# SUFFOLK COUNTY LEGISLATURE
# GENERAL MEETING
# SIXTH DAY
# APRIL 16, 2002

MEETING HELD AT THE EVANS K. GRIFFING COUNTY CENTER
300 CENTER DRIVE, RIVERHEAD, NEW YORK

MINUTES TAKEN BY

LUCIA BRAATEN AND ALISON MAHONEY, COURT REPORTERS



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[THE MEETING WAS CALLED TO ORDER AT 9:07 A.M.]

P.O. TONNA:
I'd ask all Legislators please come to the horseshoe. All Legislators please come to the horseshoe. Okay. Henry, roll call.

(ROLL CALLED BY MR. BARTON)

LEG. CARACCIOLO:
Present.

LEG. GULDI:
Here.

LEG. TOWLE:
Here.

LEG. CARACAPPA:
(Not present)

LEG. FISHER:
Here.

LEG. HALEY:
(Not present)

LEG. FOLEY:
(Not Present)

LEG. LINDSAY:
(Not present)

LEG. FIELDS:
Here.

LEG. ALDEN:
Here.

LEG. CARPENTER:
Here.

LEG. CRECCA:
(Not present)

LEG. NOWICK:
Here.

LEG. BISHOP:
(Not present)

LEG. BINDER:
(Not present)

LEG. COOPER:
Here.



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LEG. POSTAL:
Here.

LEG. TONNA:
Yeah.

LEG. FOLEY:
Present.

MR. BARTON:
There are 12 present. (Not present at roll call: Legs. Caracappa, Haley, Lindsay, Crecca, Bishop, Binder)

P.O. TONNA:
Great. Okay. I'm going to ask that we all rise for the Salute to the Flag led by Legislator Guldi.

SALUTATION

P.O. TONNA:
Okay. Thank you very much. Legislator Guldi, since you have the clergy induction today, maybe you could lead us in prayer, or you want to wait a little while?

LEG. GULDI:
Actually, what I'd like to do is against the event that the rabbi doesn't arrive, what I'd like us to do is instead of a formal opening prayer, I'd simply ask everyone to observe a moment of silence to pray for a peaceful solution to the war in the Middle East.

P.O. TONNA:
Great. Please all rise and bow our heads for a moment of silence.

MOMENT OF SILENCE

P.O. TONNA:
Thank you, Legislator Guldi. Okay. We'll move to our proclamations. Legislator Crecca, are you here? Okay.

LEG. FISHER:
Mr. Presiding Officer, we do have entertainment with us this morning.

P.O. TONNA:
Are they set up? As they say, are you guys ready to rock and roll? No? I didn't think so. Okay. All right. I'll give my proclamation and then we have another one, Legislator Bishop?

LEG. BISHOP:
Yes.

P.O. TONNA:
All right. Legislator Foley, maybe you can go first, okay? The Chair recognizes Legislator Foley for the purpose of a proclamation.

LEG. FOLEY:
Mr. Chairman, as the young men from the jazz band get their



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instruments together, I'd like to have a minute or two of time to talk about two extraordinary people from the Blue Point Community. After the September 11th disaster and tragedy terrorist attack on 9/11 in Downtown Manhattan, an event that touched every community throughout the metropolitan area, different communities throughout the metropolitan area were deciding what to do about how to help those,

particularly those families who lost loved ones in the terrorist attack. And in the small community of Blue Point, where I was raised and still live to this day, the small fire department in Blue Point decided to do something for the families of those firefighters who lost their lives. Bruce and Janet Bastiaanse came upon what was a simple, at the same time, a brilliant idea of undertaking a fund-raising effort through the sale of shirts, T-shirts, sweatshirts in order to raise money for those families. Now, those of us who have been involved in different kinds of fund-raising events over the years be they of a campaign nature or a community nature know the great effort that goes into raising even a modest amount of money. And over a series of months, the love of these two have for each other and for the community, they were able to raise over $200,000 for families in Suffolk County.

APPLAUSE

LEG. FOLEY:
Now, they were able to do this with the help of many throughout Blue Point, but also many who are here today. There are a number of fire departments throughout Suffolk County from Western Suffolk to Orient and Montauk who on different occasions would come into our fair Hamlet of Blue Point and pick up T-shirts and pick up sweatshirts ask sell them to their neighbors in their home fire districts as well. Bruce and Janet are two very, very special people. I've known both for many, many years. My dad had known Bruce's dad when -- rather Janet's dad when Janet's dad was part of a Suffolk County basketball championship team in the late 40s in Bayport High School. I don't think there's been one since, but there was at that time. So that's the kind of community that we have in Blue Point, and it's the kind of community that we have in Suffolk that fire districts throughout this great County had worked with Bruce and Janet to raise those kinds of funds. So Bruce and Janet, if you'll please step forward. I would like to give you this proclamation from all 18 County Legislators. This is something that we give to you with great respect and with admiration for the great work that you had undertaken. And certainly it speaks so well of both of I and about the Blue Point Community that all of us have come from. So congratulations. If you wish to say a few words, we'll be more than happy to hear from you. Congratulations.

APPLAUSE

LEG. FOLEY:
Thank you very much for your attention.

LEG. FISHER:
Mr.Chairman, because the jazz group that we have here is related to the proclamations which I'll be presenting, may I do the proclamations as they continue to prepare?

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P.O. TONNA:
Yes. That would be fine.

LEG. FISHER:
Thank you. Thank you, Mr. Chairman. Good morning. I'd like to celebrate today the accomplishments of a team that has become known not only in Suffolk County and throughout Long Island, but has become a recognized dynasty throughout the country. This team might be a little different from the type of team that we usually acknowledge here at the Legislature because of their championship level of performance. This team used to be called the Westinghouse Preparation Group at Ward Melville High School. It is now called In Star. And over the years, this group, this effort has garnered hundreds of semi finalists and finalists in the national competition in science achievement. I would like to ask Dr. Baldo, who is the coach, the teacher, the instructor, the mentor of this group to come forward and the team members who are here to come.

Now, what we're going to do, because we didn't want to make a mistake on any of the proclamations, is I will say the name of the person who's receiving the proclamation, and then that person will come to the microphone and tell you just the name of his or her project. And when they come up, you'll see why. Rahal Kahanda, who, by the way, I know is also a terrific musician as well. Rahal.

MR. KAHANDA:
Just say the name of the --

LEG. FISHER:
Just say what your project was in short --

MR. KAHANDA:
Oh, okay.

LEG. FISHER:
-- very brief and as layperson as you can.

MR. KAHANDA:
Okay. What I did with my project was we stimulated bone growth around implant components in hip fractures. So, hopefully, that this -- my research will have clinical applications as to subjecting the geriatric population with my results. Thank you.

LEG. FISHER:
And what's the official name of it? Can you just --

MR. RAHANDA:

If I can remember, it was the simulation of bony ingrowth by pressure and -- pressure specific fluid flow stimulation.

LEG. FISHER:
Thanks, Rahal.

MR. RAHANDA:
Thank you very much.



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APPLAUSE

LEG. FISHER:
Vladimir Djuric. I'm sorry.

MR. DJURIC:
Djuric.

LEG. FISHER:
Djuric. Sorry, Vladimir. Can you just tell us --

MR. DJURIC:
Sure.

LEG. FISHER:
-- a little bit about yours?

MR. DJURIC:
Well, I basically -- actually ,my project was a bit obscure, but I took gamma ray bursts {floton} count data, and I analyzed it using signal processing and basically the {Bernulian-Plosson} method, which are just mathematical methods of looking at data.

LEG. FISHER:
It's clear to me, right? And in lay terms, can you tell us a little bit about what that means?

MR. DJURIC:
Well, sure. Gamma ray bursts are cosmological events. They're really powerful and they occur very far away in the universe. And analyzing the data and, like, understanding them may help reveal, like, the history of our universe.

LEG. FISHER:
Oh, okay. Thank you, Vladimir. And we'll say more about the project later.

APPLAUSE

LEG. FISHER:
Minou Arjomand.

MS. ARJOMAND:
Okay. I guess mine's a bit simpler than the other ones. It was a psychology project, and it was trying to see whether an adolescent's relationship with her parents would determine how she viewed boyfriend/girlfriend relationships.

LEG. FISHER:
Thank you.

APPLAUSE



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LEG. FISHER:
Lukasz Oleszak. I'm smiling because Lukasz is in my Spanish class. Lukasz.

MR. OLESZAK:
Well, my project was called the termination of regional mechanical stroke work with high spacial resolution in beating rapid hearts using computer aided {spectrofluorometry}.

LEG. FISHER:
He could say that in Spanish, too.

MR. OLESZAK:
And, basically, what I did was I found a way to capture the early symptoms of cardiovascular disease, so they wouldn't develop into the full blown very potent disease. And, hopefully, we'll be able to apply it in clinical studies later on.

LEG. FISHER:
Thank you.

APPLAUSE

Thomas Minor.

MR. MINOR:
My project was called infinite series of nontrivial knots characterized by trivial Conway polynomials.

LEG. FISHER:
I'm sorry.

MR. MINOR:

That's okay. Mine was a very obscure math project with no real application to anything. I found an infinite series of knots, which fooled the diagnostic test, called the Conway polynomial that mathematician used to analyze knots, and I developed the theory about the Conway polynomial in order to create a computer program that would analyze knots and find the Conway polynomial.

APPLAUSE

LEG. FISHER:
Thanks, Tom. I've always been impressed by them, and I assume you are as well. They work very hard. All of these young people spend time throughout their -- well, they start in sophomore year, don't they, Dr. Baldo? They work during the summers, they work with mentors in different places at Stony Brook University, at Brookhaven Lab. They stay after school. Sometimes they look like they're just playing, but I know that they're really working, because science and mathematics is mental gymnastics and it is playing.

