting State and Federal aid because this resolution only deals with resolutions which have already been executed, that is the total costs. The savings associated with this particular resolution will not be the 5.3 to \$5.6 million, that deals with all of the actions. So the savings associated with this resolution will be less but will provide consistency across all the contract agencies. But I do not have a list of contract agencies that are to be cut.

P.O. TONNA:

Can I make a suggestion?

LEG. CARACCILO:

Okay. Earlier, Mr. Chairman, the Budget Review Director reported that the County is facing a budget shortfall in the year 2002 of \$98.2 million; that's the current projection, that's a downward projection from just a few weeks ago when it was much higher. That said, and one

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of the major variables is sales tax collections, when some individuals propose a sales tax increase which would generate an additional 35 to \$40 million on the revenue side, that still leaves some 60 plus million dollars that has to be found, I think what you hinted at earlier in terms of cost savings to have a balanced budget next year. So when Legislators start talking about pay-as-you-go and not showing any discipline to hold to that five million or the County Executive is not willing to hold it at five million, then I think Legislator Bishop's point is well taken and that is to sit down and put a plan in place that everyone or the majority of us can support. And it's a road map to get us to where we have to get by the end of the year so that we can negate property tax increases. I mean, the options are very few and far between. It's either revenue enhancements or a combination of revenue enhancements and some type of cost cutting as you point out.

So now I'd like to just add my voice to Legislator Bishop's remarks about putting in place a working group to come up with that plan so that we can present it to the Legislature and deal with this issue in its entirety sooner rather than later.

P.O. TONNA:

I just wanted to mention, I think -- and I'd ask somebody from my staff, Ralph, if you're around, the task force, who's on that task force, who did we appoint? I know who we spoke about, right?

MS. MARTIN:

Let me find out.

P.O. TONNA:

Okay. This is what I would suggest. Maybe -- well, we can't table til Thursday because it will be the same meeting. Maybe we'll just -- let's pass over this. All right? Just won't get on to it on the agenda, that's all. Okay, we're going to pass over this. Obviously there needs to be some coordination. All right, where are we?

MR. WEISS:

Mr. Chairman? Presiding Officer?

P.O. TONNA:

Okay, we're at 1266.

LEG. CRECCA:  
Mr. Chairman?

P.O. TONNA:  
Yes, Legislator Crecca.

LEG. CRECCA:  
Can I ask a question of Mr. Weiss?

P.O. TONNA:  
About 1267?

LEG. CRECCA:  
I'll hold it off.

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P.O. TONNA:  
I mean 1263? Okay, Mr. Weiss, you have something to say?

MR. WEISS:  
The County Executive has appointed three members and I believe it's --

P.O. TONNA:  
Yeah, it's up to me for three.

MR. WEISS:  
Okay.

P.O. TONNA:  
That's why I'm just trying to find out who I appointed, okay?

PUBLIC SAFETY & PUBLIC INFORMATION:  
All right, 1266- (Establishing Recognition Program for Volunteer  
Firefighters and EMS Personnel (Carpenter).

MR. WEISS:  
Was that your question?

P.O. TONNA:  
Legislator Carpenter, do you have a motion?

LEG. CARPENTER:  
Yes.

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

MR. BARTON:  
18.

P.O. TONNA:  
Okay, 1311 - (Appropriating funds in connection with the purchase of a prisoner transport bus - Suffolk County Police Department (CP 3175) (County Executive). Motion by Legislator Foley, seconded by Legislator Caracappa. Roll call.

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

LEG. FOLEY:  
Yes.

LEG. CARACAPPA:  
Yep.

LEG. COOPER:  
Pass.

LEG. BINDER:  
Pass.

LEG. BISHOP:  
Yes.

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P.O. TONNA:  
It's a bonding resolution.

LEG. D'ANDRE:  
Yes.

LEG. CRECCA:  
Yes.

LEG. CARPENTER:  
Yes.

LEG. ALDEN:  
(Not in room)

P.O. TONNA:  
He'll be back.

LEG. FIELDS:  
Yes.

