

SUFFOLK COUNTY LEGISLATURE  
ORGANIZATIONAL MEETING  
FIRST DAY  
JANUARY 2, 2002

MEETING 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, COURT REPORTER

1

---

[THE MEETING WAS CALLED TO ORDER AT 1:16 P.M.]

MR. BARTON:

If the Treasurer and District Attorney could come forward. And Ladies  
and Gentlemen, please take your seats.

LEG. TONNA:

As we -- I guess Legislator Guldi isn't here yet but, you know, that  
east end traffic.

LEG. TOWLE:

You have to do something about that.

LEG. TONNA:

I say the show must go on.

LEG. BINDER:

George said he's had enough.

LEG. TONNA:

He's had enough, right. Okay. Henry, I guess you can -- if I'm not mistaken, we start with -- oh, okay. We don't even start with a roll call, huh?

MR. BARTON:

Not until you vote.

LEG. TONNA:

Okay, not until we vote. You mean for you? No, okay. Hold it one second.

MR. BARTON:

I'm all set. Are you?

LEG. TONNA:

Okay. I'd ask all to rise for the salute to the flag led by Legislator Carpenter.

#### Salutation

I'd ask that you stay standing and I would like to introduce Legislator Carpenter for the purpose of our Clergy introduction.

LEG. CARPENTER:

Thank you very much. It is an honor for me to introduce our Clergy this morning. Father Jim Vlaun from St. John the Baptist High School in West Islip and Our Lady of Lourdes Parish is always there ready to help out in any way in the community, and he seems to have assumed that role here at the Legislature, whenever we need anyone he's always there and willing to say yes. So we're very glad that on this very

special Organizational day that Father Jim is able to be here with us.

Father Jim?

FATHER VLAUN:

I'd also like to be put on the County roll because I've been here like

2

---

three times in the last two weeks, so maybe we could work something out; maybe a parking spot, that would be nice.

LEG. FISHER:

For all of us.

FATHER VLAUN:

All right, I'll work on that, I'll say a prayer for that.

We ask the Lord to bless us as we begin this time together and as we begin this important year together, the year of healing and a year of reaching out to those around us. So let us pray.

God our Creator, we ask you to bless all of us gathered here today, those of us who are elected, family members. We ask you to bless all media personnel and everyone here in this room. Help us to serve you in any way that you call us to. Help us to recognize your needy people, the people of Suffolk County who have called us forth and asked us to serve them and serve you at the same time. Bless the work of this Legislature, bless all of the work that we do in our lives, that we may know that you are present every moment of our lives, and we ask this in the name of God. Amen.

LEG. TONNA:

Okay, I would like to recognize the Clerk, Ed Romaine, County Clerk, for administering the Oath of Offices. First of all, for the Honorable Alfred Tisch, our new Suffolk County Sheriff.

Applause

Everyone can sit down. Please, sit down, make yourselves at home.

(Oath of Office was Administered to Alfred C. Tisch,  
Suffolk County Sheriff, by the Suffolk County Clerk, Ed Romaine)

Applause

LEG. TONNA:

Okay. Next I would like to introduce our Clerk of Suffolk County to administer the Oath of Office for the Honorable John Cochrane, Suffolk County Treasurer. John?

(Oath of Office was administered to John C. Cochrane, Suffolk County Treasurer, by the Suffolk County Clerk, Ed Romaine)

Applause

LEG. TONNA:

And I'd like to at this time just to recognize our new District Attorney, Tom Spota. Tom, congratulations.

Applause

We look forward to working with you, all of you.

3

---

Ed, after we're done with the signing of the book, can we go in the opposite way because I'm still hoping that Legislator Guldi will get here. So if we start with 18 and work our way, maybe --

LEG. BINDER:

We're doing it together.

LEG. TONNA:

Oh, I guess the signing of the book or something, right? Okay, no problem. I'm trying. Write slowly. Okay. It's usually not a problem for me. Okay. I guess, Ed, it's your show once more.

MR. ROMAINE:

Well, I'd ask all of the newly elected Legislators if they would stand, please, and raise their right-hand and repeat after me.

(Oath of Office was administered to 17 Suffolk County Legislators by the Suffolk County Clerk, Ed Romaine)

Congratulations to all.

Applause

LEG. TONNA:

Thank you. I guess we'll start with Legislator Cooper to go over there and sign the official book.

LEG. COOPER:

I'll sign slowly.

LEG. TONNA:  
Sign it slowly.

(\*Legislator Guldi entered the meeting at 2:23 P.M.\*)

Applause

LEG. BINDER:  
Mr. Chairman, I propose we vote on whether --

LEG. CARPENTER:  
Whether or not we swear him in?

LEG. GULDI:  
Go ahead.

LEG. CARPENTER:  
We have an open seat, we'll have a special election.

LEG. TONNA:  
George, why don't you -- okay. Are you going to swear George in separately? Because I'll tell you, it wouldn't be such a bad thing if he doesn't get sworn in. You know what I mean?

LEG. GULDI:  
Sworn in, sworn at, whatever.

4

---

LEG. FISHER:  
Sworn at maybe.

MR. ROMAINE:  
He's my Legislator. How can I not swear him in?

LEG. TONNA:  
We can have a special election, George.

LEG. TOWLE:  
You want to wait until after the PO vote?

LEG. TONNA:  
Absolutely.

(Oath of Office was administered to Legislator George Guldi  
by the Suffolk County Clerk, Ed Romaine)

Applause

LEG. TONNA:

Paul, as Legal Counsel, and hopefully soon to be, I want a full memo on the legality of that action.

MR. SABATINO:  
Unlike Nassau County, we do it the right way.

LEG. TONNA:  
Whoa. All right, here we go. Allan is doing his -- okay. Maxine, you're next.

LEG. BISHOP:  
Why don't we just form a line?

LEG. TONNA:  
We can move quicker now. Okay, we can move quicker, George is here.

LEG. GULDI:  
I apologize.

LEG. TONNA:  
Yeah, sure.

Okay, Henry, roll call. Where are you, Henry? It's much better than the last time, Henry. The last time I remember you doing a roll call I think you were falling asleep. All right. Go ahead, Henry. Roll call.

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

MR. BARTON:  
Wide awake. Legislator Caracciolo?

LEG. CARACCIOLO:  
Here.

LEG. GULDI:  
Here after all.

LEG. TOWLE:  
Here.

LEG. CARACAPPA:  
Here.

LEG. FISHER:  
Here.

LEG. HALEY:  
Here.

LEG. FOLEY:

Present.

LEG. LINDSAY:

Here.

LEG. FIELDS:

Here.

LEG. ALDEN:

Here.

LEG. CARPENTER:

Here.

LEG. CRECCA:

Here.

LEG. NOWICK:

Here.

MR. BARTON:

Welcome. Legislator Bishop?

LEG. BISHOP:

Here.

LEG. POSTAL:

Here.

LEG. BINDER:

Here.

LEG. TONNA:

Here.

LEG. COOPER:

Here.

MR. BARTON:

Mr. Chairman, there is a quorum present.

LEG. TONNA:

That's great to see, Henry. Okay. Now we'll move past the roll call to the second item on the agenda, the election of the Presiding Officer. I am going to recognize Legislator Carpenter for the purposes of a nomination.

LEG. CARPENTER:

Thank you. It gives me a great deal of pleasure to nominate a gentlemen for Presiding Officer to succeed himself.

In his tenure as the Presiding Officer, Paul Tonna has raised the professionalism at the Legislature to a level that really was unprecedented in previous administrations. He handles the power of the office with a sense of duty, a sincere respect for the institution, and more importantly, respect for the people. The caring and compassion that he demonstrates for those less fortunate in our County will be -- will certainly be something that will be long remembered after he's gone in years to come. He has put the heart back in government. And for those reasons I consider it a privilege to call him not only friend but Presiding Officer Paul Tonna.

LEG. TONNA:

Thank you very much, Angie. Legislator Caracciolo for the purposes of a second.

LEG. CARACCIOLO:

Thank you, Mr. Chairman. I would just like to note that three years ago the sense of Paul Tonna becoming the Presiding Officer wasn't quite as unanimous as I believe it will be today. And as you may or may not recall at that time, I had indicated that I had not voted for a Presiding Officer in a vote that prevailed since several of your predecessors, in my opinion, were really unqualified for the job.

I think as Legislator Carpenter has enumerated, you not only have brought professionalism to your staff, or your staff has brought professionalism to the Legislature, you have by your own example, day in and day out, to your staff, to the other members of the Legislature, those of us who will vote for you again today, demonstrated an outstanding commitment, a sense of excellence, and personally speaking, someone who has and I consider a good friend.

I would like to say to Carol, your mom, your children, they know what I'm about to say is true but for those who don't know, you may have read Paul's quote in today's paper that by 9 AM in the morning he has completed what most people haven't even yet broached for the day. And that's true because Paul rises every morning about 3 A.M. and he works on correspondence and other work related materials dealing with his business and with the Legislature, then by 7 A.M. he's downstairs in the kitchen helping mom and the helping the kids with breakfast and getting ready for school.

LEG. TONNA:

He didn't say I was cooking, Carol, all right? Because there might be a protest right there. The kids don't like my food.

LEG. CARACCIOLO:

And by eight o'clock he's helping the kids off to school and by 8:30, nine o'clock he's in the office, whether it be here in Hauppauge or one of his six business locations, supervising and running that corporation.

Paul, I just want to echo again what Legislator Carpenter said about you. I know it's shared by an overwhelming majority of this Legislature. I'm happy to say that two years ago when you were first elected I was one of just four Republicans, including yourself, that cast the vote for Paul Tonna with a majority of the minority; or almost I think it was unanimous majority of the minority. So that said, I think today you will be gaining a lot of support from people who previously did not feel that perhaps you were up to the task, but again, you have demonstrated over the last two years a fairness and even-handedness and I just want to wish you continued success. And I know bigger and better things are in your future. Thank you.

LEG. TONNA:

Thank you very much, Legislator Caracciolo. Okay, I guess we have a vote. How does this work? Roll call?

MR. BARTON:

Roll call.

LEG. TONNA:

All in favor? No, I'm joking.

LEG. TOWLE:

Motion to recess.

LEG. TONNA:

I can just imagine. I just want to make sure that Legislator Guldi doesn't have an opportunity to speak now, so let's just keep on going.

MR. BARTON:

Before there are any other nominations.

LEG. TONNA:

Yes.

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

LEG. CARPENTER:

Yes.

LEG. CARACCIOLO:

Yes.

LEG. GULDI:

Yes.

LEG. TOWLE:

Yes.

LEG. CARACAPPA:  
Yes.

LEG. FISHER:  
Yes.

LEG. HALEY:  
Yes.

LEG. FOLEY:  
Yes.

LEG. LINDSAY:  
Yes.

LEG. FIELDS:  
Yes.

LEG. ALDEN:  
Yes.

LEG. CRECCA:  
Yes.

LEG. NOWICK:  
Yes.

LEG. BISHOP:  
Yes.

LEG. POSTAL:  
Yes.

LEG. TONNA:  
Don't follow your conscience.

LEG. BINDER:  
Yes.

LEG. TONNA:  
Yes.

LEG. COOPER:  
After pausing for dramatic effect, I'm going to vote yes.

MR. BARTON:  
18. Congratulations.

P.O. TONNA:  
Thank you very much.

Applause

(P.O. Tonna shook hands with Legislators)

9

---

(Oath of Office was administered to Presiding Officer Paul J. Tonna  
by Suffolk County Clerk, Ed Romaine)

Applause

P.O. TONNA:

Okay. Now we're going to the election of the Deputy Presiding Officer and I am going to recognize Legislator Dave Bishop for the purposes of a nomination.

LEG. BISHOP:

Thank you, Presiding Officer Tonna. Congratulations on your reelection. With the retirement of our friend Legislator Michael D'Andre, who I'm glad to see is in the audience today; welcome, Michael.

Applause

Not only brings me a new neighbor to my right, Legislator Nowick, but also provides this Legislature with a new dean, the now longest serving Legislator is my colleague to my immediate left, Legislator Maxine Postal. Congratulations, Maxine.

Applause

LEG. CRECCA:

Condolences or congratulations?

LEG. BISHOP:

As we all know, during her career, Maxine has been a strong voice for those in our County and our society who otherwise may not be heard. In addition, as Deputy Presiding Officer she runs a terrific meeting, some might say better than the actual Presiding Officer.

P.O. TONNA:

Even said by the Presiding Officer.

LEG. BISHOP:

And perhaps most importantly of all, she's a good person and a good friend. So it is an honor to nominate for the post of Deputy Presiding Officer Legislator Maxine Postal.

Applause

P.O. TONNA:

I'll be recognizing Legislator Fields for the purpose of a second.

**LEG. FIELDS:**

It is an honor and a pleasure to second the nomination for a lady who leads by example and is part of our women's caucus, who we have now expanded to have another lady join with us, and on behalf of all of our colleagues, we would -- I would like to second the nomination.

**P.O. TONNA:**

Thank you. Henry? Roll call.

10

---

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

**MR. BARTON:**

Legislator Postal.

**MS. FARRELL:**

No, Bishop.

**MR. BARTON:**

Oh, I'm sorry.

**P.O. TONNA:**

Bishop I think.

**MR. BARTON:**

My mistake. Legislator Bishop?

**LEG. BISHOP:**

Yes.

**LEG. FIELDS:**

Yes.

**LEG. CARACCILO:**

Yes.

**LEG. GULDI:**

Yes.

**LEG. TOWLE:**

Abstain.

**LEG. CARACAPPA:**

Yes.

**LEG. FISHER:**

Yes.

**LEG. HALEY:**

Abstain.

LEG. FOLEY:  
Yes.

LEG. LINDSAY:  
Yes.

LEG. ALDEN:  
Yes.

LEG. CARPENTER:  
Yes.

LEG. CRECCA:  
Yes.