I'm going to read the final proclamation to you. "Whereas; the Suffolk County Legislature wishes to honor Yang Li on his outstanding success at being named a finalist in the Intel Science Talent Search." Okay. Yank Li is the young man who went to Washington. "Whereas;



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Yang Li has worked as a volunteer in the laboratories of the Department of Medicine at Stony Brook University since he was in the eighth grade, and has worked with Department Chairman Benjamin Luft, who became his mentor, searching for a vaccine for Lyme Disease."

And I have to mention at this juncture that I'm very proud that Stony Brook University, and as should we all be very proud that here on Long Island and Suffolk County, Stony Brook University is the place that has been the pioneer and the leader in Lyme Disease research, and they have -- it is here on Long Island that it was identified and researched more than anywhere else in the world. And so it's very critical for us to understand Yang Li's very important role in this. Yang, can you come forward as I'm reading this?

MR. LI:
Sure.

LEG. FISHER:
Please. "Whereas; Yang Li's project, the discovery of a unique protective epitope on the outer surface protein sea of Lyme disease agent Borrelia burgdorderi: Implications for first OspC" -- is that how I should say that?

MR. LI:

Yeah.

LEG. FISHER:
Okay. "Peptide vaccine can almost immediately be applied clinically to provide a vaccine for Lyme disease, which is of serious concern particularly on Long Island; and, whereas, Yang Li has been described by all who have known and worked with him as an extraordinary student, a dedicated scientist, and a genuinely fine young man. Now, therefore, be it resolved that I, Vivian Veloria Fisher, of the Fifth -- representative for the Fifth District, along with my colleagues on the Suffolk County Legislature, do hereby honor and congratulate Yang Li." And we congratulate all of the young people who are standing behind me. And I will ask Dr. Baldo to say a few words. Congratulations.

APPLAUSE

DR. BALDO:
Thank you very much, Ms. Fisher. I'd like to thank all of you for having us here today. As you may gather, this is a rather special group. It's taken me a long time to learn how to pronounce many of their projects. They have worked exceedingly hard for many years, Yang since he was in eighth grade, the others all involved in their science, their research, it's a passion for them. And this is one segment of our youth that will contribute to the country in the near future as they take over their roles as citizens. And to get this kind of recognition for them I think is terrific, and I thank you all for honoring them in this way.

APPLAUSE



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LEG. FISHER:
And I thought that while we were looking at the scientific and academic achievements of some of the students at Ward Melville High School, I thought it would be fun for you to see also the high level of achievement of the music students. Mr. Michael Carubia, who is our Jazz Lab Director, is a professional jazz musician in his own right, and a composer and arranger, and he does a wonderful job with our jazz students. And we will have a demonstration of their talents right now. Should I do a-one-and-a-two?

[THE WARD MELVILLE HIGH SCHOOL JAZZ BAND PERFORMED]

MR. CARUBIA:
Thank you very much for allowing us this time to show you what the students you have, many of the schools are doing. Just a quick little introduction. Scott Vorwald, tenor sax, Dan Marcus on guitar, Jeff Braunreuther on drums, and Ryan Beucke on trombone, Amit Taylor,

piano, and Daniel Guberman on bass.

APPLAUSE

You should know that this is a small portion of our music -- very small portion, that we have two large jazz bands and another combo, but many of these students also play other instruments, not their primary instruments, some play cello and base and whatever. So thank you for allowing the time. Thank you, Legislators.

LEG. FISHER:
And Dan Guberman's in my Spanish class as well. Okay. Thanks a lot, guys, you were terrific.

D.P.O. POSTAL:
Legislator Bishop for a presentation.

LEG. BISHOP:
Good morning. Legislator Haley and I would like to make a presentation. On September 11th, 2001, the world watched in horror as a devastating event occurred. In its aftermath, many of the organizations that the Suffolk County Legislature supports, most notably the fire departments and ambulance corps that I see here, were pressed into service and performed in a professional manner despite the fact that they are volunteer organizations. Another organization that similarly responded was the Suffolk County SPCA. Now, the SPCA was at the site from September 11th through October 30th, 24 hours a day, seven days a week. And they were providing medical care to the rescue animals that worked at the site. One of those animals is Balto here. Can everyone see Balto? Balto served at the site.

LEG. HALEY:
He's a Republican.

LEG. BISHOP:
That's not what he told me. -- with Officer Robert {VanWick} from the Suffolk County Police Department. He served very ably and nobly. But the SCPA, as I said has been -- was there for six straight weeks, a volunteer organization that provided an essential professional



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service. And what they utilized was an initiative of the Suffolk County Legislature, which is the Spay-Neuter Van that we approved in 2000. So the combination of superior personnel, tremendous and brave animals, and our -- and our Spay-Neuter Van served the New York Metropolitan area, the nation well. And so we want to honor the SPCA for their efforts with this proclamation, which is on behalf of all of us, and, therefore, on behalf of the 1.4 million residents Suffolk County essentially to say thank you very much for a job well done.

Roy Gross, would you come forward and accept this?

MR. GROSS:
Thank you very much.

APPLAUSE

MR. GROSS:
Yeah, I'd like to just say a few words, if I may. Good morning, ladies and gentlemen. Thank you all for being here today. I'd like to thank the Suffolk County Legislature for this great honor. Because of the unanimous Legislative approval for the purchase of the MASH Unit recently, our response to the World Trade Center attack was made possible. On September 11th, America faced its worst tragedy in history. By 6:00 p.m. that evening, the Suffolk County SPCA with its state-of-the-art MASH Unit and trained staff of veterinarians and law enforcement personnel arrived at Ground Zero to support the efforts of the Search and Rescue Teams. We set up our mobile hospital on West Street about a block and a half from the ground -- from the World Trade Center site. No one was prepared for the magnitude of the devastation that we witnessed. Through the efforts of our volunteers, scheduling of veterinarians was provided each working a minimum of a 12 hour shift. It was no easy task, the response was absolutely overwhelming. Our volunteers responded without hesitation, they faced unspeakable horror and showed incredible courage, sacrifice and patriotism. During the grueling eight weeks that the Suffolk County SPCA was at Ground Zero, we provided over 700 treatments to the more than 300 courageous canines that came from all over the country. The Suffolk County SPCA was the only agency authorized to be in the hot zone to treat the search and rescue dogs. Yet they endured and kept on working like the true soldiers that they are. These brave dogs are truly the unsung heroes. And, you know, we've been referred to as heroes. We don't think of ourselves as heroes, we just did what any American would do under these horrific circumstances. And I'm proud to stand here as Chief of the Department of the Suffolk County SPCA and as an American. I'm very proud of all the members of my agency and the other agencies of canines that worked at Ground Zero that risked their lives to try to save others and to help bring closure to grieving families. And I'd like to just, if I may, we have a few individuals from the SPCA here today. Sergeant Dave Ramos, Police Officer Arthur Turner, Lieutenant Skip (Kelder), who's also Counsel for the SPCA, I'm not forgetting him, our buddy canine here, and Lois Gross also that works with the SPCA.

APPLAUSE

MR. GROSS:
Thank you again, and God bless America.

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APPLAUSE

LEG. BISHOP:
Thank you, Roy. I just want to note that May 1st will be Balto's sixth birthday. He's accepting steaks. Thank you.

D.P.O. POSTAL:
Legislator George Guldi will now introduce our guest clergy.

LEG. GULDI:
As I promised earlier, the rabbi was apparently following directions given to him by one of the dedicated members of my staff that no one could find -- follow. It took him an hour and forty-five minutes to get here from Westhampton as a result. But I'd like to introduce with my apologies, Rabbi Ariel Konstantyn for the invocation.

RABBI:
If there is one prayer most often on our lips, one pursuit most fervently beating in our hearts, it is the quest for peace. Our beloved country founded on the divine principals of liberty and justice, of freedom and democracy is under attack by totalitarian tyrannical regimes that are repulsed by ideal of individual rights. They neglect social responsibility for their own people and reject the sanctity and dignity of life. Make no mistake about it, no amount of rationalization can justify acts of murder and terror. No complaints of desperation or poverty excuses violent crimes. There is no discussion with terrorists, no negotiation with murderers and thus America for most of our history has held a strong and consistent stance, a noble and a morale policy, there is no negotiation with terrorists, period. If one rewards terrorism with political or monetary concessions, one will only encourage further assault. In the forum of unbridled conscious targeting of unsuspecting innocents and the evil regimes that harbor and promote them across the globe threaten the safety, the security, and the liberty of the entire free world. It is therefore incumbent upon us, the religious, the political, and the concerned leaders of our country to take a strong and unequivocal stance in supporting both America's and Israel's war on terror. It is our duty, both morale and civic, to be outspoken in support of our closest ally. As we fight terror on the other side of the street, on the other side of the world, rather, Israel fights across the street. This terror has instilled fear in people throughout the world, fear of flying in planes, fear of working in skyscrapers, fear of eating in pizza shops or going shopping in the mall, fear from homicide bombers as unsuspecting as a 16 year old girl in a supermarket, to a pregnant woman, pregnant with explosives. We therefore must stand up and fight against evil terrorists such as Osama bin Laden, Saddam Hussein and Yasser Arafat, and we must succeed and we will succeed. And thus I conclude with the following prayer. May God grace you, our leaders, with divine insight and inspiration to

guide this beloved nation through these difficult and trying times. May God bless you with health, strength, and success. May God bless all of us, the United States of America, the State of Israel, and the entire world with the ultimate blessing of peace, O-sh sholom binromov Hu ya-asen sholom Oleynu v'al kol ysro-eyl; V'imru omeyn. May God who



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invokes peace in the heavens bring peace to us and to the entire world. And let us say Amen.

AMEN SAID IN UNISON

LEG. CARACCIOLO:
Madam Chair, I would at this time like to request that the representatives of the Police Department, the County Police Department, County Health Department and the County Department of Public Works be informed to be here this afternoon when we take up resolutions dealing with the Medivac Helicopter at Gabreski Airport. I am told by Legislator Towle that that request was made yesterday, and he was advised that those individuals would not be here. I am now asking the Chair to make a formal request and advise us as soon as we have confirmation. Thank you.