LEG. LINDSAY:  
Yes.

LEG. HALEY:  
Yes.

LEG. FISHER:  
Yes.

LEG. TOWLE:  
Yes.

LEG. GULDI:  
Yes.

LEG. CARACCIOLO:  
Yes.

LEG. POSTAL:  
Yes.

P.O. TONNA:  
Yep.

LEG. COOPER:  
Yes.

LEG. BINDER:  
Yes.

LEG. ALDEN:  
(Not in room)

MR. BARTON:  
17, one not present (Not Present: Leg. Alden).

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

1312 - (Appropriating funds in connection with the purchase and installation of equipment under the Federal Communications Assistance for Law Enforcement ACT (CALEA) (CP 3201)(County Executive). Is there a motion?

LEG. FOLEY:  
Motion

P.O. TONNA:  
By Legislator Foley, second by Legislator Caracappa. Roll call.

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

LEG. TOWLE:  
Explanation.

P.O. TONNA:  
Explanation, please.

MR. SABATINO:  
1312 is to appropriate \$75,000 to purchase the equipment and \$250,000 for Federal Communications Assistance, so it's a total of \$325,000.

P.O. TONNA:  
Okay. Right. Motion, second. Roll call.

MR. SABATINO:  
It deals with wire taps, too.

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

LEG. FOLEY:  
Yes.

LEG. CARACAPPA:  
Yes.

LEG. COOPER:  
Yes.

LEG. BINDER:  
Yes.

LEG. BISHOP:  
Yes.

LEG. D'ANDRE:  
Yes.

LEG. CRECCA:  
Yes.

LEG. CARPENTER:  
Yes.

LEG. ALDEN:  
Yes.

LEG. FIELDS:  
Yes.

LEG. LINDSAY:  
Yes.

LEG. HALEY:  
Yes.

LEG. FISHER:  
Yes.

LEG. TOWLE:  
Yes.

LEG. GULDI:  
Yes.

LEG. CARACCIOLO:  
Yes.

LEG. POSTAL:  
Yes.

P.O. TONNA:  
Yep.

MR. BARTON:  
18.

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

We're into PUBLIC WORKS & TRANSPORTATION:

1127 - (Adopting Local Law No. 2001, a Local Law extending fair and equitable connection fees to all County Sewer Districts (Postal). Motion by Legislator Postal, seconded by Legislator Foley -- oh, Legislator Carpenter. All in favor? Opposed? Approved.

MR. BARTON:  
18.

P.O. TONNA:  
No. 1187 - (Approving the extension of the license and franchise of Davis Park Ferry Co., Inc. For Cross Bay Service between Patchogue, New York, and the Fire Island Communities of Davis Park and Watch Hill (Presiding Officer Tonna). Motion by Legislator Foley, second by Legislator Carpenter. All in favor? Opposed? Approved.

MR. BARTON:  
18.

P.O. TONNA:  
Okay, 1310A, 1310 - (Appropriating funds in connection with the renovations to Building 50, Hauppauge (CP 1765) (County Executive). Motion by Legislator Foley, seconded by Legislator Caracappa. Roll call. Take your time, Henry, 1310. Ilona, Jackie, you're set? Because I want to make sure all three of you, it's like the Three Stooges deal, I know that. There you go. Go ahead, Henry.

MR. BARTON:  
I know, that's why we make the big bucks.

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

LEG. FOLEY:  
Yes.

LEG. CARACAPPA:  
Yes.

LEG. COOPER:  
Yes.

LEG. BINDER:  
No.

LEG. BISHOP:  
Yes.

LEG. D'ANDRE:  
Yes.

LEG. CRECCA:  
Yes.

LEG. CARPENTER:  
Yes.

LEG. ALDEN:  
No.

LEG. FIELDS:  
Yes.

LEG. LINDSAY:  
Yes.

LEG. HALEY:  
Yes.

LEG. FISHER:  
Yes.

226

LEG. TOWLE:  
Yes.

LEG. GULDI:  
Yes.

LEG. CARACCIOLO:  
Yes.

LEG. POSTAL:  
Yes.