11

---

LEG. NOWICK:  
Yes.

LEG. POSTAL:  
Yes again.

MR. BARTON:  
Fair enough.

LEG. BINDER:  
Abstain.

LEG. COOPER:  
Yes.

P.O. TONNA:  
Yes.

MR. BARTON:  
15.

P.O. TONNA:  
Congratulations, Maxine.

Applause

(Oath of Office was administered to Deputy Presiding Officer  
Maxine Postal by the Suffolk County Clerk, Ed Romaine)

Applause

LEG. CRECCA:

It's short, right?

P.O. TONNA:

This is a rough crowd. Anyway. First I would like to congratulate Legislators Mike Caracciolo, George Guldi, Fred Towle, Joe Caracappa, Vivian Fisher, Marty Haley, Brian Foley, Bill Lindsay, Maxine Postal, Vivian Fisher -- sorry. Ginny Fields -- I knew I should have read it -- Cameron Alden, Angie Carpenter, Andrew Crecca, Lynne Nowick, Dave Bishop, Allen Binder and Jon Cooper. The voters of Suffolk County have made very good choices. I wish to thank my colleagues once again for their expression of confidence in reappointing me as Presiding Officer of the Suffolk County Legislature. Thank you, Legislators Carpenter and Caracciolo, for those kind words in the nomination and second of my appointment. And congratulations to Maxine Postal on her reappointment as Deputy Presiding. We all can agree that she has done an outstanding job this past year in providing the leadership and balance needed as our Deputy Presiding Officer. Maxine, I want to personally thank you for the passion, the insight and the dedication that you bring to public service.

I'd also like to welcome our newest member, Lynne Nowick, former Receiver of Taxes from the Town of Smithtown, and wish her well in her new elected position. We hope to be a richer, more vibrant Legislative body because of your input, Lynne.

12

---

LEG. NOWICK:

Thank you, Paul.

P.O. TONNA:

A year ago today we were just at the start of a new millenium. Innocently and freely, we looked out over the horizon excited and seemingly prepared for the hope and prospects of what a new century could bring in an America bursting with prosperity. In the wake of the events of September 11th, we have struggled as a nation, as a County and as a community to come to grips with our feelings of shock, horror and vulnerability. As we continue to cope with the immense sadness and sense of loss, we realize that in many ways we will never be the same again. We have changed in at least two different ways. Our world became smaller as we became painfully aware that there is no distance so great that it will shield or protect us from violence or from the seeds of hatred which have been sowed so many, many miles away. We found ourselves to be tragically connected to what not so long ago seemed like far away places with names we could once hardly pronounce.

In addition, our community became larger as we shed our tears, said our good-byes and mourned the loss of family, friends and neighbors, and we garnered our resources for their relief. We celebrated acts of heroism and we applauded heroes. We did all these things not for strangers but for people we understood to be members of our human

community. As the people of this County march past September 11th, as a Legislative body we must march with them. No longer do we represent the ordinary in people, we now represent the extraordinary, the heroes and heroines of American, men and women who gave their lives to save others, mothers and fathers who brave each day alone.

As we move forward in this new year, the 18 Legislators seated around this horseshoe will be faced with a myriad of challenges which will require our best as public servants. Let us use our initiative, our power and our imagination to continue our bipartisan tradition in dealing with governmental challenges. It is my firm belief that we have demonstrated as a Legislative body time and time again that elected officials working together can accomplish far more than partisan politicians posturing for tactical or strategic advantage at the expense of their citizens. Bipartisanship does not mean that people stop thinking, stop adhering to ideals, stop believing in a philosophy or stifle debate. It does mean, however, that instead of blocking important legislation based on petty partisan squabbling or personal vindictiveness, elected officials work together to achieve results, not simply make statements or engage in rhetoric.

As John Kennedy once said, let us not seek the Republican answer or the democratic answer but the right answer. Let us not seek to fix the blame for the past, let us accept our own responsibility for the future. Let us use our Legislative initiative, power and imagination to continue to provide the leadership necessary in delivering fiscally sound and responsible budgets.

I want to especially thank Legislators Carpenter, Caracappa, Bishop, Foley, Postal and Crecca for the hard work, long hours and tough leadership needed in passing our 2002 budget. Much has been said

about the economy for 2002 and what its impact on our operating budget will be. There are those who believe that the economy will bounce back faster than the experts have predicted; I certainly hope that this is the case. I publicly pledge today that if the economy bounces back rapidly and our sales tax revenues return to historic levels, then I will be the first person to join with my colleagues in making adjustments to our tax base for the year 2003. However, unless and until that hope for economic rebound occurs, I will not be supporting initiatives that try to undo the sound fiscal footing this County has been put on through many years of hard work. We should resist the temptation of resorting to fiscal gimmicks, make-believe budgetary savings or any other measure that does not pass the test of sound fiscal policy and long-term benefit to the Suffolk County taxpayers.

All we have to do is look across our County line to see the examples of fiscal disaster that take place when elected officials rely on partisan bickering and lie to the public about the cost of governmental services. The truth is that while the 2002 budget will

provide fiscal stability for 2002, there are still daunting budget challenges that Suffolk must face to provide fiscal stability in 2003 and beyond.

As a Legislative body, very, very busy Legislative body, having done so much constructive work these past few years, I believe that 2002 requires us to turn our attention on repairing some of the things that may not have been working as well as they should. First of all, I believe it is essential that we do everything within our power to restore public confidence in the integrity of our nationally acclaimed land acquisition programs. It is an unfortunate reality that mistakes have been made in what I hope proves to be isolated number of instances. With the trustworthy and competent professional in the position of the Director of Real Estate, we'll be able to get back our land acquisitions programs on track and make certain that we continue to preserve the thousands of environmentally sensitive acres of land that the public wants to see preserved but at a price that is both affordable and fair.

Second, something seems to be wrong with the Suffolk County Water Authority. Although we are not responsible for the day-to-day operation of that authority as the name might imply, we are responsible for appointing the five members of the Board or Trustees who run that operation. Recent disclosures reported in Newsday indicate to me that we must have a committee investigate allegations of whistle blower retaliation and unsafe space management practices.

Third, something is wrong at Suffolk County Community College, especially when the Board of Trustees had to step in to embargo \$2.8 million only three months into their fiscal year. After participating in what I can only describe as one of the more unusual community college budget processes, we need to find out what is going on at that college, why we were not alerted in advance to the need for board action and whether or not reforms or changes in the way we do business there are necessary.

Let us use our Legislative initiative, power and imagination and continue to work with the County Executive in promoting affordable housing and rental apartments in Suffolk. Young people struggling to live and work in Suffolk County must be a priority. Senior citizens living on a fixed income, balancing a social security check, nutritional needs and the high cost of prescription drugs needs relief. As Legislators, we need to continue to keep in mind those who are most vulnerable in our County. Let us pledge that we will not allow hunger to grow amidst the under utilization of food programs for which there is federal funding. That we will not consider a motel as a suitable substitute for a home for a child, that we will recognize

that a child who is not in school because of homelessness is not a child of another but is indeed our own child.

(Applause by Barbara LoMoriello)

Thank you. Most importantly -- I get a clap of one, there we go. Most importantly, as Legislators, let us not content ourselves with merely having poor people survive. Let us take as our challenge the exercise of vision and commitment of will to create opportunities that will promote their ability to thrive.

Finally, to those in the labor community, as Abraham Lincoln said in his first annual message to Congress, to secure to each laborer the whole product of his labor as nearly as possible is a worthy object of any good government. That is why we in the Suffolk County Legislature will make certain that the living wage is fully implemented this year without delay and without substantial dilution. Now you can clap, Dave, on that one.

There are many challenges that lie ahead of us. Now more than ever we must hold steadfast in our commitment and determination to be worthy of the trust that has been placed in us by the residents of Suffolk County as we strive to attain the highest standards of public service. After September 11th, we reached through the rubble of collapsed buildings and grasped our common humanity. As Legislators we are bound by that grasp as we move forward in our exercise of leadership on behalf of the people of this County. We are called to do no less, we are expected to do no less. Thank you.

Applause

Okay. I can see the Tonna family already left; that goes to show you how much they like hearing my voice.

LEG. CRECCA:

Want to do a five minute recess?

P.O. TONNA:

Okay. Why don't we give a five minute recess for our families to take pictures or whatever else and then we'll get on with the rest of our agenda.

[THE MEETING WAS RECESSED AT 2:04 P.M.]

---

[THE MEETING WAS RECONVENED AT 2:17 P.M.]

P.O. TONNA:

I'd ask all Legislators to please come to the horseshoe. Roll call.

Take your time, Henry.

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

LEG. CARACCIOLO:  
Here.

LEG. GULDI:  
Here.

LEG. TOWLE:  
Here.

LEG. CARACAPPA:  
Here.

LEG. FISHER:  
Here.

LEG. HALEY:  
(Not present).

LEG. FOLEY:  
Present.

LEG. LINDSAY:  
Here.

LEG. FIELDS:  
Here.

LEG. ALDEN:  
Here.

LEG. CARPENTER:  
Here.

LEG. CRECCA:  
Here.

LEG. NOWICK:  
Here.

LEG. BISHOP:  
Here.

LEG. POSTAL:  
Here.

LEG. BINDER:  
Here.

P.O. TONNA:

Here.

LEG. COOPER:

Here.

LEG. HALEY:

Here.

MR. BARTON:

18 present, Mr. Chairman.

P.O. TONNA:

Item 6 on the agenda, Resolution No. 2, adopting the Rules of the County Legislature.

LEG. HALEY:

Motion.

P.O. TONNA:

Okay. Motion by Legislator Haley, seconded by myself.

LEG. BINDER:

Mr. Chairman?

P.O. TONNA:

Yes. Legislator Binder, on the motion.

LEG. BINDER:

I think at minimum we should have -- even though we have it in front of us, Counsel should just go through them one by one. And there's something -- we might want to take them up one by one, it won't take all that much time to take the votes. But this way if we do it one by one we'll know what the rules are and make it a lot easier.

P.O. TONNA:

Allan, all I can -- this would be only my argument of why I don't want to go over rule one by one, and that is because basically this year as opposed to years in the past, and I don't remember any previous in at least the eight years I've been here -- we sent out the rules early, we sent out amendments, I think last year some Legislators were concerned that they looked at the rules for the first time on Organization Day.

LEG. BINDER:

This is the first time in twelve years.

P.O. TONNA:

Yeah. So we did send them all out, we had everything done. So I would just say if, you know, it might make some boring reading for some, but everyone should have reviewed these rules. And I know Legislator Crecca probably did his already due diligence and looked them over. So I would say if you want, maybe Legal Counsel can go on the memo of changes.

LEG. CRECCA:  
That's what he's talking about.

P.O. TONNA:  
How is that?

LEG. BINDER:  
All right. Well, we can start with that. I also have a possible amendment to it.

P.O. TONNA:  
Okay. Well, that's okay.

LEG. BINDER:  
Okay.

P.O. TONNA:  
You know. But I just don't want to go over all 22 rules.

LEG. BINDER:  
All right.

P.O. TONNA:  
I've tried to memorize each one of them, but --

LEG. BINDER:  
Okay.

P.O. TONNA:  
Okay. So Legal Counsel, I'd ask that maybe you can just go over some of the proposed rule changes this year.

LEG. HALEY:  
Mr. Chairman, can we have a discussion on each one as he goes or do you want to wait until he goes over all of them?

P.O. TONNA:  
I'd say let him give his presentation and then we'll have a discussion on them if we need to.

LEG. HALEY:  
Okay.

P.O. TONNA:  
Thanks, Marty.

MR. SABATINO:  
All right, this year there is -- there year there are nine proposed changes. The changes are as follows: There's a memo in the -- there's a memo I prepared that's in the folder if you want to just go

along with me, you don't have to but it might be helpful.

The first proposed change is just to strike reference to Bond Counsel in the rules since it shouldn't be there because the County Charter was not amended to have Legislative designation of Bond Counsel. So that would correct an error in the rules.

18

---

Item No. 2 is to make a substantive change and what it would do here is it would have Executive and Department Presentations occur after the public portion instead of before the public portion. So it would just reverse that order in the current rules.

Item No. 3 would change the kick-off time for Legislative day meetings from 9:30 to 9 A.M. in the morning.

LEG. CARACAPPA:

Which means we start at 9:30.

MR. SABATINO:

The fourth change just conforms that nine o'clock change in two different sections of the rules.

The next item is to require a separate public hearing, separate and apart from whatever statute, be it State or local, might require for legislation whenever the proposed legislation is suggesting an increase in revenue to the County of at least \$1 million. So what that means is that if some legislation is filed, even though it may already require a public hearing by virtue of State or Local Law, separate and apart from that hearing there would be the subsequent, separate day public hearing on that particular piece of legislation if it's going to have a million dollars or more of revenue generating impact.

LEG. CARACAPPA:

Mr. Chairman, just a quick question on at that, if I could, before you went on. Is that at your discretion or will it be automatic?

P.O. TONNA:

The meeting?

LEG. CARACAPPA:

The public hearing.

P.O. TONNA:

Automatic.

LEG. CARACAPPA:

Automatic, separate from the General Meeting.

P.O. TONNA:

Yeah. If we're talking about the -- yes. There were some Legislators who came to me, and I think rightly so, and said when you're doing revenue increases like the quarter cent that we extended last year or something, we should give a time for the public to speak and give us as Legislators an opportunity to absorb that public testimony before we vote, and that's the reason why we've done it this way.

LEG. CARACAPPA:

Very good. Thank you.

P.O. TONNA:

Okay, thank you.

MR. SABATINO:

The next change deals with the Cinderella Rule which is when meetings have to end at midnight, this would provide one more option which is the Presiding Officer could recess the meeting prior to midnight to the next day at ten o'clock in the morning. So that would just add one more option to the Cinderella Rule.