D.P.O. POSTAL:
Thank you. That request will be conveyed.

P.O. TONNA:
Okay. Legislator Crecca for the purposes of a proclamation.

LEG. CRECCA:
I've asked Legislator Nowick to join me. And I'd ask Allen Wolfsont to join us, the subject of our proclamation. Ms. Nowick and I have chosen to take this time to recognize and honor Allen Wolfsont. He was born in 1912, has been a -- graduated Saint John's Law School in 1933, and he began to practice law in 1936. He was the founding member of our Smithtown Rotary Club, as many know, one of the most active rotary clubs here on Long Island, and that was in 1959. He served as its first president through 1961. He served in the U.S. Navy, was involved in the two invasions in the Atlantic and the Pacific. He is still a full-time practicing attorney in the great Town of Smithtown at the age of 92 years old.

APPLAUSE

LEG. CRECCA:
I think that in and of itself is worthy of proclamation and honor, but Allen has been a true civic minded citizen and great resident of our Town of Smithtown. We're proud to honor him today, and Allen, I look forward to honoring you about eight years from now. And hopefully

you'll still be practicing law full time.

MR. WOLFSONT:
I hope so.

LEG. CRECCA:
Thanks. Thanks, Allen. Legislator Nowick.

LEG. NOWICK:
I just wanted to come and congratulate Allen Wolfsont. I grew up in the Town of Smithtown, and Mr. Wolfsont was an icon in the town. As a little girl, I always remember seeing you walk along Jericho, Main Street. I know you knew my dad and my father-in-law. It is a pleasure to be here today to honor you. Ninety-two years old, you



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just keep going.

MR. WOLFSONT:
I try. Thank you.

LEG. NOWICK:
Congratulations.

MR. WOLFSONT:
The first 90 are the toughest years. The others, well, will just have to do. Just get up in the morning and do your work, and I think you'll probably live to be at least 90, if your lucky.

APPLAUSE

P.O. TONNA:
Thank you very much. Okay. I'd like call up Virginia Cavata, Paul Silverman and fellow board members of the Parkinson's -- the American Parkinson's Disease Association. I'd like to present this proclamation to Virginia, Board Members Paul Silverman and the other Board Members of the Suffolk County Chapter of the American Parkinson's Disease Association. On Saturday, April 27th, the Suffolk County Chapter of the American Parkinson's Disease Association will be hosting a Walk for a Cure Walk-a-thon to increase awareness, raise money for the fight against Parkinson's, a deliberating -- forget it -- debilitating sorry, I had no coffee today, I'm going to do it again, sorry, a crippling disease that affects over one and a half million Americans. One person in 200 will get Parkinson's Disease during their lifetime with the risk increasing with age. One in every -- one in every hundred persons over 60 has Parkinson's, my mother being one of them. The Walk for a Cure is a major event for the Parkinson's Disease Association attracting more than 1,000 contributors and as many as 300 participants, many who are afflicted

with this disease. The Suffolk County Chapter of the American Parkinson's Disease Association is based at Saint Catherine of Sienna of Medical Center in Smithtown and provides a broad array of services for those with Parkinson's and their families. Services such as physician referrals, educational lectures, support groups and free reliable and accurate information on this disease. Contributions to the walk-a-thon -- Walk for a Cure will go directly to support those precious services in Suffolk County. I'd like to thank Virginia and all of the Suffolk County -- Suffolk Chapter of the American Parkinson's Association for their outstanding efforts. And I encourage everyone, support this event either by walking, and we will help facilitate that for any Legislators or staff who would like to walk or by making a pledge to this worthy cause. Virginia, again, thank you very much. Do you have anything to say?

MS. CAVATA:
Thank you for joining us to be our keynote speaker, in fact, and you will be with us on our walk.

P.O. TONNA:
I'm going to be able to say debilitating much better. All right. Thank you.



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APPLAUSE

D. P.O. POSTAL:
Before we begin the public portion, two announcements. There will be an executive session today at the conclusion of the public hearings on the bus litigation. It's on today's agenda, but please note that there will be an executive session at the conclusion of today's public hearings. Also, just a reminder that when we recess for lunch, promptly at 12:30, we will be taking the official Legislative photograph, so today at 12:30, there will be a photograph taken of the Legislature. Please don't leave as soon as the recess is called.

MS. BURKHARDT:
Followed by the Budget Committee meeting.

D.P.O. POSTAL:
Followed by the Budget Committee meeting.

LEG. CRECCA:
Oh, really?

D.P.O. POSTAL:
Yes.

D.P.O. POSTAL:

Please note that the individuals who have filled out yellow cards to speak at the public portion will each have three minutes to speak. Our first speaker is Ed Siegmann. And following Mr. Seigmann will be Diana Weir. Go ahead, Mr. Seigmann.

MR. SEIGMANN:
My name is Ed Seigmann, and I represent the Suffolk County East End Senior Citizen Council, which is 17 senior citizen clubs out here on the East End, and Mobile Homeowners Association. First of all, for the seniors I want to thank you for your efforts, what you've passed in reference to helping the people that have the EPIC Program, and we hope that when the confidentiality problem is straightened out with EPIC that that law will be able to be put into effect. But what I'm mainly here to talk to you about today is the fact that the taxes out on this end of the Island are forcing more and more seniors to leave. It also applies to young people, but I'm sure they can talk for themselves, I'm talking for the seniors today. We read in the papers constantly about the salaries paid to policemen, paid to teachers, the pensions that are paid in pay office when they retire, all of these things are not going to change. And we're kidding ourselves by thinking that they will. But there is something that can change, and what should change is the way taxes are collected. And I think the County could start setting a precedence for the school boards and everybody else by coming up with a new way of collecting taxes. Instead of doing it by property taxes, do it by income taxes or by a combination of both. That's the only way that people with low incomes on the Island are going to be able to stay here. And I'm happy to see that Nassau County has broken the ice to some extent to start talking about this. I'm also happy to see that there is supposed to be working arrangements made between Suffolk County and Nassau County, and I'm hoping that you will take this serious and start changing the



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way taxes are collected, instead of forcing young people with low salaries and seniors off of Long Island. Thank you.

APPLAUSE

D.P.O. POSTAL:
Thank you, Seigmann. After -- our next speaker is Diana Weir. Following Diana will be Serifina Schwartz.

MS. WEIR:
Good morning, Legislators. Thank you once again. I've been here many times before you speaking in support of the Medivac Helicopter. And you see behind me and outside a tremendous show of support from volunteers. These people volunteer their service to save lives, and many of them are here today and they took time off work to come and show how important it is that you give them the tools to be able to

save lives on the East End year-round, not just on in the summer. So I thank you for letting us be here. I've spoken to you before about the population growth, I've spoken to you before about the traffic and the growth in traffic and the need in the winter because of deer and speed and the extended season. Today, I want to speak to you about Suffolk County taxes we pay for police services. As you know, we do not receive patrol services, but we do pay for Homicide Bureau, all your specialty squads, Burglary, Anti-Bias and for your Laboratory Services.

In the past five years, there have been only three murders in East Hampton, thank God, so we haven't really taxed your specialty bureaus that much. We have never used the Anti-Bias Bureau. We have used the Arson Squad, and we very rarely, if ever, use the Burglary Squad. So the taxes we're paying on the East End for these specialized services are really not being used to there fullest. So when you consider the money that you need to fund, please consider those taxes that we pay you that currently are not being used to the fullest, because we have the low crime that we do have on the East End. In support today we also have the full Town Board of East Hampton, we postponed our work session today. Pete Hammerle, Job Potter, Pat Mansir, who has spoken to you before and our super -- Supervisor, Jay Schneiderman. We're all here today to ask for your support, that's how important it is to us in Est Hampton. Thank you very much

APPLAUSE

D.P.O. POSTAL:
Diana, first, Legislator Carpenter has a question. But I want to apologize, because we've known each other for so long that I forgot that you are a Councilwoman. I should have addressed you as the honorable.

MS. WEIR:
That's okay, Maxine, nobody else does.

LEG. CARPENTER:
Knowing Councilwoman Weir, she doesn't stand on ceremony, so I know no offense was taken



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MS. WEIR:
None.

LEG. CARPENTER:
I just want to clarify something. Are you aware, when you recited the services that are available to the East End that you can avail yourselves of, one of them that I think I didn't hear was the training of your police officers that is done at the Suffolk County Police

Academy.

MS. WEIR:
Yes. No, I know that, and I know that we use the Academy.

LEG. CARPENTER:
All of the town officers whether it's Riverhead, East Hampton, Southampton, as I've seen time and time again, are trained at the Suffolk County Police Academy.

MS. WEIR:
We do have forty-nine police officers on the police force and three that are in the Academy right now. Again, it's not a huge amount compared to the Suffolk County Police.

LEG. CARPENTER:
It's not a huge amount, right, but it is --

MS. WEIR:
We do thank the Police Department --

LEG. CARPENTER:
An expense.

MS. WEIR:
-- for their services. You have a great Police Department in Suffolk County, as we do on the East End. But you we beg you, please, consider keeping this helicopter year-round.

LEG. CARPENTER:
And just for everyone's information, Diana has been at the Public Safety Committee, and we have heard all of this, and we are very, very supportive. As a committee, I think I can say that. We have asked the Police Commissioner to come, and he will be coming to the May meeting with an exact cost of what this is going to be so that we can factor into the budget processes that are going to be taking place in September-October. So I think that your pleas have not gone unheeded, but I think it's a matter doing it in an appropriate fashion, and I think getting the facts and figures ahead of time and making this part of our budget process, because you will have service starting May 1st through September 30th. I think we're all on the same page. So thank you for coming down.

MS. WEIR:
And we value that. Thank you, and thank you for having a meeting in Riverhead.

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D.P.O. POSTAL:

There are other questions, but I would just -- there are 127 cards, so I would just urge each of the Legislators to confine yourself to questions.

LEG. TOWLE:
Another hundred in the lobby.

D.P.O. POSTAL:
Okay. Legislator Caracciolo followed by Legislator Towle.