P.O. TONNA:  
Yep.

MR. BARTON:  
16-2 on the bond.

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

1316 - (Amending the 2001 Adopted Operating Budget and the 2001 Capital Budget and Program and appropriating funds in connection with the purchase of sewer facility maintenance equipment (CP 8164) (County Executive).

LEG. FOLEY:  
Motion.

LEG. FISHER:  
Second.

P.O. TONNA:  
Motion by Legislator Foley, second by Legislator Fisher. All in favor? Opposed? Approved.

MR. BARTON:  
18.

P.O. TONNA:  
1317 - (Authorizing the execution of an order on consent with the New York State Department of Environmental Conservation for the purpose of satisfying noncompliance issues associated with Sewer District No. 1 - Port Jefferson (County Executive). Motion by Legislator Foley, second by -- Legislator Fisher, seconded by Legislator Foley. All in favor? Opposed? Approved.

MR. BARTON:  
18.

1318 - (Authorizing execution of agreement by the Administrative Head of Suffolk County Sewer District No. 3 - Southwest with the Developer of Tracy Plat (County Executive). Motion by who? Motion by Legislator -- who's Southwest Sewer -- Postal, seconded --

227

LEG. POSTAL:  
No.

P.O. TONNA:  
No? Motion by Legislator Bishop, seconded by Legislator Lindsay. All in favor? Opposed? Approved.

LEG. POSTAL:  
I'm opposed.

LEG. GULDI:  
Abstention.

LEG. BISHOP:  
This is residential, Melville.

LEG. POSTAL:  
I don't care.

P.O. TONNA:  
Okay. 1319 --

MR. BARTON:  
16-1, one abstention (Opposed: Leg. Postal - Abstention: Leg. Guldi).

P.O. TONNA:

We have our own divided community over sewer districts.

1319 - (Approving an amendment to the existing connection contract between Suffolk County Sewer District No. 7 - Medford and Station Road Land Division (County Executive). Legislator Foley, motion, second by Legislator Towle.

LEG. TOWLE:

Wait, hold on. 1319, question on that. Just an explanation.

P.O. TONNA:

On?

LEG. TOWLE:

1319.

P.O. TONNA:

1319.

MR. SABATINO:

1319 deals with an outside contractor which is known as the Station Road Land Division, they're going to hook-up into Medford. It's -- basically it generates about \$50,000 initially upfront and then a normal \$15 fee, it's an industrial subdivision.

LEG. TOWLE:

Thanks.

228

P.O. TONNA:

Okay, great. Motion and a second. All in favor? Opposed? Opposed approved.

MR. BARTON:

18.

P.O. TONNA:

All right. 1321 - (Authorizing execution of an agreement by the Administrative Head of Suffolk County Sewer District No. 11 - Selden with the developer of Gaetano Lane Lots (County Executive). Motion by?

LEG. CARACAPPA:

Motion.

P.O. TONNA:

Legislator Foley, second by Legislator --

LEG. FOLEY:  
No.

P.O. TONNA:  
Oh, Legislator Caracappa, seconded by Legislator Haley. All in favor?  
Opposed? Approved.

LEG. CARACCIOLO:  
Abstain, Henry.

MR. BARTON:  
17, one abstention (Abstention: Leg. Caracciolo).

P.O. TONNA:  
1322 - (Amending the 2001 Operating Budget and appropriating funds for  
improvements and/or rehabilitation of existing facilities in Suffolk  
County Sewer District No. 18 - Hauppauge Industrial (County  
Executive). Motion by --

LEG. CRECCA:  
Crecca.

P.O. TONNA:  
Legislator Crecca, seconded by Legislator D'Andre. All in favor?  
Opposed? Approved.

MR. BARTON:  
18.

P.O. TONNA:  
Okay, PARKS, SPORTS & CULTURAL AFFAIRS:

Okay, 1214 - (Appointing William B. Rogers as a member of the Suffolk  
County Vanderbilt Museum Commission (Trustee No. 4) (Tonna). Motion by  
myself, second by Legislator Carpenter. All in favor? Opposed?  
Approved.