Item No. 6 is just a technical change. The Finance Committee that's referenced in the Budget Review Steering Committee was erroneously designated and this just corrects the title.

Item No. 7 just conforms the rules on when a Certificate of Necessity is going to be referred to at committee, what priority it gets. This would just conform the language in Rule 11 to the language that's already in Rule 7. There was just a little bit of confusion because it didn't appear in both places and it should have; that's really technical in nature.

The eighth item is a conforming change on the nine o'clock meeting that I mentioned before.

And the last proposed change, which is No. 9, is a suggestion to reduce the time allotted to speakers at public hearings from ten minutes to five minutes.

LEG. HALEY:

On the motion?

D.P.O. POSTAL:

Legislator Haley.

LEG. HALEY:

I would like to go to -- I lost my place here -- Item No. 5, Rule 8(D), Cinderella. Perhaps Counsel -- I would just like to walk through a scenario.

P.O. TONNA:  
Why the rule?

LEG. HALEY:  
Yeah, I just --

P.O. TONNA:  
Okay.

LEG. HALEY:  
I want to get an idea --

P.O. TONNA:  
Let me just tell you, I asked --

LEG. HALEY:  
Let me finish asking the question.

P.O. TONNA:  
Oh, I'm sorry.

20

---

LEG. HALEY:  
I'm just curious that if it's two minutes to twelve o'clock that you on your own without a vote can recess it until ten o'clock the next day; is that what this rule does?

MR. SABATINO:  
That's correct.

P.O. TONNA:  
Yes. What it is, Marty, is a number of Legislators --

LEG. HALEY:  
Yeah, but you can do that at ten then, at 9:30, at seven o'clock.

P.O. TONNA:  
Well, I can tell you this. You know, in a certain sense I could do it anyway, all we did was put it in the rules to codify it a little better. But what I'm trying to do is communicate to Legislators and what Legislators communicated to me in thinking about rule changes was that you know one minute to twelve, seventeen people say, "We're not voting to extend the meeting past twelve o'clock," and at the same time --

LEG. HALEY:  
Want to get things done.

P.O. TONNA:  
-- I want to get all our bills in. And then we race and I think -- as a matter of fact, I think we had a conversation at one time about

racing at the end of a meeting and actually voting for something that, you know, you would have liked to have had a little more time to consider. And so what I'm -- I guess what the communication is is that this time we're going to finish the meetings at twelve, people don't have to worry about staying until one, two, three in the morning, especially when we do a night meeting in Riverhead, and then if we don't get the business done we're going to come back the next day at ten o'clock. Personally, that's tough for somebody like me who might have, you know, a business --

LEG. BINDER:  
Golf.

P.O. TONNA:  
Not a golf game; in the summers we don't have that many meetings. Don't worry about that. And if not I'll forget that rule then. No, I'm joking. Anyway, my point is is that it's very important for Legislators up front, you know, Legislators who have to manage an office and other things to know that the next day there's a good possibility that you're going to come back the next day

LEG. HALEY:  
Mr. Chairman? What my concern is is that are we -- in absense of this language, you say that you still have that ability to call a recess at any time. Typically what happens, and I'm concerned about technically -- I'll give you a perfect example. It doesn't matter who the Presiding Officer might be at any given moment, but a Presiding

Officer can, seeing at the end of an agenda a particular piece of legislation that he or she doesn't like and can choose to call a recess until the next day, right?

P.O. TONNA:  
Yes.

LEG. HALEY:  
Based on what you said, you can do that anyway.

P.O. TONNA:  
But Marty, I'd say this. First of all --

LEG. HALEY:  
It has nothing to do with you, Paul.

P.O. TONNA:  
No, I know, it's not personal. But that Presiding Officer, whoever it is, with the -- it shouldn't have been on the agenda anyway; no, I'm teasing. But if it is on the agenda, whether it's that day or the next day at ten o'clock, you're going to have to face the inevitable. If anything, this empowers legislation to go through more

expeditiously because it's saying that we're not going to wait a month. If you don't get ten votes past twelve o'clock, you might be looking to our next meeting date before the legislation is looked at. Now we're saying ten o'clock the next day we're still going to get to this agenda.

LEG. HALEY:

I'm just concerned about -- I still don't have it right. I'm concerned about the acts of a single individual.

P.O. TONNA:

Right. But I could right now -- right now technically the Presiding Officer, if I'm not mistaken, at nine o'clock could recess the meeting to that anyway. All we're doing is -- all we're doing is putting it in the rules for me to be able to communicate very clearly to everyone my expectation.

LEG. HALEY:

Not that I don't believe you, I just would like to know the particular section where that gives anyone who is presiding the ability to recess to another day.

MR. SABATINO:

The ability to -- for the Presiding Officer to recess meetings is in Rule 3, Paragraph F, Sub-Paragraph 5; that would be like page four --

P.O. TONNA:

To recess the meeting.

LEG. HALEY:

What page is that?

MR. SABATINO:

To recess a meeting, right.

P.O. TONNA:

Page four, F 3(5).

MR. SABATINO:

Well, it's 3(F)5.

P.O. TONNA:

I did that in memory.

LEG. HALEY:

Okay. I'll pass on that while you're answering other questions.

LEG. BISHOP:

Mr. Chairman?

LEG. FISHER:  
Mr. Chairman?

P.O. TONNA:  
Cameron was next, I'm sorry.

LEG. CRECCA:  
Put me on the list.

LEG. ALDEN:  
And this ends up more of a comment than a proposed rule change. In the rules we already have some provisions that some type of committee report can be given before we vote on certain legislation, and I think that that would -- I would find it useful and I think that other Legislators might find it useful because if the committee is doing its job then they have investigated things and we don't have to spend the same amount of time, you know, here in the Legislature. But it can become confusing when the legislation is just put before us, we don't really have an idea of what went on in the committee. So barring us moving the committees to three or four weeks before each General Session because that would give enough time to type the minutes and get them out to us, then I think what we should do is reinstate the policy of the Presiding Officer or the Deputy Presiding Officer to at least read the committee out report and/or call upon the Chairman of each individual committee to just explain what happened in the committee, you know, quickly, if there's a controversial type of issue.

P.O. TONNA:  
Right. One of the issues brought up by a number of Legislators, again, in discussing with me was the idea of when a piece of legislation that's non pro forma, okay, that's a little more than pro forma, that actually the first person that the Presiding Officer or the Deputy Presiding Officer as a courtesy recognizes is the committee chair so that they can speak basically and recap what happened in the committee. And I think that's a good idea and I will be doing that.

LEG. ALDEN:  
Good. The second thing is -- and I know you tried to do this during the course of the year, but to eliminate late starters. The problem is that most of the late starters that we have come through are not

---

emergencies, they're done right at the end of the meeting and it creates a sense of confusion and also it gives a circus atmosphere to an otherwise well run meeting. So what I would suggest is that either we try to discipline ourselves and eliminate the need for all these late starters or that the Presiding Officer, working with maybe Legislative Counsel and myself, can come up with some other solution to this because it does really --

LEG. BISHOP:

Can I comment on that?

LEG. ALDEN:

It lends to mistakes being made because things are going at too quick a pace.

LEG. BISHOP:

Just on this point.

P.O. TONNA:

Legislator Bishop wants to comment on this point, is that okay?

LEG. BISHOP:

On the late starter point.

LEG. ALDEN:

Yes.

LEG. BISHOP:

Why do we have a deadline for filing? Why can't the deadline be the close of the meeting.

LEG. ALDEN:

Good point.

LEG. BISHOP:

It's kind of arbitrary to begin with and it's only done for clerical purposes and our clerical staff has never failed to generate the documents in time. So it's not --

P.O. TONNA:

I will let Henry comment and then I'll comment on the idea.

MR. BARTON:

Well, I appreciate the compliment -- I appreciate the compliment, we've never failed to generate the documents. The problem that we have is that you have to not only print them but they have to be given a committee assignment by the Presiding Officer and be assigned to committees so that your offices, as committee chairs, can generate your own agendas.

LEG. BISHOP:

But they're always able to do that, it's never been a problem. Nobody's ever been shut out --

P.O. TONNA:

Dave, what will happen is -- Dave, what will happen is this.

---

LEG. BISHOP:

-- to give something of a logistical problem.

P.O. TONNA:

What you're thinking about -- well, first of all, that's another issue, right? You kind of somehow answered Cameron's and then went into the next issue.

LEG. BISHOP:

No, it's the same issue which is why have a -- there wouldn't be a need for a late starter rule if there wasn't a deadline which was --

P.O. TONNA:

Well, just imagine this. Most of us get a packet at the horseshoe the day that we're done with all the new bills that are filed. Now imagine Legislators saying, "I can just hand them in by the close of the meeting."

LEG. BISHOP:

Then why don't you make it the close of business the day before?

P.O. TONNA:

I just don't want to add to the clerical -- I do not want to --

LEG. BISHOP:

Make it five o'clock on the Monday before the meeting or the day before the meeting.

P.O. TONNA:

What I'm suggesting is is that -- what I'm suggesting is that that would be an incredibly tough administrative thing to carry out and then I would have to hear from Henry to say that we need more FTE's to be able to deal with Legislators who could just discipline themselves and submit their bill and if there's an emergency let it be considered. Legislator Alden has the floor

LEG. ALDEN:

Working along Legislator Bishop's line of thought, though, there might be something that we can work with Henry and his staff whereby maybe we don't get the packet that day or that night and maybe we get it the next day or, you know, delivered, something along those lines, soemthing that would be a little bit more uniform and a little less confusing because at the end of the meetings it does get a little nutty, actually.

MR. BARTON:

If you don't want the packets at the meeting, we can deliver them to you later in the week, as long --

LEG. ALDEN:

We might be able to work something like that out.

MR. BARTON:

But we still need time --

LEG. ALDEN:

I would defer to Legislator Crecca.

LEG. TOWLE:

Mr. Chairman?

MR. BARTON:

-- for the paper to go to the print shop and physically allow it to be printed so it can be distributed.

LEG. ALDEN:

I would defer to Legislator Crecca for just a quick comment on it.

LEG. CRECCA:

Yeah, I mean, part of -- there's no advantage to getting the packet that day anyway because it ends up being all this other paper generated and stuff. I would prefer, and I think most Legislators would prefer to get the packet two days later.

MR. SABATINO:

I have to interject, there's some confusion, okay? The one important legal requirement, the one important legal requirement is that the legislation has to mature for at least an eight day period of time. So that the trigger date is the date that the Clerk physically gives you those documents. If you don't get the packet on the day of the meeting, then the clock is going to start to run from a day, it's not going to be from the date of the meeting. The eight days will begin to run --

LEG. BISHOP:

I don't follow.

LEG. CARACAPPA:

You have to change the eight day rule.

LEG. BINDER:

Mr. Chairman, can I just -- on that point. I would take issue with that because we can decide what the definition is of being laid on the table. The definition as of right now in a sense is laid on the table is we have a packet in front of us, it's laid before us, but it can also be considered to us as laid on the table anything that is on, let's say, an errata sheet, you don't even have to have that.

MR. SABATINO:

That's -- with all due respect, that's not true.

LEG. BINDER:

And a sheet --

MR. SABATINO:

You have to have -- with all due respect, it's not true. You have to have a complete copy of the physical document which constitutes the resolution presented to you and physically laid on the table, that starts the clock running on the eight days.

LEG. BINDER:

Can I ask what that's based on?

MR. SABATINO:

Now, it doesn't mean -- it's under State Law and the Charter Law. But it doesn't mean that you can't lay it on --

P.O. TONNA:

It's the Charter Law.

MR. SABATINO:

-- two days later. It doesn't mean you can't lay it on two days later, but the problem is then your clock's not going to run from your meeting days. We already have -- from a practical standpoint, we already have enough difficulty just tracking the corrected copies, tracking the late starters, tracking all the legislation, if you start to now have floating days for your start up point -- I'm not saying it can't be done from a physical standpoint but we -- you're compounding the potential for error many times over.

LEG. BINDER:

Let me ask if -- if let's say these resolutions were available to every Legislator, not in paper but they were available by computer, so we have access to the full resolutions, we can get them if we wanted to but we didn't have to have the paper, the only thing we would have to take home with us, in a sense, are those late starters, but everything else -- and then these can be delivered in paper later, but I think legally it can be assumed that we have the full resolution, they're fully laid on the table and the clock starts from the moment that they've entered it into a computer system. So -- and I would assume that as they come in they put them into a system, so if we have access to it we have access to the full copy; can we consider that as laid on the table?

MR. SABATINO:

If the Clerk's got the capacity to -- I don't want speak for the Clerk, but if the Clerk's got the capacity to physically get you all of those resolutions and can provide some document to certify that, that becomes the date. But that presupposes that they're going to do all of those resolutions on the same date date certain, because we can't be running 72 different --

LEG. BINDER:

Well, let me --

P.O. TONNA:

Is it a fair question to ask the Clerk before we appoint this?

LEG. BINDER:

Yeah, I'd like to know --

MR. BARTON:

I'll do anything you want.

27

---

LEG. BINDER:

The question is does the Clerk have the ability to scan them in as they're coming in, meaning as up to the day before, do they -- can you scan in the resolutions? Let's say you have -- Paul gives you a resolution --

MR. BARTON:

Yes, yes.

LEG. BINDER:

-- the day before a meeting, you can scan it into the computer.

MR. BARTON:

We have the equipment, yes, we can scan resolutions in. However, it's been my experience, very cognisant of the fact of the next resolution, that if I don't have a deadline to work with, you guys will push it that much further.

LEG. BINDER:

I understand that, but that's -- but in a sense, that's not the question because if you can scan up to the day before and these are available to us on-line, the full text of them, then officially they have been laid on the table, we have access to the full text. Even if it's stuff from the day before, then the day of we would have to obviously take paper, so anyone bringing in late starters as normal, that's the paper we take home.

MR. BARTON:

Yes. We can scan resolutions in.