LEG. CARACCIOLO:
Thank you. Nice to see you again.

MS. WEIR:
Hi, Mike.

LEG. CARACCIOLO:
I think it's important for all of the speakers when they come up, it's not an issue of whether or not there should be a Medivac Helicopter at Gabreski. And if it's a question of cost, as some elude to, then in a County that has a $2 billion budget, I'm still waiting to find out what the cost is for the year-round service.

LEG. TOWLE:
14 months.

LEG. CARACCIOLO:
Whatever it is, it's money well spent, because --

MS. WEIR:
Thank you.

APPLAUSE

LEG. CARACCIOLO:
-- when we look at this great nation of ours --

D.P.O. POSTAL:
Michael, question please.

LEG. CARACCIOLO:
Okay. We'll stick with questioning and I'll make remarks later.

P.O. TONNA:
Everyone's going to have time to say things.

LEG. CARACCIOLO:
So I would appreciate that you and other speakers who follow address those individuals that have concerns about the cost and request why wasn't the money put in this year's budget for 12 months as some

advocated? People that live on the East End 12 months out of the year, they don't live there seasonally. I want to commend the --

APPLAUSE



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LEG. CARACCIOLO:
I want to commend the Presiding Officer. He has sponsored legislation for an Eco-Tourism Task Force. You want to talk about the number one industry in Suffolk County? It is tourism, and where does that tourism take place? It takes place on our great shores and beaches, whether it be the South Shore, the North Shore or the East End. So let's stop talking about it, and let's put our money where our mouth is. Thank you.

APPLAUSE

D.P.O. POSTAL:
Michael, I know that Legislator Towle is next. And Legislator Towle, I'm sorry that, you know, this has to be said as you speak, but please confine yourselves to questions.

P.O. TONNA:
Questions. Questions only.

D.P.O. POSTAL:
It's just not fair to the public. Legislator Towle.

LEG. TOWLE:
Legislator Postal. Diana, I appreciate your appearance here today.

MS. WEIR:
Thank you, Fred for your --

LEG. TOWLE:
Obviously there's a litany of over 200 cards to speak this morning, but what is the general sentiment from each of the East End Towns? I know you represent the Town of East Hampton, but I'm just curious what seeps to the general scuttlebutt and opinions of the East End Towns, East End Supervisors, Towns and people in the villages in eastern Suffolk County. You know, these are the same people that pay taxes like the people on the West End.

MS. WEIR:
The five East End Towns I think are unanimously in support. I think you will be receiving letters from the five East End Supervisors, you'll be receiving letters from all the police Chiefs, the villages, from the towns. And it is a unanimous request. I mean, these people who volunteer, they're the ones that sit on the highway with someone

in their lap waiting for a Medivac, and that extra 15 minutes and that one hour, a vital time to save a life means quite a bit. So I think -- as you can see from the representation here today, it is unanimous. And they will be mercifully short, and I'm sure all of them won't speak. Just to let you know that. Thank you, Fred. Thank you for your legislation, Fred.

D.P.O. POSTAL:
Legislator Bishop, did you have a question.

P.O. TONNA:
No. Is it a question now? Are you going to ask the same of the 129 people?



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LEG. BISHOP:
No. I'm going to ask Councilwoman Weir, because as an elected official, she's designated to take the more difficult questions.

LEG. TOWLE:
Hold onto the podium.

LEG. BISHOP:
It's not that bad. I just want to understand the time line that's involved -- involved here. Perhaps you can correct me, because this is information that I've received, and I just want to confirm it or correct it.

MS. WEIR:
Okay.

LEG. BISHOP:
The -- prior to 2001, there was no stationing of a helicopter on the East End.

MS. WEIR:
I think there was for the summer months. For the three months in the summer, and then it was extended on either end by one month, from May to September

LEG. BISHOP:
No. I believe --

LEG. FISHER:
Actually 2001 was the beginning.

LEG. BISHOP:
-- and I think somebody can confirm it, that prior to 2001, the East End was served, and it's always been served, by the helicopters

stationed at MacArthur, because that's where we kept our helicopters. Then last year, I guess it occurred in the budget process of 2000; is that correct?

LEG. FISHER:
Yes.

D.P.O. POSTAL:
Legislator Bishop, it might be better if you ask the Budget Review Office, because the questions that you're asking seem to be more appropriate for the Budget Review Office.

LEG. BISHOP:
Maybe Jim can answer them.

D.P.O. POSTAL:
That would be better.

LEG. FISHER:
Actually, Madam Chair, I have the -- the answer is that I had introduced that Pilot Program in the summer of 2001.



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LEG. BISHOP:
You did so when?

LEG. FISHER:
During the 2000 cycle, for the summer of 2001.

LEG. BISHOP:
Right. So when we were in 2000 and we were planning on how to spend money in 2001, Legislators agreed with those from the East End that we would pilot a project to keep the helicopter -- a helicopter at Gabreski. The pilot was deemed a success, and then in the 2000 and -- in the autumn of 2001 when we prepared the budget for 2002, we said it's a success, we're going to renew it. And, in fact I think we added two months to the program; is that correct?

LEG. TOWLE:
Yes.

LEG. CARACCIOLO:
Where's the question, Madam Chair?

D.P.O. POSTAL:
He just said is that correct?

LEG. FISHER:
No, there is a question.

LEG. BISHOP:
There is a question.

LEG. TOWLE:
We changed our mind. Go ahead.

LEG. HALEY:
Make it a tall question.

LEG. BISHOP:
So that's correct. So in 2001 we deemed the project a success. Paul, let me finish, and it will take less time.

P.O. TONNA:
Good. Go ahead.

LEG. BISHOP:
In 2001 we deemed it a success, and we added two months to it; May and October for 2002. So now we're in 2002, and the East End is coming to the Legislature saying you have to do it year-round; is that correct?

MS. WEIR:
Yes. We would like it year-round because it was so successful, we were able to save lives and really reduce the type of injuries, because if you get people to the triage center as quickly as possible, it helps in their care in saving their lives and making their injuries taken care of more quickly. So it has been tremendously successful as you can see from the support here, and I think it would be important



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to have it year-round. If any of you have driven out there, winter or summer, you will see that the traffic is really year-round now. It's not just the summer. And the traffic in the winter is a lot faster, so the accidents are worse.

LEG. BISHOP:
Would you agree that in light of the fact that we have piloted the program, deemed it successful, expanded the program, that any rhetoric that accuses the Legislature of being indifferent to the East End would be misplaced?

MS. WEIR:
No. No. No one has said that.

LEG. BISHOP:
Given the fact -- given the fact that the time that we expand these programs and consider them is when we do the budget planning for the following year?

MS. WEIR:
Yes. Oh, I have never said that you're ignoring the East End. We're very pleased that we get the service with the Medivac that we do. The point that I'm making is that our tax dollars are still going up west, we do that gladly from our tourism and from our motels and property values, of course. But we would like to have it year-round. We feel that it's that important. That's why you see this level of support. I mean, we want it. We're grateful you gave it to us, now we want it year-round. See, when you give an inch, we want a mile.

APPLAUSE

D.P.O. POSTAL:
Legislator Alden.

MS. WEIR:
Hi, Cameron.

LEG. ALDEN:
How are you doing? Just so I can clear on it. I've gotten a lot of e-mails, letters and calls, things like that, you specifically want the Medivac Services, right?

MS. WEIR:
Yes.

LEG. ALDEN:
It's not the whole spectrum of the police?

MS. WEIR:
No. The Medivac Helicopter.

LEG. ALDEN:
Specifically Medivac.

MS. WEIR:
Medivac. We have a fine -- excellent team of volunteers, fire police



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and EMTs that do a tremendous job on the East End in pretty serious circumstances when we have the traffic we do year round. And, yes, the Medivac is really what we're begging for today.

LEG. ALDEN:
I just have one other question. When your town board considered the necessity for it, what statistics do you look at it?

MS. WEIR:

Well, some of the statistics, and you'll probably get better statistics from the some of the EMTs who actually are on the ground dealing with the people, but the accidents are more serious in the winter, because of the speed, because people see the roads open. So there are more fatalities in the winter months than in the summer months, believe it or not. I don't have exact numbers, I'm sorry, that's up to the specialists. Sorry, Cameron.

LEG. ALDEN:
No problem.

MS. WEIR:
Thank you.

D.P.O. POSTAL:
Legislator Fisher.

LEG. FISHER:
Hi. It's a short question. You may have given the statistics while I was out of the room. How has the population grown in the district that you represent?

MS. WEIR:
Well, in the Town of East Hampton alone, in the last census we had 16,000, and now we're almost up to 20,000. Those are year-round residents. I think the whole East End is almost up to 165,000 people in the latest census. And you ever places like Shelter Island where it's very difficult because you have ferry on both sides, and they're really restricted in how they can get people to the triage.

LEG. FISHER:
Okay. So there has been very substantial growth in the year-round population.

MS. WEIR:
Yes. And in East Hampton alone -- in the summer we have about 85,000 the summer months alone. So that's quite an influx of people.

LEG. FISHER:
But since the issue here is year-round, I wanted to know what kind of population growth happened year-round, and you're talking about a 25% --

MS. WEIR:
Yes. Five East End towns, yes, about 160,000.



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LEG. FISHER:
Okay. Thank you.

MS. WEIR:
Thank you, Vivian.

D.P.O. POSTAL:
Legislator Towle.

LEG. TOWLE:
Thank you. Diana, one other question. I think it kind of dovetails what Legislator Bishop was talking about. Do you recall a period before the Legislature last year --

MS. WEIR:
Yes.

LEG. TOWLE:
About this issue?

MS. WEIR:
Yes. I've been here a lot.

LEG. TOWLE:
The reason you appeared last year was because the bill we had introduced to try to make it on a permanent basis this year as opposed to redealing with it now again was before the Legislature, and you came out and spoke in favor of that bill.

MS. WEIR:
Yes, sir.