MR. BARTON:  
18.

P.O. TONNA:  
HEALTH:

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1271 - (To amend RFP Committee Process for Plum Island Health and Environmental Risk Assessment by changing response date (Caracciolo). Motion by Legislator Caracciolo, seconded by Legislator Fields. All in favor? Opposed? Approved.

MR. BARTON:  
18.

P.O. TONNA:  
1288 - (Extending "Lend a Helping Hand Program" for victims of Breast Cancer (Postal). Motion by Legislator Postal.

LEG. FIELDS:  
Second.

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

MR. BARTON:  
18.

LEG. FOLEY:  
Cosponsor.

LEG. CRECCA:  
Cosponsor.

LEG. CARPENTER:  
Cosponsor.

LEG. GULDI:  
Cosponsor.

P.O. TONNA:  
Everyone is a cosponsor but Legislator Bishop on the sense of principal.

MR. BARTON:  
It looks really good on the vote slip, too.

P.O. TONNA:  
Yeah, I know.

LEG. COOPER:  
Motion to table 1292.

LEG. HALEY:  
Second on the tabling.

P.O. TONNA:  
Okay, which one?

LEG. HALEY:  
1292.

P.O. TONNA:  
1292 - (Directing the County Department of Public Works to maintain "No Spray List" for pesticide applications (Cooper).

LEG. HALEY:  
Second on the tabling.

P.O. TONNA:  
I think, Legislator Cooper, you're going to make a motion to table?

LEG. COOPER:  
I just did.

P.O. TONNA:  
Okay, seconded by Legislator Haley. All in favor? Opposed? Approved.

MR. BARTON:  
18, tabled.

P.O. TONNA:  
Are we trying to add a pet registry to that? No, I'm joking.

Okay, here we go. 1306 - Approving the reappointment of Charles V. Wetli, M.D. as Chief Medical Examiner (County Executive). Is there a motion?

LEG. FIELDS:  
Motion.

LEG. CRECCA:  
Motion to approve.

P.O. TONNA:  
Motion to approve by Legislator Fields, seconded by Legislator Carpenter. All in favor? Opposed? Approved.

MR. BARTON:  
18.

P.O. TONNA:  
Bonding Resolution 1333A, 1333 - (Appropriating funds in connection with the Public Health Nursing Patient Records System (CP 4065) (County Executive).

LEG. FOLEY:  
Motion.

P.O. TONNA:  
Motion by Legislator Foley, second by Legislator Caracappa. Roll call.

231

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

LEG. FOLEY:  
Yes.

LEG. CARACAPPA:  
Yes.

LEG. COOPER:  
Yes.

LEG. BINDER:  
No.

LEG. BISHOP:  
Yes.

LEG. D'ANDRE:  
Yes.

LEG. CRECCA:  
Pass.

LEG. CARPENTER:  
Yes.

LEG. ALDEN:  
No.

LEG. FIELDS:  
Yes.

LEG. LINDSAY:  
Yes.

LEG. HALEY:  
Yes.

LEG. FISHER:  
Yes.

LEG. TOWLE:

Yes.

LEG. GULDI:

Yes.

LEG. CARACCIOLO:

Yes.

LEG. POSTAL:

Yes.

P.O. TONNA:

Yep.

232

LEG. CRECCA:

Yes.

MR. BARTON:

16-2 on the bond.

P.O. TONNA:

Great. Same motion, same second, same vote.

1334A, 1334 - (Appropriating funds in connection with Patient Care Health Clinic Information System (CP 4061) (County Executive). Motion by Legislator Carpenter, seconded by Legislator -- Binder, are you going to -- no? Cooper. Roll call.

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

LEG. CARPENTER:

Yes.

LEG. COOPER:

Yes.

LEG. BINDER:

No.

LEG. BISHOP:

Yes.

LEG. D'ANDRE:

Yes.

LEG. CRECCA:

Yeah.

LEG. ALDEN:  
No.

LEG. FIELDS:  
Yes.

LEG. LINDSAY:  
Yes.