LEG. BINDER:

Then legally we --

MR. BARTON:

But you don't -- but you very rarely, as individuals, file resolutions.

LEG. BINDER:

That's what I'm saying.

MR. BARTON:

Ninety-nine percent of the time the resolutions that we receive we get from the Counsel's Office.

LEG. BINDER:

Come from Counsel, right.

MR. BARTON:

That just simply gets transferred over.

LEG. BINDER:

And if he gave it to you the day before --

MR. BARTON:

The backup becomes somewhat problematic and we are also attempting to go get into a better relationship with the County Executive's Office

28

---

to allow them to electronically do the same thing when it comes to filing.

LEG. BINDER:

The other question is if you got them from Counsel, Counsel would have it in the computer already, so they would also be able to transfer the file to you electronically, they can make it available electronically to every Legislator. So up until the day before --

MR. BARTON:

Legislature Binder, if you are asking me what would make the process less cumbersome, what would make it a better system, I would say to you, please do something to eliminate or reduce the numbers of corrected copies and all of the other -- all of the changes, the technical corrections that take place after the fact.

LEG. BINDER:

That will never happen.

D.P.O. POSTAL:

There are other people on the list. Legislator Binder, are you finished?

LEG. BINDER:

Well, that --

D.P.O. POSTAL:

With the question.

LEG. BINDER:

On that point, yes.

D.P.O. POSTAL:

Okay. You were next on the --

LEG. BINDER:

I don't know if Legislator Alden is done it's his point.

LEG. ALDEN:

Basically I'm going to be trying to work with Henry and anybody else that really expresses an interest and try to straighten some of that out.

D.P.O. POSTAL:

Okay. Did you have another question, Legislator Binder?

LEG. BINDER:

Yeah, a point on another portion. It seems me that there are two meetings a year that the Legislature has -- under the rules we have to have night meetings, and we were just talking about the problem that comes on at twelve o'clock. Well, we all know that by seven, eight o'clock, nine o'clock, we're still looking -- on night meetings, we're still looking to get voting. Sometimes we start nine, 9:30, we might have a recess, there might be, you know, a dinner break, pizza in the back, whatever is going on, and those are the meeting where everyone is screaming. If you want to know the meetings where everyone is

screaming, "Motion to take mine out of order, please, I've got to get this done now," that's the meeting that it happens at. And if we're going to be going the next day, the highest likelihood of two-day meetings are going to be those two.

I would ask the Clerk, and I think we prepared a little bit because he knows what kind of turnout we get at night meetings. All things being equal, meaning when there isn't a big issue at a day meeting, isn't a big issue at a night meeting, my understanding of the numbers is that the numbers are not appreciably different. And so we're not doing what this reports to do, by the seven o'clock is giving access to people because we don't get all that more -- we don't get more people.

MR. BARTON:

I was surprised to find a year ago when I looked back for five years that we did not get more people at night meetings than the day meetings. We were consistent again this year to find when we looked back that the number of people who filled out cards for the public portion and for the public hearings were more or less the same whether the meeting took place during the day or it took place in the evening. I had expected, when I first looked a year ago when I think Legislator Carpenter might have asked me to do it, to find out if evenings meetings brought out more people; in fact, fewer people spoke at our night meetings than when we have our meetings during the day.

LEG. BINDER:

Okay. The comment Legislator Bishop rightly says, well, they're different people that will come in the night and the day. But the problem with the night meeting is we pick two arbitrary dates and say, "These two we're going to do night meetings." They may or may not be important meetings where people actually want access on those particular times. If the County -- if the Presiding Officer wants to do a night meeting on a particular day because it lends itself to a night meeting because of the issue, then that's understandable and we should do it that way, but I don't think in the rules we should force ourselves to have night meetings.

And I would then make an amendment -- I'd make a motion to make an amendment to take the requirement for night meetings and when we get to the agenda take the night meetings out. I know at knee-jerk it sounds like, "Well, people aren't going to like this. We can't do that, it sounds like we're being less accessible." But when you hear the numbers, when you hear the fact that we don't get more people, in fact, there are people that would come normally that come during the day that won't at night because maybe they have family obligations and dinner with the family and they're putting the kids to bed, and so they have other obligations so they won't come at night, maybe actually there's less access.

I would think that we can leave it to the discretion of the Presiding Officer on those days where as we go through the year we get to a time when there's an important issue and maybe that is the issue where it's time to have a night meeting, and at that point the Presiding Officer could move the meeting at his discretion to the night. So I'd make that -- I'd make a motion to just wait to remove the requirement from

30

---

the rules because I think all it does is it botches up the work on those times, we don't get any work done on those two meeting days.

D.P.O. POSTAL:

All right, is that -- motion to amend the rules.

LEG. BINDER:

One day.

LEG. HALEY:

What could -- could you repeat what the rule is?

MR. SABATINO:

It's Rule 15, that would be a motion to strike Rule 15(D) as in dog.

LEG. FISHER:

15(D)?

LEG. HALEY:

What date?

LEG. GULDI:

The night meetings.

MR. SABATINO:

Yeah, D, D as in dog shows the 5:30 night meetings, the requirement for two of them.

D.P.O. POSTAL:

All right. So there is a motion to amend Rule 15(D). Is there a second?

LEG. CRECCA:

You want to specifically state what the amendment is?

LEG. BINDER:

The amendment is to remove the requirement of having two night meetings a year so we have -- it will say we have to have them all at nine o'clock. In fact, I would also say the motion then would allow the -- give flexibility to the Presiding Officer to call a night meeting in advance of a meeting where there is -- if he seems that -- thinks that there's issue sufficiently important enough that people would want access in the evening.

LEG. BISHOP:

There's no second.

LEG. GULDI:

I'll second it for purposes of discussion, but I'd like to clarify one thing. Counsel --

LEG. FIELDS:

On the motion?

P.O. TONNA:

Yeah, I -- okay. Legislator Postal, you have a list?

LEG. POSTAL:

I had a list of people who wanted to speak on rule changes as a whole, but now we have a motion for an amendment and it's --

P.O. TONNA:

A specific motion. Legislator Guldi and then Legislator Fields, then Legislator Lindsay, Haley.

LEG. GULDI:

The point I wanted to make is with respect to the second aspect of the motion. The Presiding Officer of the special meeting notice authority has the ability to schedule a special night meeting any time on any

subject in any event.

LEG. BINDER:

I'm not referring to calling a night meeting. When the subject of a regular meeting -- if you leave it the way it is, 15(D) without the night meetings would say you have to have meetings at nine o'clock, as this rule says, nine o'clock. What I'm saying is that the Presiding Officer should be able when there -- during a regular meeting, if something is important enough he says, "Why don't we make that one" -- because we do it arbitrarily. We don't know which two should be night meetings, which are important enough that people would want to access the Legislature at night. The two we pick might be those two that have no issue of any significance or importance. So wonderful, we've said we're more accessible, but we have nothing for the people who want to come down to talk about, that's ridiculous. So I would leave it to the Presiding Officer to pick.

D.P.O. POSTAL:

Legislator Fields. Did you ask your question, George?

LEG. GULDI:

I did.

LEG. FIELDS:

I don't think that that's a good idea and the reason why is because there are the two scheduled meetings in the evening, it's posted, people know when it is, they can put it on their calendars, they can appear if they choose to do so. But conversely, if suddenly a meeting is called in the evening and we have a scheduled as Legislators meetings that we have to attend on that particular night or affairs that we are asked to be in attendance at, that would make it very difficult for us to try to have to reschedule our appointments.

LEG. BINDER:

Would you yield on that point?

LEG. FIELDS:

Sure.

LEG. BINDER:

I would think that Legislators here, knowing how we are in terms of our nine o'clock meetings, do not schedule things in the evening unless they say, "I'm probably not going to be making it but I'll try if we finish." Most likely the Legislature goes on and no one really

---

puts a hard and fast schedule on that evening, on the evening of scheduled meetings because we know in probability we're going to go past eight, nine, ten o'clock at night in our regular day meetings. So that's why --

LEG. FIELDS:

Oh, so you're saying that it's on the regular day that it would be.

LEG. BINDER:

Right.

LEG. FIELDS:

I see.

LEG. BINDER:

In other words, he moves it from nine --

LEG. FIELDS:

I thought you were saying --

LEG. BINDER:

-- because he says, "You know, there's an important thing, maybe people want access that night so I'm going to move it from" -- and maybe we would say that -- I would even say in the amendment that he has to give us a week in advance notice that he moves it from 9 A.M. to the 5:30 time and he does that knowing that there's a very important thing on the schedule for that particular meeting.

D.P.O. POSTAL:

Legislator Lindsay?

LEG. LINDSAY:

Just to add my two cents and that's that I'm opposed to this attempt to amend the rules. I think that it would be sending out an awful bad signal to the public, that we want to be accessible to the public, we want public participation, we want all of our citizens to be able to come here and to talk about whatever they want to talk about, whatever issue they want to talk about. And I think to change these rules would be wrong.

D.P.O. POSTAL:

Legislator Haley.

LEG. HALEY:

I appreciate Legislator Lindsay's two cents but in union rates it's eight cents, it's not two cents.

LEG. BINDER:

That's living wage.

LEG. HALEY:

That's living wage, right? I'm sorry, Allan, I don't agree with you. I happen to -- I like efficiency and I think that when we have night meetings it's amazing how quickly we can get things done. And now, considering that you brought it up, I think that the rule change to give the Presiding Officer the ability to Cinderella us till 10 A.M.

the next morning will give us even more incentive to get our job done. Because I was -- I misunderstand. I always -- In my view, I always thought Cinderella meant that we were going to just -- if we didn't finish by midnight we would go to ten o'clock, that's not the case. Cinderella just simply means if you are not done by 12 you go to the next scheduled meeting.

So now that I've read this paragraph three times over, and perhaps some day in the future it could be rewritten so it's easier, I agree with that. But I don't agree with you and the night meetings for that reason, plus I really think there's a whole different set of individuals who can make and do come down on nights and we have to make sure we give them the opportunity.

P.O. TONNA:  
Legislator Caracciolo.

LEG. CARACCIOLO:  
Thank you, Mr. Chairman. Listening to this debate or discussion, it brings to mind, you know, what is the purpose of the Legislature and what are we here to do? We're here to do the people's business, and if that means we convene at 9 A.M. or 9:30 A.M. or 5:30 P.M. for a P.M. meeting, so be it. I think it's most important that we focus in on being efficient. I've heard the word now used by several Legislators and I think we all agree that this is one Legislative body that could use more efficiency. Perhaps we should look to other Legislative bodies --

P.O. TONNA:  
And proficiency. Go ahead.

LEG. CARACCIOLO:  
-- around the State, around the country, at our level of government and incorporate what they incorporate and that is eliminate, eliminate in its entirety the public portion. It is duplicative, we already have -- well, hear my argument.

P.O. TONNA:  
No, I'm listening. You can see how much I -- no.

LEG. CARACCIOLO:  
I mean, I don't want to say, you know, Legislative attendance records and who comes late to meetings, because I have a very good memory when it comes to things like that. And I can recall over a period of several years, particularly when we were meeting in Riverhead, several Legislators from I won't say where that were routinely late, not by a few minutes but by hours. And number one, that's disrespectful to the people they represent. And I think in part they probably perceive that their time could be better spent doing other Legislative business, be it with constituents in their office, in the back rooms of Riverhead or wherever, rather than sitting at the horseshoe and listening to a lot of redundant speeches that they may have heard during the committee process.

When you look at other Legislative bodies in the State, including the State Legislature, the public is invited to address the State Legislature, and the means by which they do that is by attending Legislative committees. Because before legislation can become legislation and get to the floor of the State Legislature or the County Legislature in Nassau and Westchester and other counties, it has to obviously meet muster and be approved out of committee.

So I would submit in consideration of efficiency, if that's the goal, and we want to eliminate night-time meeting because they start at a late hour -- and in truth, after we get through the public portion of a night-time meeting it's already eleven o'clock, and now we're going to consider as part of the rule changes today a Cinderella rule that's going to give the Presiding Officer, and that's as it should be, the prerogative of carrying the meeting over to the next day. I know you run and own and operate a business, I know other Legislators --

P.O. TONNA:  
It's very tough.

LEG. CARACCILO:  
-- are practicing attorneys and have other interests. I don't know that automatically, in advance of a Legislative meeting, that they can juggle their Legislative -- I mean, their professional calendars to accommodate what may or may not happen as a result of a carry-over meeting. So I would suggest the following. I mean, here we are about an hour into discussion on some simple rule changes and we can't seem to even gain consensus, I would say, Mr. Chairman, you should organize an ad hoc committee to have a report back to the Legislature, adopt the present rules temporarily and at a subsequent date, our next meeting or the meeting thereafter, have an ad hoc committee come back with a consensus and input from every member of the Legislature so that when we convene again we don't need to spend unnecessary time hashing out some really what should be routine changes today for hours and hours and hours.

P.O. TONNA:  
Well, maybe what I would ask, in the spirit of efficiency, is that Legislator Binder, you have a motion and a second, right? Okay, are you still seconding that, Legislator Guldi?

LEG. GULDI:  
(Shook head yes).

P.O. TONNA:  
Okay. Let's just cast this vote, I think there will be two, maybe three people who vote for this, whatever it is, let's go down that road, let's get these things going. And I think that after all of this, although I would never want the committee called the rules committee, the fact is, you know, maybe we should -- maybe we should at least -- if I had to do this over again now in hindsight maybe a

month or two ago, maybe November 7th, I should have asked a few Legislators, you know, to work together on looking over the rules and build some consensus about what would have been better in running the meetings. And so now that I'm on the record with that, and Legislator Binder, I might even appoint you to that committee, you know. So as

35

---

long as it's not called the rules committee, we'll look at that for the future. But let's vote on this and let's get this meeting over with. Okay, Legislator Binder, roll call. All Legislators please come to the horseshoe.