LEG. TOWLE:
And unfortunately, that bill didn't pass, and that's why it's only seasonal service now. It would have been full-time service if we would have addressed this last year.

MS. WEIR:
If we would have -- if you would have listened to me last year, we wouldn't be here today. Thank you.

LEG. TOWLE:
Exactly. And, in fact, a lot of people unfortunately who have received injuries would have been saved too.

MS. WEIR:
Yes.

D.P.O. POSTAL:
Legislator Carpenter.

LEG. CARPENTER:

I'd like to -- are the elected officials and everyone who is here today --



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LEG. FISHER:
Is your mike on? I can't hear you.

LEG. CARPENTER:
Yes, it is.

D.P.O. POSTAL:
It's the fan.

LEG. CARPENTER:
Are you lobbying the federal officials on the fact that the Coast Guard Helicopter --

MS. WEIR:
Yes, I was going to mention that too. Oh, yes.

LEG. CARPENTER:
Okay. Is likely to be pulled out, because this is an effort that I've been involved in for the past couple of years, and when the Coast Guard pulled out of Floyd Bennett, and were just going to have the helicopters out of Jersey and Massachusetts, we prevailed upon the Senator to institute that service in the summer. And it was my understanding in speaking with Senator Schumer's Office that they were going to honor that commitment and make sure that that went on. And I was very, very distressed to read recently that that might not be the case. So I would hope everyone that is here today, and that was my question to you, are you exerting that same kind of effort?

MS. WEIR:
We'll be lobbying our Congressman, Felix Grucci, our Senators, because we'll be stranded then, you know, water and land. So it's very important for us to have that Coast Guard Helicopter also.

LEG. CARPENTER:
Both Congress people, because is really a Long Island issue, and it affects both --

MS. WEIR:
Mr. Israel, yes. We'll be lobbying everyone. There'll be letters going out. Thank you.

LEG. CARACCIOLO:
Mr. Chairman. Madam Chair.

D.P.O. POSTAL:

Legislator Caracciolo.

LEG. CARACCIOLO:
Just to follow-up on the comments made by my colleague. Could you distinguish for the Legislature -- I think most of us know, but I think I'd like to have you state it for the record -- that essentially the Coast Guard Helicopter Medivac is for off-shore emergencies and rescues, whereas, when we talk about the Police Medivac it's for on-shore or land Medivac rescues and transports. That's an important distinction.



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MS. WEIR:
Yes, sir. But we would be stranded without -- you know, we have tremendous water usage on the East End all up and down the shore from Western Suffolk out east.

LEG. CARACCIOLO:
But I think the essence of your remarks today, and tell me if I'm right, is that during the off-season, so to speak, when we're beyond Labor Day and before Memorial Day, what this legislation attempts to do is to create 12 month round the year, round the clock service.

MS. WEIR:
Yes, sir.

LEG. CARACCIOLO:
That's when we need the Police Medivac at Gabreski.

MS. WEIR:
That's when we want it, sir.

LEG. CARACCIOLO:
Because that's when taxpayers of Suffolk County are on the roads.

MS. WEIR:
Correct.

D.P.O. POSTAL:
Question, please.

APPLAUSE

P.O. TONNA:
That's twice, Michael. Question. Question.

D.P.O. POSTAL:
The next speaker is Serafina Schwartz, and following Ms. Schwartz will be Dr. Robert Barraco.

P.O. TONNA:
Thank you.

MS. SCHWARTZ:
Good morning. My name is Serafina Schwartz. I wouldn't be here today if it wasn't for the south --

LEG. CARACCIOLO:
Ma'am, you've got to move the microphone.

MS. SCHWARTZ:
I wouldn't be here today if it wasn't for the Southampton Police, Fire Department and the Medivac Helicopter that took me to a trauma center at Stony Brook. For ten years, I live in East Hampton and for ten years I've been driving 27 to Brookhaven to work as a registered nurse. And one morning I hit black ice. My car overturned on 27, and if it wasn't for these people and their helicopter who got me to a trauma center, I might not be here to be able to talk on behalf of the



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other people who live in East Hampton and drive up the Island to work. I am on the mend, and I hope to get back to work, they're holding my job. And I would like to see that helicopter year round for everyone else to be able to be standing here like I am.

APPLAUSE

MS. SCHWARTZ:
It's important to me, and it's important to the entire East End. I'm a homeowner and many people drive on 27 every morning. We live one place, we work in another place, we're all Long Islanders. And I think we all should be considered. Thank you.

D.P.O. POSTAL:
Thank you, Ms. Schwartz.

LEG. TOWLE:
Legislator Postal.

D.P.O. POSTAL:
Ms. Schwartz, Legislator Towle has a question.

LEG. TOWLE:
Ms. Schwartz, thank you first of all for coming. When did the accident take place?

MS. SCHWARTZ:
February 8th.

LEG. TOWLE:
February 8th. That was very important. I wanted to make sure the Legislature heard that, because it wasn't during the Memorial day to Labor Day holiday that some people have lobbied for.

MS. SCHWARTZ:
No. No.

LEG. TOWLE:
Thank you.

MS. SCHWARTZ:
And I was fortunate that I was in Southampton and not in Amagansett, because if that helicopter had to go further, I may not have made it to Stony Brook. We do not have a trauma center at Southampton Hospital. We are subjected to other trauma units like Brookhaven and Stony Brook. That is what's available to us, and I think that's what should be available to us in the Year of 2002.

D.P.O. POSTAL:
Don't leave, Ms. Schwartz. Question from Legislator Alden.

LEG. ALDEN:
I apologize. I couldn't hear the first part of your comments. You said that you were medivaced to what hospital?



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MS. SCHWARTZ:
To Stony Brook.

LEG. ALDEN:
Okay. Thank you.

D.P.O. POSTAL:
Thank you. Next speaker is Dr. Robert Barraco, and following Dr. Barraco is George Rider.

MR. BARRACO:
Members of the County Legislature and guests, good morning. I wish to first acknowledge the excellent work done by our EMS, Fire and Police Departments, paid and volunteer, those who are here today and those they represent at home. They do a terrific job, and I want to thank them for that. I'm here primary today for two reasons. The first is to praise you for your efforts in providing the East End of our County with improved air medical transport service for at least part of the career. This is a terrific idea with strong justification and support from the trauma literature. The second is to urge you to keep that helicopter there and extend its presence year-round, 24/7. The same

reasons that justify the first, beg the second. I have heard that there are voices that would not use that service equitably and just use it during the day or just for the summer or just for part of the year. Well, this help our tourists, but ignore our every day worker and resident and that would include myself and my family who actually live in Riverhead and Wading river and are out in the North and South Forks frequently year-round. To support your pilot program, many of you already know some of the this data that during every military conflict in this century, efforts were made to decrease transport time. That's this graph over here. This resulted in a reduction in half of the mortality rates in wounded soldiers coming down from six to eight hours transport time to 80 minutes in Vietnam Nam with the use of air medical transport. This is one of our best sources of data for the fact that decreasing transport times helps improve -- helps improve survival. R. Adams Cowley took these principals when he founded the Shock Trauma Center in the Maryland Institute for Emergency Medical Services System in the 1970's, and he coined the phrase "The Golden Hour." He looked retrospectively at his survival data and found that patients did better when they got definitive care within an hour. And to actually push home that point, on March 19th, 1970, the first helicopter transport a trauma patient by a civilian agency took place in Maryland. A Lieutenant Governor's wife was injured, and a Maryland Police helicopter was sent to look for her. She was taken to R. Adams Cowley Facility, where she had her spleen removed within an hour and survived, and until this day it's felt that her transport saved her life. A few extra minutes, a few more blood cells exsanguinated could have meant her death.

There are helicopters, 12 of them in all, covering eight sectors in Maryland, and they really don't care where it's convenient or economically desirable, it's where the people need them. Cowley's Golden Hour principle also fits well with the data on mortality in trauma, as two-thirds to 80% of the deaths occur within that first minute to several hours, and this is where we can make the most impact with an air medical transport system. And from your efforts, I see



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that you recognize that. I just hope that you extend it to a 24 hour, seven day a week enterprise. Now, I'm on call and my colleagues are on call 24/7 at a trauma center. That's the way it has to be, and that's the way trauma is. It's not a part-time position, it's a full-time position to treat full-time injuries. And I think that they need to get to us as soon as possible to have the best chance of surviving. And that is obviously shown in all the trauma literature. There's decreasing times to transport that shown to improve mortality, it's shown to improve survival, there's decreasing times to resolving shock that's shown to improve survival.

D.P.O. POSTAL:

Dr. Barraco, I'm sorry, your time is up, but there are questions. Legislator Alden, and then Legislator Towle and then Legislator Caracciolo.

LEG. ALDEN:
Hi. Thanks for coming down. Are you the one that would have all the statistics on what accidents and how many of them would have resulted in possible saves and things like that?

MR. BARRACO:
Some of my colleagues have some of that number who will speak after me.

LEG. ALDEN:
Okay. I'll save it for them.

D.P.O. POSTAL:
Legislator Towle.

LEG. TOWLE:
Dr. Barraco, I appreciate your appearance this afternoon -- this morning. Do you have some other thoughts, because unfortunately, once your time is up, just to explain the procedure, we have to ask you a question. So my question's going to be quite wide open. Do you have any other thoughts on this subject?

MR. BARRACO:
Yes, I do. I'd like to shift to that, and this will only take -- this will only take a few seconds. I'd like to shift to the next -- next picture. In closing, I would like to remind you of the Lieutenant Governor's wife in Maryland and many like her whose lives have been saved across the country due to decreased transport times. Now, this is a CAT Scan of an injured brain. Okay? Now, how I teach my residents and students to read scans is pretty simple. I teach them the Sesame Street Method, it's one of these things is not like the other. As you can see here this side of the brain differs from that side. This is a blood clot this, this blood clot kills brain cells every minute, this blood clot needs to be evacuated as quickly as possible. So by using whatever means necessary, we need to get patients like this to a trauma center. Now, would any you want to be the one to tell the son or daughter of this patient with CAT scan or for the matter of fact Lieutenant Governor's wife in Maryland son or daughter, where minutes mean brain cells and cells? I'm sorry, but your mom or dad had to wait 15 more minutes for the helicopter from



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Islip, or we well, only have that from May to December or May to September, and, I'm sorry, but you were injured in a time period outside of that. I don't want to tell them that. I want to tell them

that this great County did everything it could in its power to give that loved one the best chance to survive.