LEG. FOLEY:  
Yes.

LEG. HALEY:  
Yes.

LEG. FISHER:  
Yes.

LEG. CARACAPPA:  
Yes.

233

LEG. TOWLE:  
Yes.

LEG. GULDI:  
Yes.

LEG. CARACCIOLO:  
Yes.

LEG. POSTAL:  
Yes.

P.O. TONNA:  
Yep.

MR. BARTON:  
16-2 on the bond.

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

ECONOMIC DEVELOPMENT & EDUCATION:

1313 - (Approving the appointment of John Ross as a member of the Long Island Market Authority (County Executive). Motion by Legislator Haley, second by Legislator Caracappa. All in favor? Opposed? Approved.

MR. BARTON:  
18.

P.O. TONNA:  
1339 - (Authorizing the grant of an easement and execution thereof by the County of Suffolk on property in the Hamlet of Edgewood, Town of Huntington, commonly known as Fish Path, to Keysapn Gas East Corporation D/B/A Keyspan Energy Delivery Long Island (SCTM No. 0400-284.00-03.00-p/o 059.001) (County Executive). Motion by --

LEG. CRECCA:  
Motion to approve.

LEG. COOPER:  
Motion.

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

LEG. BINDER:  
Opposed.

P.O. TONNA:  
Opposed, Legislator Binder.

MR. BARTON:  
17-1.

234

LEG. ALDEN:  
I'm opposed.

P.O. TONNA:  
Okay, and Legislator Alden.

MR. BARTON:  
16-2 (Opposed: Legs. Binder & Alden).

P.O. TONNA:  
Two PROCEDURAL MOTIONS:

No. 1 - (Authorizing funding for the Route 110 Redevelopment Corporation (Postal).

LEG. POSTAL:  
Motion.

P.O. TONNA:  
Motion to approve by Legislator Postal. Is there a second?

LEG. FOLEY:  
Second.

LEG. GULDI:  
Explanation.

P.O. TONNA:  
Second by Legislator Foley. On the motion.

LEG. CARACCIOLO:  
Explanation?

P.O. TONNA:  
Yeah.

LEG. POSTAL:  
Did you ask where it was from? I didn't hear.

LEG. FISHER:  
Yes.

LEG. POSTAL:  
Mr. Chairman, it's from the 456 Account and it's \$50,000 and it would be for doing the work pursuant to developing a business improvement district along the 110 Corridor which would mean that the property owners would voluntarily pay an additional tax to improve the corridor to make it more attractive.

LEG. CARPENTER:  
It sounds like it has a lot of merit, but I don't understand why we as a County would be funding something like that. Because generally a business improvement district would work in conjunction with the town and why is the County funding this?

LEG. POSTAL:  
Yeah. Actually, because Route 110 goes from one town to another. But

more than that, it's really a regional crossroads almost, it's a major commercial area.

LEG. HALEY:  
Move the question.

P.O. TONNA:  
Okay. Just on the -- where are we? Hold it a second. Freddy, where are we? Okay. On the motion. Maxine, just with all due respect, I do believe this is something that we should address but we should address it through the budget process. I'm really adamantly opposed to using 456 money for these type of things, we should have addressed this in the budget process. And I know that I think I had meetings with people for who are advocates to this program. I'm opposed to this resolution because I just think in the midst of everything else we're doing, it's -- you know, I'll make a motion to table then.

LEG. BISHOP:  
Mr. Chairman?

LEG. CARACCIOLO:  
Second.

P.O. TONNA:  
I'll make the motion to table. Is there a second for the motion to table? Seconded by Legislator Carpenter. On the motion?

LEG. BISHOP:  
Mr. Chairman, may I make a suggestion?

P.O. TONNA:  
Yeah.

LEG. BISHOP:  
These procedural motions which use 456 money never go to a committee. Perhaps they --

LEG. POSTAL:  
Yes, they do.

LEG. BISHOP:  
Where do they go?

LEG. POSTAL:  
They went to Economic Development.