LEG. GULDI:  
No roll call.

P.O. TONNA:  
No roll call. Okay. There is a motion and a second to strike -- what is the rule?

MR. BARTON:  
15(D).

LEG. BINDER:  
To strike the part of 15(D) that refers to the requirement for --

P.O. TONNA:  
Night meetings.

LEG. BINDER:  
-- night meetings and add language Counsel can come up with to give the Presiding Officer the ability to call them when it is appropriate rather than

P.O. TONNA:  
Right, okay.

LEG. BINDER:  
Specifically mandate them.

P.O. TONNA:  
There is a motion and a second. All in favor? Opposed?

(Opposed said in unison)

Okay, Legislator Towle, Caracappa, Fisher, Haley, Foley, Lindsay, Postal, Fields -- I don't know, it must be something in my brain -- Alden, Carpenter, Crecca, Nowick, Bishop and Cooper.

MR. BARTON:  
Mr. Chairman, which Legislators --

P.O. TONNA:  
Voted for it? Legislator Binder and --

LEG. GULDI:  
I'm abstaining.

P.O. TONNA:  
Legislator Binder.

MR. BARTON:  
One.

36

---

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

LEG. TOWLE:  
Mr. Chairman?

P.O. TONNA:  
Okay. Although I'm with you, Allan, I sympathize.

LEG. TOWLE:  
Mr. Chairman?

P.O. TONNA:  
There's a motion and a second and then we're going to have to recognize -- I think there's a discussion on the other stuff. Okay, there's a motion and a second with regard to what? Oh, the rules.

LEG. TOWLE:  
On that motion?

P.O. TONNA:  
And the next one is Legislator -- did Caracappa speak yet? Okay, Legislator Fisher on the rules. It's Fisher, Crecca, Towle, Guldi, Caracappa, Lindsay, Fields, right?

LEG. BISHOP:  
They all want to change the rules?

LEG. FOLEY:  
Some of them spoke already.

LEG. FISHER:  
No, I haven't spoken.

P.O. TONNA:  
Okay, Legislator Fisher.

LEG. FISHER:

I wanted to return to an earlier discussion. Legislator Haley had asked several questions about page 14, Rule D, the Cinderella Rule and the 10 A.M., recessing to 10 A.M.. And Paul, I was hoping you could just clarify for me how this is not a contradiction. If we could just look at the language on page 14, there's one sentence that says, "Such meeting shall be recessed" --

MR. SABATINO:

Right. The first part --

LEG. FISHER:

-- "at midnight to another day."

MR. SABATINO:

The first part requires a procedural motion.

LEG. FISHER:

Procedural motion.

37

---

MR. SABATINO:

So what that section says is that to recess the meeting at midnight it takes a procedural motion by the full Legislature.

LEG. FISHER:

It would move it to the 10 A.M. And then at the end of the paragraph it says, "Unless the Presiding Officer has recessed the meeting prior to twelve midnight to the next day."

MR. SABATINO:

Right, because that ties into the beginning of that sentence which says that in the event that the meeting has not been recessed and it's not been extended -- in other words, if it happened by midnight --

LEG. FISHER:

So it's only at midnight.

MR. SABATINO:

The other option now is for the Presiding Officer to recess it until ten in the morning.

LEG. FISHER:

But is it only at midnight that we have the ability to make this procedural motion or any time?

MR. SABATINO:

No, you can do it earlier, you can do it earlier. But if you make a motion to recess earlier in the day, for example, if you make a motion to recess at two o'clock or five o'clock, then you're not meeting for another seven hours, you lose seven hours worth of opportunity to

work.

LEG. FISHER:

I was just curious as to an interpretation of the law.

MR. SABATINO:

Yeah. But, I mean, you're right in terms of the language, it's just that there's a practical matter, though, the motion because relevant the closer you get go midnight.

LEG. FISHER:

Right, okay.

MR. SABATINO:

Because the earlier you act the less time you have to do work, so.

LEG. FISHER:

However, the Presiding Officer on his own can recess till 10 A.M. at any time as well?

MR. SABATINO:

Correct, and that's the same problem. I mean, under the current rules if he made a motion -- not a motion. If he exercised his power to recess at five o'clock, you'd lose seven hours worth of opportunity, but he already has that power.

LEG. FISHER:

Okay, but he does have that power.

MR. SABATINO:

Exactly.

LEG. FISHER:

Okay. Thank you, Paul.

D.P.O. POSTAL:

Legislator Crecca?

LEG. CRECCA:

Yeah, question for Counsel, or any other Legislator, it doesn't matter. Couldn't the -- the way the rules are written now without the amendment, couldn't the Presiding Officer, whoever that be, adjourn the meeting to the next day anyway? Couldn't he like right now call a recess till tomorrow?

MR. SABATINO:

Yes, he has the ability to recess whether or not that change is made, yes.

LEG. CRECCA:

The only way we could do that is if we made a motion to override -- or not even, right?

MR. SABATINO:

No, he has -- if there are no rule changes, if you use last year's rules or the rules from the year before or the year before that, the Presiding Officer has the authority to recess the meeting at any time in the day, he can do it any time in the day.

LEG. CRECCA:

And he can it at 11:59 P.M..

MR. SABATINO:

Exactly.

LEG. CRECCA:

So then why -- I don't understand what this rule is doing then, because --

LEG. BISHOP:

May I respond?

LEG. CRECCA:

I'm asking that because it almost seems --

LEG. HALEY:

Are we being redundant?

LEG. CRECCA:

Yeah. I mean, what would stop him at 11:30 --

D.P.O. POSTAL:

Legislator Crecca, would you yield to Legislator Bishop, I think he may be able to respond to your question

LEG. CRECCA:

Sure.

LEG. BISHOP:

This rule is actually a suggestion that Legislator Lindsay and myself concocted; I think it's a good one but we can debate it out.

The point is that under the 2001 rules and the rules previous, what would happen as we approached midnight is that there would be a bargaining, can we do 20 more minutes, can we go to 12:20, can we go to one o'clock, can we go to 1:30, and people tried to race in all their legislation in time, because what by practice was occurring is

if it didn't get passed before the end of the meeting, it wasn't going to be considered until the next scheduled meeting two weeks off. So what this attempts to do is end that by saying, look, we're going to cut off at twelve o'clock, we're not going to move forward after twelve o'clock, we all know we're leaving at midnight and we all have the expectation every meeting that we're coming back at ten o'clock unless we happen to finish. So this changes it because the expectation is that we're going to be back the next day unless we finish before midnight. That way we know that everybody's item on the agenda will be considered and it will not be, you know, rushed in without proper discussion or consideration, which is definitely what's been occurring.

LEG. CRECCA:

But now the Presiding Officer can do that anyway.

LEG. BISHOP:

Yeah, but you don't arrive at the meeting on -- what's our first meeting? February -- I'm going to make it up.

MR. SABATINO:

January 29th.

LEG. BISHOP:

On January 29th saying to yourself, "If I'm not done here, I have to block off the 30th at ten o'clock knowing that I have to come back the next day," you don't have that expectation. So now if somebody says, "Why don't we come back the next day?", everybody says, "No, I'm flying to Bermuda," you know, everybody's got a million different things that they're doing. So this puts everybody on notice that they're to leave the next day, the next morning at least, open because if we don't finish by midnight we're coming back at ten o'clock the next day.

D.P.O. POSTAL:

Andrew, are you finished?

LEG. CRECCA:

Yeah.

D.P.O. POSTAL:

Legislator Towle?

LEG. TOWLE:

Thank you, Legislator Postal. Legislator Bishop and Alden had talked about a point earlier that I think we've really gotten off that subject now, we've covered a list of things, about the deadline for filing resolutions, making it the day before at five o'clock. And I think that was an excellent suggestion and I found that to be a

problem for my office in many instances trying to get late starters in and it's just become a cumbersome process. And I'd like to make a motion to the effect that we would make the deadline at five o'clock the day before any of our scheduled meetings.

D.P.O. POSTAL:

Is there a second? Is there a second to that motion?

LEG. BISHOP:

Well, if I can be recognized.

D.P.O. POSTAL:

Let's second it first.

LEG. CRECCA:

I will second it for the purposes of discussion.

D.P.O. POSTAL:

Legislator Crecca seconds it.

LEG. BISHOP:

What I think happens, another practical consideration is that you come to the Legislature the day of a meeting and you find out information that leads you to want to file a bill, and that's where a lot of these late starters are generated. They're not generated because the day before at five o'clock you realized that you needed to file it, it's when you get here and you have a conversation with Counsel, the County Executive's Office or your colleagues and you say, "Oh my goodness, I've got to file a bill," and you want to get it considered in the next committee cycle, not another cycle away, you know, a month away. So what I would say is why can't we make the filing deadline noon the day of a meeting; does anybody agree with that one?

D.P.O. POSTAL:

Well, we might again want to ask the Clerk whether that would be workable or whether it would be problematic.

MR. BARTON:

Anything is possible. It amazes me how many resolutions get created at General Meetings.

LEG. BISHOP:

Sure, because of what I said, that you're getting all your information at the General Meeting.

MR. BARTON:

Yes. But you have to have deadlines in order to get people to act and

D.P.O. POSTAL:

Can one of us speak at a time?

MR. BARTON:

We have had General Meetings where the staff of the Counsel's Office, the staff for the Budget Review Office and my office is trying to put together resolutions, not 20, one or two. The packets are this large. If you don't have a deadline that enables us to get our work done, I don't know how you can do it. I just -- you really -- some of these things have pushed us very far.

MR. SABATINO:

May I --

D.P.O. POSTAL:

Well, if you have--

MR. SABATINO:

Let me just chime in, I think the Clerk is kind of looking at me. He's absolutely right. Human nature being what it is, no matter what deadline you pick, okay, no matter what deadline you pick, human nature is let me take it to the deadline and go beyond it. So the reason you have to have reasonable, practical, sensible deadlines is because the work has to be done in a professional, competent way. When you're asking my office or me to draft and prepare sometimes 12, 13, 14, 20 resolutions on the day of a meeting, it's very, very difficult being out here, trying to answer questions, trying to give rulings, trying to proofread with people talking to you; you can't do a professional job, it compounds the potential for error.

Look at all the corrected copies we do. We have a deadline on Monday. Even though the deadline is Monday, when do I get all the requests for the corrected copies? I get them between three o'clock and five o'clock in the afternoon, because human nature being what it is, you push it to the absolute maximum. So what will happen is we won't be filing resolutions Monday, Tuesday, Wednesday, Thursday or Friday of the week before, we'll be doing the packet of the 120 resolutions on the day of the meeting which I'm telling you right now is, A, a bad way to do business because it's going to lead to all kinds of errors, and B, it's just not practical.

LEG. BISHOP:

Madam Chair, on that point, though, may I --

D.P.O. POSTAL:

You have the floor.

LEG. TOWLE:

Legislator Postal?

LEG. BISHOP:

Not legitimately.

D.P.O. POSTAL:  
Legislator Alden yielded to you.

LEG. TOWLE:  
Legislator Postal?

D.P.O. POSTAL:  
Can I just suggest that there is a list --

LEG. TOWLE:  
There was a motion and a second, though, and we're kind of getting --

LEG. BISHOP:  
On the motion.

D.P.O. POSTAL:  
We're now discussing the question.

LEG. BISHOP:  
Right, so on the motion.

D.P.O. POSTAL:  
If I could just continue. There are people who are on a list to speak.  
Now, I would suggest --

LEG. FOLEY:  
Put me on the list.

D.P.O. POSTAL:  
See, we just got another one. I would suggest that if you would like  
to speak on this issue --

LEG. BISHOP:  
Yes.

D.P.O. POSTAL:  
-- that we go in the order in which you are listed. On the other  
hand, if there's a completely separate list to discuss this motion.

LEG. BISHOP:  
I think the topic of the rules is too broad. I mean, when a rule is  
brought up you have to have a sublist.

D.P.O. POSTAL:  
We have -- well, that's the whole point.

P.O. TONNA:  
Guys, we've got to get home, come on.

D.P.O. POSTAL:  
So that I don't know because there are people who obviously would like  
to discuss this proposed amendment and are on the list and then there  
are people who would not, so I would just like to go through.

LEG. ALDEN:  
I have just a point of law.

D.P.O. POSTAL:

Go ahead.

LEG. ALDEN:

Paul Sabatino, can we amend the rules at a subsequent meeting or are we bound to do it right today?

MR. SABATINO:

No, you don't have to, you can -- but then it goes through a cycle, it goes through a committee cycle.

LEG. ALDEN:

Well, this is something that we could actually discuss at full and then try to come up with something at a later date, and that might be better.

LEG. BISHOP:

Now is the time to do it. I mean, we've got nothing --

D.P.O. POSTAL:

Okay. I'm just going to go down the list and if your intention was to comment on this amendment, please take the floor; if it is not, I will come back to you after we address this question. Legislator Guldi? Legislator Caracappa?

LEG. CARACAPPA:

Thank you, Madam Chair. On this issue alone, I concur with Legal Counsel. And one thing we're forgetting is also the role that Budget Review plays in the preparing of our resolutions and financial impact statements that are associated with those resolutions. And we all know we can't pass a resolution without a financial impact statement. I think that the process that is in place is adequate at this point in time. I understand the point you're trying to make, it gives us as Legislators a few more days to do bills, but I think the Presiding Officer has shown adequate discretion and fairness with relation to late starters when needed and to change the rules in this regard --

D.P.O. POSTAL:

Joe, could you just -- just one minute. Can everyone please give your attention to the speaker?

LEG. CARACAPPA:

I'll cut it short. I think it sets a bad precedent, it puts a tremendous strange on the administrative offices of this body being both Counsel, Budget Review and the Clerk's Office. And again, I think the Presiding Officer has done a fairly adequate job in being fair with late starters as the year progresses.