APPLAUSE

So please, let's continue the good work of this Legislature and extend the East End helicopter to every day for everyone to provide care without equal to all of our constituents, our patients and all of our loved ones.

APPLAUSE

D.P.O. POSTAL:
Legislator Caracciolo.

LEG. CARACCIOLO:
Good morning, Doctor. And as a proud parent of a physician who will soon be joining the staff of Stony Brook, keep an eye out for him, he'll be doing his cardiology fellowship there in beginning in July. I want -- I want to get to the issue at hand and that of cost effectiveness. What can you tell us as a physician, as someone who has to monitor and watch costs very carefully, as to the cost benefit analysis of providing services like this rather than not providing services like this?

MR. BARRACO:
Again, one of my colleagues who's going to speak later has more of the financial information for you. But in my experience, in general, blunt trauma, trauma from motor vehicle crashes, which is the predominant trauma we see here does -- does not lose money as far as the -- in general, across the country. As far as specific to my practice, I tell my residents and students this, cost benefit ratio, I have to tell that son or daughter whether their mom lived or died, that to me is the cost benefit ratio. I have to tell them that.

LEG. CARACCIOLO:
Thank you.

APPLAUSE

D.P.O. POSTAL:
Thank you. Our next -- the next speaker is George Rider followed by Tina Guglielmo.

MR. RIDER:
My topic is Sagtikos Manor. My name is George Rider, I'm retired. I'm a lifelong resident of Bay Shore/Brightwaters. I was born at 1932 at my grandfather's hospital, Dr, George S. King in Bay Shore Long Island. In 1708, his grandfather was shipwrecked on a voyage from Ireland off Water Island. He came ashore through the surf clinging to

an empty rum cask and settled in Patchogue. Pretty good start. That was a longtime ago. And what we're here to discuss today predated 1708 with documented maps dating back to 1698. As a member of the



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Boards of the Bay Shore Chamber of Commerce, the Bay Shore Business Improvement District and Chairman of the Downtown Redevelopment Committee, part of the Bay Shore/Brightwaters Summit Council, I'm here to speak in favor of the County's purchase of Sagtikos Manor.

Collectively, we have an opportunity to demonstrate that public/private partnerships do work. Sagtikos Manor, the Gardiner and Thompson Families are an integral part of our history, the history of Long Island, the history of New York State, and indeed, the history of the country. To ignore this challenge would be a tragedy. The current educational climate, sadly, the teaching of history has changed in importance from the statute of requisite often relegatd to elective status in many areas of the country. Sagtikos' proximity to Gardner Park and the Great South Bay offer wonderful opportunities for our children and our grandchildren to study nature, wildlife and the early history so steeped in the law of the manner, its buildings and its furnishings. From the standpoint of tourism, so important to this economy, what a wonderful stop on any excursion to Long Island. As Sagtikos develops its programs, just think of how many adults in addition to the school children will take advantage of this wonderful historic site. I urge you to vote in the affirmative on the proposition so that you, the Legislators, can take your rightful place in acknowledging the importance of preserving our past. Thank you.

D.P.O. POSTAL:
Thank you. Legislator Caracciolo has a question for you.

MR. RIDER:
Uh-oh.

LEG. CARACCIOLO:
Sir, I was a member of the committee that approved this resolution last week, and I intend to support it again. But let me just ask you. You talk about preserving our past. How about preserving our future? Do you think we should have funding year-round for a two Police Medivac Helicopters?

D.P.O. POSTAL:
Oh, Michael. Michael, it's a good try, but really inappropriate.

MR. RIDER:
As long it doesn't lean on my three minutes, I'll say yes.

APPLAUSE

LEG. CARACCIOLO:
Thank you.

APPLAUSE

D.P.O. POSTAL:
Following Ms. Guglielmo, we have the Honorable Jay Schneiderman.

MS. GUGLIELMO:
Hello. I'm here today representing the Coalition Against Millstone.

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It's a group of over a dozen environmental and community groups, and I have two points to make. My first point is, is that the Coalition Against Millstone full heartedly supports the emergency services personnel for the call to have a Medivac at Gabreski airport year-round.

APPLAUSE

My father's a cop, he would kill me if I didn't say that. But we are. My second point is also an emergency planning issue. This Legislature in 1999, passed a resolution which was signed by Gaffney directing an emergency plan to be developed in case there was an accident at Millstone. Millstone's 11 miles from Orient Point and 22 miles from East Hampton. You just heard the population numbers of East Hampton. Now, this plan has still not been developed, even though this bill has been passed and signed, and we have been told it's a funding issue. Well, these courageous ladies and gentlemen who are here today, our emergency personnel, are going to be the ones on the front line if there is a terrorist attack at Millstone, and they deserve a plan.

APPLAUSE

You're sending them to the front lines without a site specific well thought out plan. Now, President Bush told us all that there were nuclear power plant designs found in the terrorist camps in Afghanistan. So, you know, this is a reality for us, unfortunately, in this day and age. It's unconscionable that our emergency services does not have a plan to deal with if there was a terrorist attack at Millstone tomorrow, 22 miles from East Hampton, what are they supposed to do? You need to find the funding and have this plan developed. Now, we have a Federal Office of Home Land Security that's gotten a lot of funding, and we have a New York State Office of Public Security that has funding. The County should be going there for assistance in developing its plan. That's exactly what those offices were set up to do. I appreciate your time.

APPLAUSE

D.P.O. POSTAL:
Ms. Guglielmo, there are some questions. Before I go to questions. I just need to say that I know that there are very emotional issues being discussed today. And you have to realize that each speaker has a limited amount of time, three minutes, for the public portion. When you applaud during a speaker's time, you're taking time away from that speaker. So, please, as strongly as you feel, please restrain yourselves in the interest of giving people their full time in order to speak. First question from Legislator Fisher.

LEG. FISHER:
Hi. How are you?

MS. GUGLIELMO:
Hi.

LEG. FISHER:
I'm glad to see you here. I understand that you have -- or your



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organization has made several requests to the County Executive's Office regarding the execution of the plan and the -- and fulfilling the resolution that was passed in 1999. What was the response?

MS. GUGLIELMO:
There's been a lack of funding available.

LEG. FISHER:
Okay. Have they indicated to you at any time that there has been a resolution put forth buy the County Executive seeking funds to implement this plan?

MS. GUGLIELMO:
Not that I know of.

LEG. FISHER:
Has there ever been any indication that the County Executive has reached out to the Legislature for funding to implement this plan?

MS. GUGLIELMO:
They have not made us aware of that if they have.

LEG. FISHER:
Okay. Well, we certainly haven't been either here in the Legislature. So I wanted to make that very clear that this is not an issue where there was funding requested from the Legislature and denied. As far

as FRES, have you had any conversations with FRES regarding their end of the plan?

MS. GUGLIELMO:
Well, yeah. We were told that they need the money to hire some consultants to do the, you know, assessment of what would be needed.

LEG. FISHER:
All right. Because this has several facets and phases, and I was wondering if any part of this had been implemented; talking to school bus drivers and what would be done with school buses.

MS. GUGLIELMO:
Not specific to an accident or an attack at Millstone. There has not been any work to develop a plan, nothing. We're completely ignored on this issue.

LEG. FISHER:
Okay. And this was a resolution that was passed in 1999.

MS. GUGLIELMO:
And signed by Legislator Gaffney -- I mean, Executive Gaffney.

LEG. FISHER:
Thank you.

D.P.O. POSTAL:
Legislator Foley.



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LEG. FOLEY:
Ma'am.

D.P.O. POSTAL:
Ms. Guglielmo, another question.

LEG. FOLEY:
Thank you. Do you know who specifically you or others had spoken to in the Executive Branch about -- about the plan?

MS. GUGLIELMO:
We sent memos to Executive Gaffney.

LEG. FOLEY:
All right. And word came back about a funding issue, but who got back to you as to saying that it's a funding issue? Was it his Chief of FRES? Was it someone from the Executive's office? And the reason I'm asking --

MS. GUGLIELMO:
It was signed by Gaffney.

LEG. FOLEY:
The reason I'm asking -- yeah. And if you have copies of the letter it would be helpful -- through the Chair -- if you could distribute to us. There's very important issue that you may not be aware is that time and again, we pass resolutions, we do our responsible -- we do the responsible thing from the Legislative point of view, but then it's up to the Administration to execute the resolution that we have approved. And this is just another example of what happens after we do our due diligence, but then it's up to the Administration to follow through on a resolution. It's now three years time. As you so well put it, there's both -- if there's a --

D.P.O. POSTAL:
Brian, question.

LEG. FOLEY:
There's a sincere issue about funding, then there is -- as you said, there is state and there is federal funds that are available. Did either -- did anyone from the Executive Branch say they were going to pursue federal or state funding for -- for this plan?

MS. GUGLIELMO:
No. And that's why I'm here, to let you all know that the resolution that you all passed is just sitting on a shelf somewhere.

LEG. FOLEY:
Right. Did anyone from the Administration mention to you that they're aware of these funds that are available on a federal or state level?

MS. GUGLIELMO:
No.

LEG. FOLEY:
No. Okay. Thank you, Madam Chair.



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D.P.O. POSTAL:
Thank you. Next speaker is East Hampton Town Supervisor, Jay Schneiderman, and following the Supervisor, Chief J. Kent Howie.

MR. SCHNEIDERMAN:
Good morning, Legislators. I'd like to thank you for this opportunity to address you in support of the Medivac Helicopter this morning. I also would like to acknowledge the hundred or more emergency service personnel volunteers who have come here today to also express their support for the Medivac -- the reinstating of the Medivac Helicopter.