MR. SABATINO:  
They all get assigned to committees. In fact, these two just went through the committee process, it took three meetings to get it to the floor.

LEG. BISHOP:  
They don't go to a committee which the -- I'm trying to get the Presiding Officer's attention. The problem is that we have --

P.O. TONNA:

Yes. Dave, it goes through a committee.

LEG. BISHOP:

It probably should go to the Budget Review Steering Committee where --

P.O. TONNA:

Absolutely.

LEG. BISHOP:

Because we're talking about the internal money of the Legislature, that's where it should -- somebody should be keeping track of it, right?

P.O. TONNA:

Okay. Well, hopefully I'm keeping track of my budget. You know, that's part of the responsibility as a department head, to keep control of the budget.

LEG. BISHOP:

Right, but there's probably a lot of requests --

P.O. TONNA:

Even though there are a lot of people that would like to spend that budget.

LEG. BISHOP:

Right. There's a lot --

P.O. TONNA:

Even for mailings; no, I'm joking.

LEG. BISHOP:

There's more requests than there is money, so somebody should be organizing the requests, make them rational. And I would think that that would be a tool of leadership, since you're the Presiding Officer.

P.O. TONNA:

Okay, thank you. I'm going to make a motion to table, there's a second. All in favor? Opposed?

LEG. POSTAL:

I'm opposed.

LEG. BINDER:

Opposed.

P.O. TONNA:  
Okay, two people opposed.

LEG. FOLEY:  
Opposed.

237

P.O. TONNA:  
Three people opposed. You're writing them, Clerk of the Legislature,  
Deputy Clerk and Deputy Deputy?

MR. BARTON:  
15-3 (Opposed: Legs. Postal, Foley & Binder).

P.O. TONNA:  
Okay, motion tabled.

Next is Procedural Motion No. 2 - (Authorizing retention of consultant  
to study economic development opportunities for Suffolk County Route  
110 Corridor (Cooper). Legislator Cooper?

LEG. COOPER:  
Motion to table.

P.O. TONNA:  
Motion to table, seconded by Legislator Crecca. All in favor? Opposed?  
Tabled.

LEG. BINDER:  
Opposed.

LEG. FOLEY:  
Opposed.

MR. BARTON:  
16-2 (Opposed: Legs. Foley & Binder).

P.O. TONNA:  
Now we go to the

LEG. CARPENTER:  
Late starters.

P.O. TONNA:  
Okay, just a late starter. Motion to lay on the table and second

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Introductory Resolution 1409. All in favor? Assigned to L&P. All in favor? Opposed? Oh no, lay on the table, 1410, assigned to Health; lay on the table 1411, assigned to Environment. And this one we'll do with the Senses, to lay on the table and approve Sense 35, a Memorializing Resolution requesting the State of New York to eliminate user fees for ATM use.

LEG. CARACAPPA:

I would like to lay that on the table and approve, Mr. Chairman.

P.O. TONNA:

Yeah, I said that.

LEG. TOWLE:

Second.

P.O. TONNA:

Okay. All in favor? Opposed?

238

LEG. POSTAL:

Cosponsor.

P.O. TONNA:

Okay, approved. Great.

Now let's go to the Sense Resolutions. Just quickly, I'd like to move through these very quickly, we have some deadline here.

Okay. There is Sense Resolution -- Legislator Bishop, Sense 21 - (Memorializing Sense Resolution requesting the State of New York to extend and improve the State Superfund to remediate hazardous sites in ten years through existing cleanup and liability standards (Bishop). Motion by Legislator Bishop, seconded by Legislator Crecca. All in favor? Opposed? Approved.

MR. BARTON:

18.

LEG. CARPENTER:

Cosponsor.

P.O. TONNA:

Sense 22 - (Memorializing Sense Resolution requesting the United States Department of Energy to fund Peconic Clean Up Oversight Committee Laboratory Testing (Bishop). Motion by Legislator Bishop, seconded by Legislator Carpenter, once again. All in favor? Opposed? Approved.

MR. BARTON:  
18.