P.O. TONNA:

Thanks, Joe. Legislator Lindsay?

LEG. LINDSAY:

Pass.

P.O. TONNA:

Legislator Binder?

44

---

LEG. BINDER:

Pass

P.O. TONNA:

Legislator Haley?

LEG. HALEY:

Real quickly. Dave, Legislator Bishop, that language concerning the Cinderella, as it's clear now, it's redundant in that the Presiding Officer at 11:59 can recess to the next day at ten o'clock anyway in absence of that language. But I think what it's saying is it's giving your intent -- even though it's redundant, it's really saying that this particular Presiding Officer intends to exercise that right and probably will do it till ten o'clock the next day.

P.O. TONNA:

Right. And that's so that people like myself or Legislator Cooper or some of those who have closings or trusteeships or whatever it is, that they know that we're going to -- you know, if you guys don't get your stuff done, maybe then when we think about, you know, being long, drawn-out statements, that we'll be a little more efficient and proficient.

LEG. HALEY:

I want to go on record as agreeing with the Presiding Officer for the first time this year.

P.O. TONNA:

All right.

LEG. TOWLE:

Mr. Chairman?

LEG. POSTAL:

Mr. Chairman, could I just --

P.O. TONNA:

2002, it took me till 2002.

LEG. POSTAL:

Just a point of clarification. There was a motion made by Legislator Towle that I believe was seconded by Legislator Bishop, and --

LEG. CRECCA:

I seconded it.

LEG. POSTAL:

Okay, it was seconded by Legislator Crecca. And I had asked that in going down the list that people confine their statements or questions to that motion, and then we -- after we voted on that motion we could go to the people who had other statements or questions about other aspects of the rules. So in view of that, the next person was Legislator Foley.

45

---

LEG. FOLEY:

Yeah. Perhaps as a compromise, what we could do is still have that Wednesday deadline but allow a limited number of resolutions to be forwarded by noon of the day; for instance, whether we want to have a limit of one, that each Legislator could put one bill in after the Wednesday date or no more than two bills in by after the Wednesday date but by the General Meeting. That way you limit it, you wouldn't have the problem that Paul Sabatino had mentioned earlier about all the bills being, let's say, submitted the day of the meeting. You still would have the Wednesday deadline prior to the -- one o'clock Wednesday deadline where the great bulk of the resolutions would have to be in by that date. But if the Legislator between Wednesday and that Tuesday has some idea, as Legislator Bishop had mentioned, then he can at least put one bill in. And that way you address that issue and you'd also address the concern, and it's a well-founded concern, that if we just simply move the date for all bills to be on that Tuesday, then everyone is going to wait until Tuesday.

P.O. TONNA:

Well, this --

LEG. FOLEY:

So perhaps that's one thing that can be entertained as a way of dealing with both issues that have been discussed this morning.

P.O. TONNA:

Can't we just ask Legislators to be disciplined and know when there's a filing deadline, that you put them in then?

LEG. FOLEY:

Just --

LEG. BISHOP:

We all don't have 16 aides.

LEG. FOLEY:

Mr. Chairman, just on that point. Mr. Chairman? Mr. Chairman? Mr. Chairman, just on that point. I think -- Mr. Chairman? On that point, you're still instilling discipline by requiring that the great bulk of resolutions would have to be in by the Wednesday prior and that you're allowing one additional piece of legislation, or at most maybe two, that could be filed after that date or up to the day of the meeting. And that's something that, you know, could be as I say a worth while compromise.

P.O. TONNA:

There's a list. Legislator Alden?

LEG. ALDEN:

I'm not next on the list.

P.O. TONNA:

Okay, Legislator Crecca. Go ahead, Andrew. Go ahead, say something, make my day.

46

---

LEG. CRECCA:

I was just going to suggest that you're suggesting Monday at five o'clock, Fred?

LEG. TOWLE:

Day before, yeah, five o'clock deadline.

LEG. CRECCA:

Could I ask you to do -- it might be more palatable to more people and also give the Clerk more of an opportunity to put it together if you make it Friday at close of business the day before, that will give them --

P.O. TONNA:

So they have the weekend to worry about it?

LEG. CRECCA:

That's right. No, that gives them all day Monday to put the packets together before the meeting.

P.O. TONNA:

Guys, this is exactly why it kills us even just to have this conversation. Legislator Towle.

LEG. TOWLE:

Thank you, Legislator Tonna. What I was going to say is Legislator Caracappa made a point earlier about financial impacts, which obviously is an important part of our resolutions but they don't

necessarily come to us when there's packets filed. I didn't see any financial impacts on any --

LEG. CARACAPPA:

They need time to do it before we are voting on them.

LEG. TOWLE:

There's no financial impacts attached to any of these now, and between today, the day the bill was filed and when the committees meet, Budget Review will obviously do the financial impacts. I can also say that there's many a time during the committee process that we don't have a financial impact statement, we don't get it until after the committee process before we actually vote on the floor of the Legislature.

LEG. CARACAPPA:

You want to make it worse.

LEG. TOWLE:

No, I don't think we want to make it worse. I think quite honestly, by extending the deadline for us to file bills doesn't necessarily mean the bills are being drafted at that time. There's a lot of times that you're looking for backup information or letters of support or whatever it may be that you need for the resolution to get it to move forward to have the right attachments, and many a time that stuff does not come in till the last minute. I found that the deadline for filing bills to be a cumbersome process and that's why in many instances I've had late starters. And I think if we avoid that process at the meeting, the craziness that's at the end of the night or the

end of the afternoon trying to get late starters filed, I think, you know, extending that deadline to the day before, or the Friday if that appears to be the will of the majority, I think that would be a better opportunity for all of us just to create a little less confusion at the meeting.

P.O. TONNA:

Okay.

LEG. CARACAPPA:

Mr. Chairman, if I could just expand on that?

P.O. TONNA:

Sure.

LEG. CARACAPPA:

Seeing that he brought up my point. You mentioned the word support, Legislator Towle. We rely so heavily upon our support in the administrative offices that exist in this Legislature, and why put undo pressure upon them when right now it's difficult, as you just pointed out, to get financial impact statements on time, to get

certain legal renderings on time. We're now going to cut them shorter. I think we're stretching them way past the limit as it already is and the Presiding Officer once again has the discretion on nights -- on meeting nights to have late starters put on at that point in time. If we make it any shorter we'll be absolutely dismantling our support services and we rely too heavily upon them to do that to them.

P.O. TONNA:

Thank you. Okay, let's vote on -- I guess we see a home town favorite here. Okay.

LEG. CARACAPPA:

Guess whose bills are getting done first.

P.O. TONNA:

There you go. That's right. Let's vote on this. There is a motion and a second for what?

MR. SABATINO:

This would be --

LEG. CARACAPPA:

To recess.

LEG. TOWLE:

The motion was to move the deadline to the day before a Legislative --

P.O. TONNA:

Okay. That was the motion by Legislator Towle?

LEG. TOWLE:

Myself, it was seconded by --

MR. SABATINO:

That's Rule 5(A).

P.O. TONNA:

Okay, 5(A). And seconded by?

LEG. ALDEN:

Very quickly on the motion, though. Crecca I think seconded that, right?

MR. BARTON:

Yes.

LEG. CRECCA:

Right, for the purposes of discussion.

P.O. TONNA:

Okay. Are you still seconding it? Because what I find is that there are a lot of people making suggestions but they have the support of maybe one or two Legislators and we've spent now over an hour-and-a-half with resolutions that have no majority. So it's nice to discuss issues. I would ask this; if this vote goes down, be it for me to stifle Legislator Towle's legislation.

LEG. TOWLE:

It was actually Legislator Bishop's and Alden's suggestion, I just thought it was great.

P.O. TONNA:

Okay. If after this, if this one goes down, what I would ask to do is this. Let's approve the rules as is and I will have an ad hoc meeting, not a committee, a meeting to discuss rules -- not a rules committee -- to discuss rules and then present after that and building some consensus among a majority of Legislators, rather than waste all of our time with our genius ideas, to come and put in a piece of legislation that will be filed on time.

LEG. FISHER:

Here, here.

P.O. TONNA:

Okay? Thank you.

LEG. ALDEN:

Very quickly, though, on this?

P.O. TONNA:

Yes.

LEG. ALDEN:

On Legislator Towle's suggested resolution, the same thing can happen, though, even if we move the deadline to wherever. At the meeting it's waive the rules and lay on the table and that's what ends up happening. So basically I think that what the Presiding Officer is saying is if we look at it a little bit more closely, maybe there's some other kind of compromise that we can come to that would eliminate the problem. Because I never suggested moving the date one way or the other. What I was looking at is the problem that at the meeting it ends up nutty at the end of the meeting with all the stuff being laid

on the table. Plus, as Paul Sabatino pointed out, Paul is away from the meeting a lot during the day because Legislators are working with him on legislation, proposed legislation, than trying to get it drafted and then trying to get it clocked in and everything else. So I think if we look at it at a later date I think we will be able to solve it. But you're doing by moving the due date or the cut off date, we still have the same problem. At the meeting a Legislator can make a

motion to waive the rules and lay on the table, so --

P.O. TONNA:

I think what we're going to do is -- this might be one of the first staff seminars -- is to have a seminar for everyone's Legislative staff about how to put in a piece of legislation on time. Okay.

LEG. TOWLE:

If you're going to -- Mr. Chairman?

P.O. TONNA:

There's a motion and a second.

LEG. TOWLE:

Mr. Chairman? If you're going to move forward with, you know, putting together a group of individuals to do --

P.O. TONNA:

Yes.

LEG. TOWLE:

-- I don't have a problem withdrawing the motion. As I said, it was a suggestion --

LEG. CRECCA:

I agree.

LEG. TOWLE:

-- I thought of Legislator Bishop and Alden.

P.O. TONNA:

Okay, thank you.

LEG. CRECCA:

Based on that presentation.

P.O. TONNA:

Let's go now to the motion which is to adopt the rules. There is a motion and a second? The motion was made by Legislator Haley, seconded by myself.

LEG. CARPENTER:

On the motion.

LEG. TOWLE:

Mr. Chairman?

P.O. TONNA:

On the motion?

LEG. TOWLE:

Yeah, over here.

P.O. TONNA:

Legislator Carpenter?

LEG. CARPENTER:

This is something that we haven't discussed prior to this on the rules.

P.O. TONNA:

Oh, okay.

LEG. CARPENTER:

You're making a motion to adopt the changes as presented here, correct?

P.O. TONNA:

Yes.

LEG. CARPENTER:

Okay. The one change on the starting time from 9:30 to nine o'clock, I think especially for Legislators who are coming from the east and traveling west, that half hour of travel time in the morning at nine o'clock can really make a difference in getting here on time because the traffic -- there's still the tail-end of school traffic and everything else. And I think the 9:30 start, a lot of people have a difficult time of getting here on time at 9:30, if we move it to nine o'clock I think it may be even more problematic.

P.O. TONNA:

This was my only thought because, again, this was something that individual Legislators presented to me. Was that it was kind of a consensus that some Legislators who were going to be late at nine, you know, from the nine to 9:30, are late from the 9:30 to whatever anyway. The second thing is that it would give an opportunity -- one of the problems has been that the public comes to speak and we have proclamations and everything else, it gives us a half an hour basically to get those things done so that we can give the public an opportunity to speak so that we then can get our Legislative meetings done before twelve. And the whole idea was if we wanted to add some time so that we can get that done, if I'm basically communicating that I'm not going to extend meetings past twelve o'clock at night, then we wanted to make sure we give an opportunity for some -- for the proclamations and everything to be done. That was the thinking and that's why we added some time.

LEG. CRECCA:

I hit too much traffic on the way here, I don't know.

P.O. TONNA:

Yeah, right, I know; if you walk. Anyway, that's the only thing. I don't know if any of the Legislators who, you know, want to speak on that one way or the other, but that was the only thought.

LEG. HALEY:  
Motion to close debate.

P.O. TONNA:  
Okay. Well, instead of that -- okay, we're now on the motion to approve and a second. Okay.

LEG. CARACCIOLO:  
On the motion; these are with the proposed changes?

P.O. TONNA:  
Yeah, as they stand.

LEG. CARACCIOLO:  
With Counsel's memo?

P.O. TONNA:  
Yep, with Counsel's memo. Okay. All in favor? Opposed?

LEG. CARPENTER:  
Excuse me.

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

LEG. CARACCIOLO:  
Opposed.

LEG. GULDI:  
Abstention.

P.O. TONNA:  
Okay, Legislator Caracciolo and Legislator Guldi.

MR. BARTON:  
16-1-1-0.

P.O. TONNA:  
Okay. And I will put together a work group of people who will, you know, start working on those things.

All right, let's go to the next. Moving right along --

LEG. FOLEY:  
Mr. Chairman?

P.O. TONNA:  
Wait, can we just move right along?

LEG. FOLEY:  
Mr. Chairman?

P.O. TONNA:

We got No. 7 - Appointing the Clerk of the County Legislature and the administrative -- administration of office, oath of office.

52

---

LEG. CARACAPPA:  
Motion.

P.O. TONNA:  
Okay. We're going to make a motion by Legislator Caracappa, seconded by Legislator Fisher. Okay? But can we name a Clerk? Legislator Caracappa for the motion of a nomination.

LEG. CARACAPPA:  
I would like to place in nomination the name of Henry Barton, Jr., to succeed himself as the Clerk of the Legislature.

P.O. TONNA:  
Great. And there's a second?

LEG. FISHER:  
Having witnessed the patience and fortitude of our Clerk, I am very happy to second that motion.

P.O. TONNA:  
Okay. Henry, you have done a great job, really. And your staff has done a -- well, we'll talk about the other two after this. Okay. All in favor? Opposed?

MR. BARTON:  
18.

P.O. TONNA:  
18.

LEG. FOLEY:  
Mr. Chairman?

P.O. TONNA:  
Hold it.