If you have any doubt of how you should vote on this issue, I just ask you at some point to wander into the lobby and meet some of the fine people who serve our community in this very, very important purpose. I'd also like to acknowledge the presence today of the entirety of the East Hampton Town Board, all five members. We had had a meeting scheduled for today and that meeting postponed so we could all come here feeling that this was an extremely important issue and that we all wanted to be heard. It truly is a matter of life and death for many people on the East End of Long Island. In fact, I've been sitting next to Serafina Schwartz, whose life was saved by the Medivac Helicopter that you heard about earlier -- heard from earlier today.

As elected officials of the -- of Suffolk County, it really is your primary responsibility to protect the public health and safety of all County residents, not just in the summertime, but year-round. And there are many, many people, as Councilwoman Diana Weir gave you some demographic information, at least just within the Town of East Hampton, 20,000 people who live there year-round. And I don't know how you guys prepare your budgets or do your cost benefit analysis, but I don't know how you assign a value to a particular person's life. So is one life saved, is that worth 100,000, 200,000, half a million, a million, five million? I don't think this is a cost equation, I think this is absolutely imperative that that Medivac Helicopter be stationed at Gabreski year-round to service the East End community.

This past year, I had a personal experience with the Medivac Helicopter. My own nephew was airlifted to Stony Brook Hospital after having a neck jury. I have with me today 350 petitions that were gathered just over the last few days from East Hampton residents. I'd like to leave that with you. And again, just urge for your support for this very important issue to reinstate this Medivac Helicopter at Gabreski year-round. Thank you.

APPLAUSE

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

LEG. TOWLE:
Legislator Postal, if the Clerk's Office would attach those petitions to the backup of the resolution, that would be great. That's my only statement.

D.P.O. POSTAL:
That's being provided to the Clerk. Thank you. Legislator Caracappa.

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LEG. CARACAPPA:
Supervisor, thank you for coming down today. You mentioned our budget

process, and I've been sitting here listening this morning about the bills before us with relation to funding this -- this program year-round. As a working committee dealing with a very difficult Operating Budget this year, as most people know, the County dealt with a very difficult Operating Budget. It was some West End Legislators, center of the County Legislators and some East End Legislators who sat on that committee trying to work out monies for all programs, including the Medivac Services at Gabreski, which was left out of the County Executive's proposed budget. What the working committee was able to do was add the two extra months to the budget. Did you -- my question is now, did you contact your local East End Legislators about their participation in the budget process, if they were going to do a stand alone resolution, would they put it in the budget for year-round operation, and did they do that?

MR. SCHNEIDERMAN:
Okay. We haven't specifically talked about that -- about that issue. I have met -- I'm the Chair of the East End and Mayors and Supervisors Association -- Supervisors and Mayors Association, and we did meet and we passed a resolution unanimously in support of the reinstating of the Medivac Helicopter at Gabreski. I think you all hopefully have received letters from the East End Supervisors and Mayors Association as well as from myself personally, and I imagine probably letters from most of the East End Mayors and Supervisors in support of this helicopter. But the issue of transferring some of these funds to other budgets, if that's what you're asking me, we haven't talked about that. I don't understand why the County wouldn't be able to meet the cost of this. I know there's a tremendous amount of mortgage tax income that comes to the County through -- that could be used, you know, through -- from the East End of Long Island that could be used for these purposes. And, you know, you have to prioritize where you spend your money. And it seems to me public health and safety should be the number one priority.

LEG. CARACAPPA:
You got it, which is my question to you is a set up question or a lead in question, and I learned this from good friend Legislator Towle, never ask a question that you don't know the answer to. And that is during the budget process, not one East End Legislator put money in for the year-round Medivac Program, not one East End Legislator even supported the two extra months we put in the budget, and not one East End Legislator even supported our Operating Budget when we had such a painful operating year.

D.P.O. POSTAL:
Joe, question please.

LEG. CARACAPPA:
I asked my question, and I answered it myself.

LEG. CARACCIOLO:
Madam Chair.



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D.P.O. POSTAL:
Legislator Crecca, then Legislator Caracciolo.

LEG. CARACCIOLO:
We're going to get into the budget process, we'll get into the entire budget process.

LEG. CARACAPPA:
Let's do it. Let's do it.

D.P.O. POSTAL:
Legislator Crecca. Gentleman, Legislator Crecca has the floor.

LEG. CRECCA:
Supervisor, I guess my question is a couple of times you used the word reinstating --

MR. SCHNEIDERMAN:
Yes, correct.

LEG. CRECCA:
-- the Medivac Helicopter. And I've only been in the Legislature a little over two years, three years or so, but there was never -- how long was it?

LEG. FIELDS:
Two.

LEG. CRECCA:
Two. A little over two. Two-and-a-half.

LEG. BISHOP:
Seems longer to us.

LEG. CRECCA:
Believe me, seems like an eternity, trust me. The Medivac Program was never -- on the East End, it was never a year-round program on the East End, was it?

MR. SCHNEIDERMAN:
Yes. You just heard from somebody who was saved by the Medivac Helicopter, that was in February that woman was saved.

D.P.O. POSTAL:
Legislator Crecca, clarify your question.

LEG. BISHOP:
It's always been serviced. It's the stationing of the copter in Gabreski.

LEG. CRECCA:
Yes. My question is, is there's always been service on the East End. There'll always continue to be service on the East End. The new program was the stationing of the helicopter at the Gabreski Airport. So when you say reinstate, you're not talking about reinstating -- the program that's always been in effect remains in effect. The



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question is, is it's really not a reinstatement. Nobody took it away. You're asking for an extension of it.

MR. SCHNEIDERMAN:
Okay. My understanding was that it was going to be a year-round program at Gabreski. So when I mean reinstating, I'm talking about going back to that. If it was never the intention of this Legislature to have that program year-round, then I change the word reinstating to just, you know, placing it there year-round.

LEG. CRECCA:
I'm asking for clarification because my understanding was is that we never had a year-round stationing of the Medivac Helicopter at Gabreski Airport.

MR. SCHNEIDERMAN:
I could tell you though as an East End resident the need is great in the wintertime as well as in the summer time. I can't make a, you know, I can't come up with a reason why you'd only do it a portion of the year. You know, there's still 20,000 people who are dependent upon that life saving equipment.

LEG. CRECCA:
And I guess -- I don't think there's a Legislator on the horseshoe who -- who is not empathetic and doesn't want to see it all year-round. I guess, a big question for us is we have to find the money to do that someplace, and we have -- we have through October to try to find that money to do that, certainly because we've extended the service through October 1st. And I guess --

MR. SCHNEIDERMAN:
Do you know how much money you need to service the East End?

LEG. CRECCA:
Yes, we do.

MR. SCHNEIDERMAN:
You have that number?

LEG. CRECCA:
The Commissioner is coming later. My question is that --

MR. SCHNEIDERMAN:
Are we talking about a couple of hundred thousand dollars, or are we talking about millions?

LEG. CRECCA:
I can't answer that question.

D.P.O. POSTAL:
If you -- why don't you let Legislator Crecca ask his question. I think Legislator Carpenter can give you a response as the Chair of the Public Safety Committee, but I think he's in the middle of his question. Legislator Crecca, why don't you continue and just as a point of information, we'll allow Legislator Carpenter to provide that information.



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LEG. CRECCA:
Yeah. Because I can't answer those questions, and I have more questions, but I won't do that --

MR. SCHNEIDERMAN:
A billion dollar budget the County has so.

LEG. CRECCA:
I guess, my question to you is you know we have -- you would agree that we have until October 1st to -- before this program expires from October to -- correct?

MR. SCHNEIDERMAN:
From Memorial Day to September, right. That's the current program.

LEG. CRECCA:
Yes. Right.

MR. SCHNEIDERMAN:
Right.

LEG. CRECCA:
So we have sometime to --

MR. SCHNEIDERMAN:
You have some time to come up with the money, yes, if that's what you're asking.

D.P.O. POSTAL:
Legislator Crecca?

LEG. CRECCA:
I'm done.

D.P.O. POSTAL:
Okay. Point of information, Legislator Carpenter, go ahead.

LEG. CARPENTER:
The committee, as I said earlier, has been very, very supportive of the concept of year-round helicopter service at Gabreski after we went through the initial pilot project, which took place in 2001. Towards the end of that term, there was a -- there was money in the budget, and we were able to continue it through the end of the year. And in the budget process this year, as Legislator Caracappa said, initially the monies were not there for the service, but through the budget process we made sure that it was reinstated. So from May 1st through September until October 1st, there will be a helicopter stationed at Gabreski. Now, what we're faced with, and I have asked the Police Commissioner on the record, and he is a man of his word and has been with the committee, he is coming to the Public Safety Committee with all of the facts and figures on exactly what it's going to cost. Legislator Towle, and I give him credit for pushing the issue, but we need to know what the exact figures are. And it also includes the Department of Public Works because they have to secure the hangar space for the helicopter. And if, in fact, we are going to be doing



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this year-round, which as I said, I think there is the willingness on the part of this body to do so, we want to make sure that the helicopter is housed in an appropriate venue and that it is the most cost effective. And the discussion is going to probably take place, do we rent hangar space, or do we build a hangar, we own the airport, maybe we should just put our own hangar in there for the helicopter. So these are the kinds of things that the Committee and the Legislature are grappling with, but the question of whether or not we agree with the premise, we all agree. It's just a matter of finding a way to get there.

MR. SCHNEIDERMAN:
Well, if you all agree, I'm sure you'll find a way to get there, through public will.

D.P.O. POSTAL:
I would like to -- just a minute Legislator Alden -- first, thank you for clarifying so many aspects of the issue. The next question will be from Legislator Caracciolo, then Legislator Towle, and then

Legislator Alden.

LEG. CARACCIOLO:
Now that both East End Legislators are present, we can speak for ourselves and make the record very clear.

LEG. CARACAPPA:
It is clear, very clear.