P.O. TONNA:  
Sense 23 - (Sense of the Legislature Resolution honoring Suffolk County Police Officers (Cooper). Motion by Legislator Cooper, by myself. All in favor? Opposed? Approved.

MR. BARTON:  
18.

P.O. TONNA:  
Sense 25 - (Memorializing Sense Resolution requesting Robert Wood Johnson Foundation to include Suffolk County in DARE Middle School Program Evaluation (Binder). Motion by Legislator Binder.

LEG. CARACAPPA:  
Second.

P.O. TONNA:  
Seconded by Legislator Carpenter. All in favor? Opposed? Approved. Whenever I see Binder I've got to read it, you know, it's a little tricky thing.

MR. BARTON:  
18.

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P.O. TONNA:  
I'm not sure if it says, you know, that George Bush will save DARE or something.

Okay, Sense 26 - (Memorializing Sense Resolution requesting the State of New York to keep Sagamore Children's Psychiatric Center as a hospital that serves Suffolk County children (Cooper). Motion by Legislator Cooper, seconded by Legislator Carpenter. Okay? All in favor?

LEG. BINDER:  
Mr. Chairman?

P.O. TONNA:  
Opposed?

LEG. BINDER:  
No. Mr. Chairman?

LEG. POSTAL:  
Mr. Chairman?

LEG. CARACAPPA:  
I abstain on that last sense.

P.O. TONNA:  
Approved.

LEG. POSTAL:  
Mr. Chairman?

LEG. BINDER:  
I oppose this.

P.O. TONNA:  
Okay, Legislator Binder opposed Sense 26.

LEG. POSTAL:  
Mr. Chairman?

P.O. TONNA:  
Okay. I have one more motion. Yeah?

LEG. POSTAL:  
I'd like to make a motion to waive the rules and discharge and vote on Sense 17.

P.O. TONNA:  
Okay. What does it say?

LEG. POSTAL:  
It says, "Memorializing Resolution requesting State of New York to extend the Emergency Tenant Protection Act of 1974, ETPA, to Suffolk County Senior Citizens".

240

LEG. CARACCIOLO:  
Explanation.

LEG. FOLEY:  
Second the motion.

LEG. CRECCA:  
No, on the motion.

LEG. ALDEN:  
On the motion.

LEG. CRECCA:  
On the motion.

P.O. TONNA:  
You guys are killing me.

LEG. ALDEN:  
It didn't come out --

LEG. CRECCA:  
No, it didn't come out of committee, we're holding hearings on it in committee.

P.O. TONNA:  
Can I say something? Can we deal with this -- we're going to recess the meeting, we can deal with it on Thursday.

LEG. POSTAL:  
Okay.

MR. BARTON:  
Mr. Chairman?

P.O. TONNA:  
Right now -- she withdraws the motion right now.

LEG. POSTAL:  
I will make this motion on Thursday.

P.O. TONNA:  
Okay.

MR. BARTON:  
Mr. Chairman?

P.O. TONNA:  
Yes?

MR. BARTON:  
Over here.

P.O. TONNA:  
I am making a motion to recess to Thursday --

MR. BARTON:  
Mr. Chairman?

P.O. TONNA:  
Yes. Mr. Chairman, yes, that's me.

MR. BARTON:  
On Sense 26 the vote is 15, one opposed, two abstentions (Opposed:  
Leg. Binder - Abstentions: Legs. Caracappa & Caracciolo). And you're  
making a motion to recess.

P.O. TONNA:  
Right.

MR. BARTON:  
I will be sending everything that we've completed over to the County  
Executive tomorrow.

P.O. TONNA:  
Isn't that wonderful. Thank you, Henry.

MR. BARTON:  
Just wanted to let everybody know.

P.O. TONNA:  
I tell you, you are full service Clerk of the Legislature Office.

LEG. ALDEN:  
Sense 21, put me down as a cosponsor.

P.O. TONNA:  
Okay. Motion to recess to Thursday, April 26th, at 2 PM. I'll make a  
motion, second by Legislator Alden. All in favor? Opposed? Recessed.

[THE MEETING WAS RECESSED AT 8:20 PM]