LEG. FOLEY:  
Mr. Chairman, on --

Applause

P.O. TONNA:  
You want to say something, Henry? Go ahead, Henry. I got my eyes on you.

LEG. ALDEN:

Didn't Henry have to recuse himself from that vote, from the count?

P.O. TONNA:  
All right, next --

LEG. FOLEY:  
Mr. Chairman, before we move on. On the rules vote you have me as a yes and I had not voted in the affirmative.

53

---

P.O. TONNA:  
I apologize.

LEG. FOLEY:  
Put me down as a no, please.

MR. BARTON:  
Certainly. 15.

P.O. TONNA:  
Okay, great. All right, now we're on Resolution No. 8 - Appointing the Chief Deputy Clerk of the County Legislature.

LEG. GULDI:  
Motion.

P.O. TONNA:  
There is a motion by Legislator Guldi, seconded by Legislator Tonna. Go ahead, Legislator Guldi.

LEG. GULDI:  
I would like to put in nomination my constituent, Jackie Farrell, to succeed herself in the position of Deputy Clerk to the Legislature.

LEG. POSTAL:  
Chief Deputy.

LEG. GULDI:  
Chief Deputy.

P.O. TONNA:  
And I'd like to second that nomination. Jackie, you've done really a marvelous job. Working with that millstone around your neck, I have to -- I know who's really carrying the whole load there. Okay. Anyway, all in favor? Opposed?

MS. FARRELL:  
It's called teamwork.

MR. BARTON:  
18.

P.O. TONNA:  
There you go, 18

Applause

P.O. TONNA:  
Okay. Legislator Alden?

LEG. CARPENTER:  
Mr. Chairman?

P.O. TONNA:  
Legislator -- who's district? The next one is Ilona. Legislator  
Carpenter.

54

---

LEG. CARPENTER:  
I would like the privilege of putting in nomination the name of Ilona  
Julius to succeed herself as the Deputy Clerk of the County  
Legislature.

P.O. TONNA:  
And Legislator Alden?

LEG. ALDEN:  
I would like to have the honor of seconding that nomination.

P.O. TONNA:  
Ilona, really, marvelous work. All right. All in favor? Opposed?  
There you go, Ilona.

MR. BARTON:  
18.

Applause

P.O. TONNA:  
These are different times, Henry, isn't it? It's unbelievable. You  
don't have to sign over cars or anything else. I mean, you just get it  
on the merits. It's just amazing. All right.

Resolution No. 6, I would like to make the motion myself to put in our  
Legal Counsel, Paul Sabatino. Paul, through thick or through thin,  
through everything else, really, you have done a marvelous, marvelous  
job at helping to keep us, you know, on the straight and narrow.  
Thank you very much, Paul. Legislator Caracciolo? The second, he's  
going to second it. All in favor? Opposed?

MR. BARTON:  
18.

Applause

P.O. TONNA:  
Okay. I would like all of you to come and take your oath of office at this point in time. And here they are.

(\*Oath of Office was administered to  
Henry Barton, Clerk of the Legislature  
Jacqueline Farrell, Chief Deputy Clerk  
Ilona Julius, Deputy Clerk  
Paul Sabatino, Counsel to the Legislature  
by Ed Romaine, Suffolk County Clerk\*)

Applause

LEG. CRECCA:  
I think we should recognize the Clerk of the County for staying through this banter of ours in order to do his duties.

P.O. TONNA:  
Absolutely. Paul, that's combat duty for Ed Romaine.

55

---

LEG. ALDEN:  
While they're signing in, I think that we have the opportunity to just thank and recognize all of their staff members, too, that seem to be -- everybody seems to be with us today and just say what a great job that they've all done, the Clerk and his staff.

Applause

MR. ROMAINE:  
Believe it or not, I really appreciate this body and I know what good work you do for the residents of Suffolk County and I wish you all well.

LEG. ALDEN:  
Why were you laughing so hard when you got out here, though?

LEG. TOWLE:  
Mr. Chairman? Mr. Chairman?

MR. ROMAINE:  
The best job that I ever had was here.

LEG. TOWLE:  
Mr. Chairman? Mr. Chairman?

P.O. TONNA:  
Yes.

LEG. TOWLE:  
The County Clerk said since we were in such a good mood he had a couple of late starters he wanted me to file --

P.O. TONNA:  
Yeah, right. Optical imaging?

LEG. TOWLE:  
-- for some extra staff positions in his office.

P.O. TONNA:  
I do want to at this time, while there's a little romantic interlude, I would like to thank my staff. Chief of Staff Ralph Rienzo, thank you very much for all your hard work.

Applause

Linda Bay; thank you very much, Linda. Ellen Martin, wherever you are; Chris Reimann and Ron Cohen and --

MS. MARTIN:  
I'm working.

P.O. TONNA:  
Okay, good; that's a change. Anyway, and I know Tommy Donovan; Jim, thank you very much.

56

---

LEG. ALDEN:  
Linda Burkhardt.

P.O. TONNA:  
Wait, wait, wait, we'll save it for -- I can't. This is a governmental forum, so I don't know if I'm allowed to talk to the Vice-Chair of the Republican Party that way. But anyway, to everyone. And Linda, really, I never thought when becoming Presiding Officer that I would say that it was an absolute pleasure to work with you, but it is, it really is. Thank you, and keep the food coming. Anyway, thank you, Linda, so much for everything that you do. Thank you.

Applause

Come on, you guys have got to admit, give it up for Linda. I can feel the love. All right. Are you on? Are we on record doing this?

MS. MAHONEY:

Yes.

P.O. TONNA:

Okay. Thank you.

MR. ROMAINE:

Good luck to all of you.

P.O. TONNA:

Don't lose that book or we're in big trouble. All right, moving right along. BJ, I forgot you back there but I've got my eyes on you. Clarky, wherever you are, Tommy, okay. Marla and Meaghan. Thank you, Meaghan, thank you for all you do. All right, that's 16. No, I'm joking.

All right. Now, Rule Number 7, Intro No. 7.

LEG. HALEY:

On the motion.

LEG. GULDI:

On the motion.

P.O. TONNA:

Intro. Number 7, this is the fixing of the time of meetings for the County Legislature. On the motion, Legislator Haley.

LEG. HALEY:

Quite simply, you know, Riverhead is our County Center, and I see that we have only -- County Seat, and I see that we have only two meetings in Riverhead. And I'm going to defer the conversation to Legislator Guldi to address what I think is a very real need, to have more meetings in Riverhead. And on top of that, if anyone's interested, I'd also have an interest in creating another night meeting.

P.O. TONNA:

Okay. So, Legislator Guldi, I recognize you. And just if you guys want to talk on this -- if you don't really have something to say, I

---

know Legislator Guldi -- then we'll just either vote it up or down and then move on. Legislator Guldi, on the motion.

LEG. GULDI:

I'll yield to Legislator Fisher.

LEG. FISHER:

I just wanted to quickly mention that the last meeting of the year will be set for my birthday.

P.O. TONNA:

Was set for your birthday?

LEG. CRECCA:

Maybe we should get a cake.

LEG. FISHER:

So you'd better all be on your best behavior.

P.O. TONNA:

December 17th?

LEG. FISHER:

And I'm going to have a time clock on the long-winded Legislators.

P.O. TONNA:

There you go. Well, I guarantee you, the Democratic Caucus --

LEG. FISHER:

A stop watch.

P.O. TONNA:

-- will be glad to pay for lunch for all of us in your honor, led by Legislator Foley; all right. I guess we're having Twinkies. Anyway, let's go.

LEG. GULDI:

If I may. If I -- two years ago, we were of necessity --

LEG. FOLEY:

Motion to reconsider.

LEG. GULDI:

-- located in Riverhead for the majority of our meetings because of the renovations to this structure. Last year, when we adopted the schedule of the Legislature, we departed from the tradition of alternating meeting schedules between the County Seat and this western annex to the County Seat in order to offset the excessive number of meetings that were held in Riverhead the year previously. This year, there is no justification or excuse for turning its -- for this body to turn its back on the East End and abandon its tradition of alternating meeting sites. And I can't -- while I realize the calendar mirrors last year's calendar, it is true -- it's truly inimical to both the eastern ends of the County, the eastern five towns, and to -- and is an abandonment of tradition without

---

explanation. I am, in fact, shocked to see the proposed schedule in this form.

P.O. TONNA:

Okay.

LEG. CARACAPPA:  
Mr. Chairman.

P.O. TONNA:  
Wait. Legislator Caracappa, then Legislator Crecca. Do you want to -- okay, go ahead, Legislator Caracappa.

LEG. CARACAPPA:  
I'd make the suggestion for you to consider changing the June 25th meeting that is scheduled for Hauppauge, make the June 25th meeting another Riverhead meeting. Seeing that it's our last one, it's a nice place to be out in Riverhead that time of year.

LEG. HALEY:  
Second.

LEG. CARPENTER:  
Which one?

P.O. TONNA:  
Okay. Well, let's just -- we have -- we have an opportunity to make that. But, George, clearly, one meeting is not going to meet your criteria.

LEG. GULDI:  
No, one meeting is not going to meet my criteria. In the -- I mean, I thought we would debate it first. My motion would be to go back to alternating every other meeting, Hauppauge and Riverhead.

P.O. TONNA:  
Okay.

LEG. GULDI:  
As was our tradition and practice before --

LEG. FOLEY:  
I'll second the motion, Mr. Chairman.

LEG. GULDI:  
-- for many, many years.

P.O. TONNA:  
Okay. So you have a motion to -- you have a motion now, George, to alternate each meeting back and forth from Riverhead and Hauppauge.

LEG. GULDI:  
Just to be specific, that would be moving the February --

P.O. TONNA:  
Well, we'll get this --

LEG. GULDI:

Right.

P.O. TONNA:

If you get the votes, we'll outline it or something. But, anyway, hold it a second. Legislator Crecca, you had something to say?

LEG. CRECCA:

Yeah, on the motion. You know, with all due respect to the Legislators on the East End, the fact of the matter remains, to say we've ignored the East End by doing this is ridiculous, first of all, because we bought a tremendous amount of land out there where there's no way from a County legislative point view and what we've done, we have ignored the East End. Second of all, I would just point out, and when we did the studies regarding the courthouse complex and all that, we are almost at the perfect mid point population-wise in the County in the area that we're sitting in now. I believe it's someplace between Hauppauge and CI is the actual center of the County from a population point of view. The idea is to make the meeting place most accessible to all County residents, and, therefore, Hauppauge meets that need. And for that reason specifically, I would suggest that we leave the meeting schedule the way it is.

LEG. POSTAL:

Mr. Chairman.

LEG. HALEY:

Plus you can walk to work, right?

P.O. TONNA:

Okay.

LEG. POSTAL:

Mr. Chairman.

P.O. TONNA:

Hold it a second. Legislator Postal?

LEG. POSTAL:

Yeah.

P.O. TONNA:

Oh, Foley. No, Postal and then Foley. Okay.

LEG. POSTAL:

I'm probably the Legislator who lives geographically furthest from the County Center in Riverhead, but I really think that it's fair and it makes sense to alternate meetings. And it has nothing to do with where the center of the population is. I think that to ask a resident of Montauk to travel to Hauppauge, if that person would like to either observe or speak at a meeting of the Legislature, is really not fair, because no matter -- you know, honestly, if I have to travel to Riverhead, it probably takes me 45 to 50 minutes, but it has nothing -- then maybe we shouldn't have. You know maybe, if -- you know, we made -- if we made an assumption that we were investing in this building because all our meetings were here, I don't think that

that was clear to many of the members of this Legislature. But I really think that it's -- it really is unfair to expect people who live all the way to the east of this County to continually travel to Hauppauge. And I think that alternating back and forth is -- you know, despite the fact that it might be a little more burdensome than going to Hauppauge, I think it's the fair thing to do.

P.O. TONNA:

Well, just before Legislator Foley, the only concern that I have -- well, two things. One, Fred, just to shed some light, the Riverhead County Center -- this might be an argument that those who want to have meetings out east will benefit from. The Riverhead County Center is going to go under construction in 2003?

MR. POLLERT:

Yes.

P.O. TONNA:

So that there'll be no meetings there, right, during that time, similar to what we've done when we had no meetings in Hauppauge while this building was being renovated?

MR. POLLERT:

No. Specifically, that portion of the building won't be renovated in the first phase.

P.O. TONNA:

2003.

MR. POLLERT:

According to the space plan, the portion of the building that the Legislature occupies is really going to be Phase 2A of the renovations, but there will be a period of time of approximately a year to a year-and-a-half when the Legislature will not be able to meet out in Riverhead, probably beginning in 2004, 2003, 2004.

P.O. TONNA:

Okay. The second thing, just -- I think it was just an important piece of information. The second -- the second issue is, from the standpoint of there are Legislators who claim they want to put all the legislation in, they want to do all of these different things, this building, the resources that we have here can accommodate that to a certain extent. When we go out to Riverhead, you have to realize that there is diminished clerical staff, there are -- it just doesn't -- the day does not logistically flow the same that it would in Hauppauge. Now, what you want to do with that information and how you want to, you know, vote one way or the other, but that's the truth. The truth is, from a standpoint of clerical and logistical issues involved with a meeting, this building is ten times more adequate for that type of duty. But I think we should vote on it. I think it's a

good issue and I think we should vote on it. Legislator Foley, then Caracciolo.

LEG. FOLEY:

Thank you, Mr. Chairman.

61

---

P.O. TONNA:

Oh, then Fisher, then Caracciolo. Sorry.

LEG. FOLEY:

Thank you, Mr. Chairman. Again, by tradition, it was always alternating schedule. Secondly, on the argument of the population, the latest census will show that there's been an eastward migration in population, principally in eastern Brookhaven Town, but also flowing out to the Twin Forks. So those who are going to base their decisions on population, the latest growth and dynamics of population within our County is moving eastward. That being the case, one can use the argument in the obverse to say that reflective of this changing population migration, that we do need to alternate meetings between Hauppauge and Riverhead.

I would simply state that the most persuasive argument for this Legislator is the fact, as Legislator Haley had mentioned earlier, that to this moment, to this day, commensurate with -- reflective of the last 300 years of history in this County, that Riverhead is still the County Seat, as they call it, not the capital, or the center, but the seat. And I think every other municipal entity, when they have their meeting, have all of their meetings, not just half of their meetings, but have all their meetings at the capital, at the center, at the seat, if you will, whether it's in this state or any other state. So, if anything, one could almost make the argument that all of the meetings should be in Riverhead because of it being the designated documented seat of County government. And, in fact, what was done some years ago as a way to reflect the dynamics of that time with demographics is to have half the meetings in Hauppauge, but certainly not to go to the extent where almost all the meetings are in Hauppauge. So by virtue of the fact that, and, really, only by the fact that it is the County seat, that we should have at least half the meetings in Riverhead.

P.O. TONNA:

Brian, you know it really isn't the County Seat. The County Seat is in Southampton, and the Count Seat is supposed to be in Riverhead.

LEG. FOLEY:

Well, we say Riverhead, Southampton --

P.O. TONNA:

Yeah, yeah, yeah.

LEG. FOLEY:

-- but it's where -- it's where the building -- it's an, I would say, almost an arbitrary township line there. But, when we say, "Riverhead," we know what we mean by that.

P.O. TONNA:

Yeah, right. Okay. Legislator Fisher, and then Caracciolo, and then we're voting on this.

LEG. FISHER:

Mr. Chairman, I fully support Legislator Guldi's motion because of the following reasons: Riverhead is the County Seat. We should

62

---

alternate, that has been our tradition. Geographically, Riverhead, I believe, is more much more the center of the Island. And out of respect for those people who do live on -- in Montauk, or in Riverhead, or any of the eastern towns, we hold all of our committee meetings in Hauppauge, and I believe that we're disenfranchising those people who have to travel farthest from coming to any of our meetings. It's difficult for them to get here for committee meetings. We certainly should provide a location that makes it more suitable for those people who live on the East End to attend our Legislative meetings. That being said, I fully support Legislator Guldi's motion.

P.O. TONNA:

Okay. Legislator Caracciolo, and then Guldi.

LEG. CARACCIOLO:

Thank you.

P.O. TONNA:

And then, please, let's vote.

LEG. CARACCIOLO:

The argument of population distribution or center is illogical, simple because when we look at the nation, the District of Columbia is located in the Mid-Atlantic states, far away from the vast majority of Americans who send representatives to Washington D.C. In the State of New York, the population center is in and around the City of New York. Eight million people in the City of New York, 1.3 million people, 1.4 million people now in Suffolk County, 1.35 in Nassau, another million in Westchester. Clearly, Albany is not centrally located to the population center, it's geographically almost the center of the way the state developed. Similarly, Riverhead, dating back to this County's origins in 1683, has been the County Seat.

So there is an historical perspective, and as Legislator Fisher, Guldi, Foley, and others have stated, and I thank you, Maxine, you gave me another reason today that I'm happy to have supported you, is,

since you are the one who has to travel the farthest to Riverhead, it takes no more, if one takes Sunrise Highway from the Town of Babylon out to Riverhead, as you pointed out, 35, 40 minutes. I know there are Legislators here who are proud of the fact, included the Presiding Officer, of having made travel from Huntington to Riverhead in some pretty significant times. So --

LEG. FISHER:

Don't put it on the record.

P.O. TONNA:

Thirty-seven minutes.

LEG. CARACCIOLO:

That said, the convenience should not be for the people's representatives to get to and from the County Center, it should be for and on behalf of the people we have been elected to represent. Thank you.

63

---

P.O. TONNA:

Legislator Guldi, one final note.

LEG. GULDI:

Yeah, actually, my colleagues, as I signed up, covered the points I wanted to make. New York City is not our -- the population nexus argument is a false argument. Legislator Crecca, could I have your attention, please? Excuse me. Legislator Crecca, let's --

P.O. TONNA:

Legislator Guldi, please, continue with your comments.

LEG. GULDI:

I'm trying to address the Legislator's -- I'm trying to respond to the Legislator's argument and someone is always distracting him.

P.O. TONNA:

Legislator Guldi, please, continue your comments. It will flow through me through the Chair if there needs to be anybody banging a gavel.

LEG. GULDI:

Thank you. The point I was trying to make is that the population nexus argument is a totally false argument. Yeah. The reason it is a false argument is, the same reasons as Legislator Caracciolo pointed out, that our capital has not moved from Washington to Los Angeles, nor has Albany, the State capital, been relocated to New York City. The geographic and historic center of the County is County Center. There has been a number of representations to East End representatives, as this complex was developed, as the Dennison Building was developed,

that there would not ever be an abandonment of County Center and the removal of County government. This schedule last year was justified to balance a repeat -- a departure from tradition. There is no justification to balance -- to go forward with this schedule that is rational, fair, or principled, and doesn't violate a number of representations that this government has made to the people of the East End. It's hard enough to be representing the East End in a culture that's hostile to it. There's been enough separatism. I urge you not to pour fuel on that already burning fire. We need a unified County and this isn't -- this schedule isn't a means to that end.

LEG. CARACAPPA:  
Roll call.

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

LEG. BISHOP:  
What culture of hostility?

P.O. TONNA:  
Let me just --

LEG. CRECCA:  
Where did the hostility come from?

P.O. TONNA:  
We're going to move the question, but I just -- George, I just -- so

64

---

that I can clarify, basically, and follow the schedule with me, so that -- I'm going to go over this. Basically, we're looking at February 11th, April 16th. It's Martin Luther King's Birthday. May 21st, June 25th, August 27th, October 22nd. And I would suggest, with all due respect, that for those who are going to vote this way, that we leave the 7th and the 19th meeting in Hauppauge, because this is huge clerical, you know, computers, everything else when dealing with budgets.

LEG. GULDI:  
No problem, concurred.

P.O. TONNA:  
Okay. The 5th is -- the 5th is pretty set, so then -- and then the 5th of December.

LEG. CRECCA:  
That's not the --

LEG. GULDI:  
The 5th.

P.O. TONNA:

Yeah, they said half the meetings.

LEG. GULDI:

Half the meetings.

LEG. CRECCA:

You're helping them.

P.O. TONNA:

No. I'm just -- helping them or not, I have to -- I want to make sure that -- I want to make sure what he's talking about, right?

LEG. GULDI:

Yeah.

P.O. TONNA:

Okay, fine.

LEG. GULDI:

Yes, that's the motion.

P.O. TONNA:

The last meeting would be December 5th.

LEG. GULDI:

December 7th.

P.O. TONNA:

In Riverhead.

LEG. GULDI:

Yeah.

65

---

P.O. TONNA:

December 5th.

LEG. FISHER:

This is shopping at Tanger Mall.

P.O. TONNA:

Okay. There is a motion by Legislator Guldi and a second by Legislator Foley, right? Okay. Roll call.

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

LEG. GULDI:

Yes.

LEG. FOLEY:  
Yes.

LEG. CARACCIOLO:  
Yes.

LEG. TOWLE:  
(Not Present)

LEG. CARACAPPA:  
No.

LEG. FISHER:  
Yes.

LEG. HALEY:  
Yes.

LEG. LINDSAY:  
No.

LEG. FIELDS:  
Yes.

LEG. ALDEN:  
Nope.

LEG. CARPENTER:  
No.

LEG. CRECCA:  
No.

LEG. NOWICK:  
No.

LEG. BISHOP:  
Yes.

LEG. BINDER:  
No.

LEG. COOPER:  
No.

LEG. POSTAL:  
Yes.

P.O. TONNA:  
No.

LEG. TOWLE:  
Yes.

LEG. HALEY:  
Mr. Chairman?

MR. BARTON:  
Nine.

P.O. TONNA:  
Nine. I think Legislator Caracappa made a motion to put a June 25th Riverhead meeting, I'll second that.

LEG. CARACAPPA:  
I will amend that to both June 25th and actually the December meeting that you had mentioned.

P.O. TONNA:  
Okay. All right, I'll second that motion. So that adds two more.

LEG. CARACAPPA:  
Yes. We can enjoy both seasons out there and shopping.

P.O. TONNA:  
Right, okay. All in favor?

LEG. FOLEY:  
What's the motion?

P.O. TONNA:  
The motion is to add to the already calendar to change the June 25th meeting.

LEG. FOLEY:  
To a night meeting?

LEG. CARACAPPA:  
No, we're just adding June 25th --

P.O. TONNA:  
No, no. Stay with me, Brian.

LEG. FOLEY:  
Oh, Riverhead, okay.

LEG. CARACAPPA:  
-- and the December meeting.

---

P.O. TONNA:

June 25th and the December 5th to be two Riverhead meetings. Motion  
by --

LEG. CRECCA:  
I'm sorry. Which ones?

P.O. TONNA:  
The June 25th --

LEG. CARACAPPA:  
June 25th, which is the last one before our break.

P.O. TONNA:  
And December 5th.

LEG. CARACAPPA:  
And December 5th so we can support the local outlets.

P.O. TONNA:  
All right. Motion and a second. All in favor? Opposed?

LEG. CARACCIOLO:  
Roll call.

LEG. FOLEY:  
Roll call.

P.O. TONNA:  
All right, roll call.

MR. BARTON:  
Who was the second, Mr. Chairman?

P.O. TONNA:  
I was the second.

MR. BARTON:  
You were the second, okay.

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

LEG. CARACAPPA:  
Yes.

P.O. TONNA:  
Yes.

LEG. CARACCIOLO:  
No.

LEG. GULDI:  
Pass.

LEG. TOWLE:  
Pass.

LEG. CARACAPPA:  
All or nothing.

LEG. FISHER:  
Yes.

LEG. HALEY:  
Yes.

LEG. FOLEY:  
Are we voting for the whole schedule or just the changes for these two?

LEG. CARACAPPA:  
Just the two changes.

LEG. FOLEY:  
Just the two changes? Yes.

LEG. LINDSAY:  
Yes.

LEG. FIELDS:  
Yes.

LEG. ALDEN:  
Pass.

LEG. CARPENTER:  
Yes.

LEG. CRECCA:  
No.

LEG. NOWICK:  
No.

LEG. BISHOP:  
Yes. Yes to the amendment.

LEG. BINDER:  
No.

LEG. COOPER:  
No.

LEG. POSTAL:  
Yes.

LEG. GULDI:  
No.

LEG. TOWLE:  
Yes.

LEG. ALDEN:  
No.

P.O. TONNA:  
Okay, we tried.

MR. BARTON:  
Eleven

P.O. TONNA:  
Let's now vote on -- eleven? Oh, that passed? Okay. So now we have --  
now we have these --

LEG. LINDSAY:  
What was the count?

MR. BARTON:  
Eleven.

P.O. TONNA:  
So we're done with the meeting then?

LEG. FOLEY:  
No, you have to vote on the whole --

P.O. TONNA:  
Now there's a motion by myself and a second by Legislator Postal to  
approve as amended. Roll call.

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

P.O. TONNA:  
Yes.

LEG. POSTAL:  
Yes.

LEG. CARACCILO:  
No.

LEG. GULDI:  
No.

LEG. TOWLE:  
Pass.

LEG. CARACAPPA:

Yes.

LEG. FISHER:

No.

LEG. HALEY:

Pass.

70

---

LEG. FOLEY:

No.

LEG. LINDSAY:

Yes.

LEG. FIELDS:

Yes.

LEG. ALDEN:

Pass.

LEG. CARPENTER:

Yes.

LEG. CRECCA:

Yeah.

LEG. NOWICK:

Yes.

LEG. BISHOP:

Yes.

LEG. BINDER:

No.

LEG. COOPER:

Yep.

LEG. TOWLE:

Yes.

LEG. HALEY:

Yes.

LEG. ALDEN:

Yes.

MR. BARTON:

13-5.

P.O. TONNA:

All right, great. Let's go on to this other stuff, please, let's get out of here.

LEG. HALEY:

We have to take a picture.

P.O. TONNA:

No, no, not today. Are we doing this?

MS. BURKHARDT:

It's all set up.

71

---

P.O. TONNA:

All right.

LEG. CARPENTER:

He's been waiting here all these hours.

P.O. TONNA:

Okay. No. 8, (Designating depositories pursuant to Section 212 of the NEW YORK COUNTY LAW).

LEG. CRECCA:

What are we approving?

P.O. TONNA:

This is the depositories. Motion by myself, seconded by Legislator Postal. All in favor? Opposed?

MR. BARTON:

18.

P.O. TONNA:

Fine, thank you. Resolution No. 9 (Designating an official County newspaper). Motion by Legislator --

LEG. CARPENTER:

Motion.

P.O. TONNA:

I think this one -- motion by myself, seconded by Legislator Towle. All in favor? Opposed?

MR. BARTON:

18.

P.O. TONNA:

Okay. Resolution No. 10 (Designating an official County newspaper). Motion by Legislator Crecca, seconded by Legislator Nowick. All in favor? Opposed?

MR. BARTON:

18.

P.O. TONNA:

No. 11 (Designating official local newspapers). Motion by myself, seconded by Legislator Postal. All in favor? Opposed?

LEG. CARACAPPA:

Opposed.

LEG. FISHER:

I'm opposed too.

MR. BARTON:

16-2 (Opposed: Legislators Caracappa & Fisher).

72

---

P.O. TONNA:

Motion to lay the whole packet on the table, seconded by Legislator Postal. All in favor? Opposed? I don't have to read the committees, do I?

Anyway, thank you very much. Congratulations, everybody. We're going to take a picture. And all I can say is thank you, thank you, thank you. My family thanks you. My wife thanks you. My children thank you.

[THE MEETING WAS ADJOURNED AT 3:53 P.M.]