LEG. CARACCIOLO:
Beginning last August, Legislator Towle was the prime sponsor of a resolution 1190 and 1191. Legislator Towle?

LEG. TOWLE:
Yeah.

LEG. CARACCIOLO:
I have a question for you. Do you recall last year's sponsor of a resolution to provide additional year-round service?

D.P.O. POSTAL:
Legislator Caracciolo.

LEG. CARACCIOLO:
Wait a minute. Let's make the record clear. It goes back to August, not October, goes back to August.

D.P.O. POSTAL:
Just -- if you will let me --

LEG. CARACCIOLO:
So the reference -- the reference that this is a budgetary --

D.P.O. POSTAL:
Legislator Caracciolo, just one minute. I'm about to let you ask your question if you will allow me to explain that I feel that your taking a point of personal privilege, because of a remark that was made



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previously. But I'm going to ask that other than that --

P.O. TONNA:
Listen to me.

D.P.O. POSTAL:
-- questions be confined to the speaker.

P.O. TONNA:
Wait. Michael. Michael. Questions to the speaker. This is the

public portion. There'll be a debate.

LEG. CARACCIOLO:
Paul, wait a minute. You were not in the room, and I sat here --

P.O. TONNA:
Michael, I've heard every single thing you said.

LEG. CARACCIOLO:
-- and I watched Legislators make statements like Legislator Carpenter. All right? So I will -- I will follow suit and make statements. We're going to be consistent here or we -- or we're not going to be consistent.

P.O. TONNA:
Michael. Michael.

LEG. CARACCIOLO:
Same thing with Legislator Bishop before, he said to you, shut up, Paul, be quiet, let me talk. Now you let me talk.

P.O. TONNA:
No, Michael, that's not how it's going to work.

LEG. CARACCIOLO:
The truth hurts around here. So let's put the truth on the record. Let the public determine who's telling the truth.

P.O. TONNA:
Michael. Michael. Michael, first of all --

LEG. BISHOP:
I had to come back.

P.O. TONNA:
-- Legislator Bishop will get beaten up later behind the scenes.

LEG. TOWLE:
Do it in public.

P.O. TONNA:
If I do it in public, he's going to lose another inch. Listen to me. Michael, there's no need to yell.

LEG. CARACCIOLO:
I'm not going to yell.



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P.O. TONNA:

Listen to me.

LEG. CARACCIOLO:
I'm listening, but you better listen to me as well.

P.O. TONNA:
Michael, you know I always listen to you. I want everybody here to relax, okay? I can feel the love in this room, you know that.

LEG. TOWLE:
You vote on the bill now, there'll be a lot you of love in the room.

P.O. TONNA:
I'm asking -- I'm asking --

APPLAUSE

LEG. TOWLE:
Legislator Tonna, whatever you want to do, if you want to make this a circus, we'll make this a circus.

P.O. TONNA:
No. The circus is being made. Michael, I want you to ask questions calmly.

LEG. CARACCIOLO:
I'd be happy to you.

P.O. TONNA:
I want everyone to ask questions. Legislator Bishop, I will give you my own personal beating later for trying to embarrass me, but I know it's a height thing. Anyway, just please, I'd ask that you talk nicely.

LEG. CARACCIOLO:
Thank you, Mr. Chairman.

P.O. TONNA:
Okay. We should conduct ourselves as ladies and gentlemen in this room.

LEG. CARACCIOLO:
Total agreement. I'd like to answer your question. Mr. Schneiderman. Earlier you were curious as to how much additional funding would be necessary. I believe I have the answer, but I want to confirm it through our Budget Office. So Jim Spero, could you inform us what is the additional cost for year-round helicopter service, since money was put in this year's budget for the seasonal service?

MR. SPERO:

We haven't -- we've gotten any number of estimates as to what just that cost is. So as Legislator Carpenter pointed out, the Police Commissioner is going to come this afternoon, and he's going to tell us what he believes the cost is going to end up being. But we had



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estimates in the several hundred thousand dollar ranges, but we've never been able to nail it down with that.

MR. SCHNEIDERMAN:
So seven -- several hundred thousand dollars on a billion dollar budget and sales tax revenues are higher than you anticipated, correct for this year? So --

LEG. CARACCIOLO:
They're up slightly. They're up slightly.

MR. SCHNEIDERMAN:
Okay. So maybe the money's right there.

LEG. CARACCIOLO:
But the point is your question was, was it thousands or million of dollars. It's clearly into the thousands of dollars, and I don't believe it's anywhere near 700,000. As Legislator Towle and I have been informed by different budgetary people, it's probably in the area from Labor Day to the remainder of this year between 60 and $80,000 range.

D.P.O. POSTAL:
Legislator Towle.

MR. SCHNEIDERMAN:
I just want to correct one thing I said before. I said there's about 100 emergency services people here today, I've just been passed a note that there's over 200 people, emergency service volunteers who are here today, mostly out in the hall.

APPLAUSE

D.P.O. POSTAL:
Legislator Towle.

LEG. TOWLE:
Legislator Postal, my aide is handing out a packet, I just wanted to inform the Legislators what that packet is. That is the resolution that has been in the Budget Committee and in Public Safety for the last four months. The bill is not a new bill. Most of what Legislator Carpenter said was accurate with one exception. We tried to do this on a permanent basis last year, and it failed. It was

agreed to on a continuation basis from Labor Day to the end of the year. That amount, you know, just for the record, is $69,000 and change, but $69,000 is the bill, and behind the bill are articles and letters of support, as well as some of the statistics that Legislator Alden has been asking numerous speakers for this morning. And it's going to be my intention that before the lunch break to make a motion to discharge this bill from the committee and waive the rules.

APPLAUSE

D.P.O. POSTAL:
Legislator Alden.



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P.O. TONNA:
That's great, and this is wonderful. There you go. Fred, Fred, Fred, get in the middle of there. Fred, get in the middle, pose will you? By the way Fred, also had a motion to make every meeting in Riverhead, I want you to know that.

APPLAUSE

P.O. TONNA:
All right? There you go. Fred, you are a shining light.

LEG. TOWLE:
I'll tell you what.

P.O. TONNA:
Fred, you are a shining light. Thank God. I feel much safer living in Suffolk County right now.

LEG. TOWLE:
I'll tell you what. I'm sure we can eliminate 175 speaker cards if we move the bill right now.

P.O. TONNA:
Yeah. I think that --

APPLAUSE

P.O. TONNA:
Why? We want to hear every single one of you. Thank you very much. We would like to hear every single one of you until four in the morning. Please, finish your -- are you done?

MR. SCHNEIDERMAN:
I think there was one more question.

P.O. TONNA:
There's a question from Legislator Alden.

LEG. TOWLE:
Before I forget, Legislator Tonna, you might want to ask your staff to get some additional folding chairs outside, because this is a morning crew. There's another crew coming in at lunch.

P.O. TONNA:
We have just as much time as you have, Fred. Thank you very much.

MR. SCHNEIDERMAN:
I'm sure the hundreds or so speaker would be happy to not have to speak if you pass this bill.

P.O. TONNA:
No we like to hear them we want to hear the people speak. Thank you. Legislator Alden.

MR. SCHNEIDERMAN:
As long as the outcome is what they're looking for.



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LEG. ALDEN:
Mr. Supervisor, there's been some other testimony also, so I'm going to ask you. Is there any plans by your Town to build a trauma center closer to the East End that would cut down on that Medivac time also? Because I'm not sure if the closest one is in Stony Brook, but there is a hospital -- isn't there a hospital in your --

MR. SCHNEIDERMAN:
No, there's no plans. We have looked at this issue of building a trauma center, like a triage center. There's no current plan to do that. The one thing we are doing is we are building an emergency services training center like they have up in Yaphank, where firemen, firewomen will be able to go in there and, you know, practice directly on let's say a model of a burning house, etcetera, to be able to, you know, to perfect those skills. So we're very proud about that, and we hope to open that up to Southampton Fire Service Community as well. But a trauma center, no, we have no plans, and I don't think there would be enough people to support that to be able to keep that going on a 24-hour basis.

LEG. ALDEN:
Thank you.

MR. SCHNEIDERMAN:
Okay. Thank you so much for your time.

APPLAUSE

P.O. TONNA:
Okay. Chief J. Kent Howie. Kent is the kind of like first name.

MR. HOWIE:
Yes. I use Kent, John is the first name.

P.O. TONNA:
Okay.

MR. HOWIE:
Thank you, and good morning. I'm here today representing the Amagansett Fire Department and the East Hampton Town Chiefs Association. Over the last 16 months, we've landed the helicopter behind the Amagansett Firehouse six -- 11 times. Each time, vital to saving a life or limb. I believe that it's an imperative tool for the fire service, for EMS and for the police as well. You guys are talking about budgets, and that's all we've heard this morning is the cost, the cost, the cost. Senator LaValle about two or three years ago, put out a publication that said that the volunteer fire service, all of these guys sitting here and out there, provide a service that's worth $23 billion a year for the State of New York.

APPLAUSE

Take that back to your budgets, and look where your budgets would be. $69,000 doesn't look like a lot of money at this point. I urge you, I implore you to vote this bill in, get it done, and let's get it done



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now.

APPLAUSE

P.O. TONNA:
Nancy Donohue. Nancy Donohue. Is there a Nancy here?

MS. DONOHUE:
Right here.

P.O. TONNA:
Okay. And then after that, it's 1st Assistant Chief Dan Lester.

MS. DONOHUE:
Hello. My name is Nancy Donohue.

P.O. TONNA:
Hi, Nancy.

MS. DONOHUE:
And I'm President of the Sagtikos Manor Historical Society, and I Chair a Committee for the Preservation of Sagtikos Manor. For those -- I have -- I have appeared before you and given you a packet of information about the value of this important historic site. We can't afford to lose this repository of history. So many things have happened there. George Washington chronicled in his diary of his tour of Long Island that he spent the night at Sagtikos Manor. It predates that. In fact, the Van Cortland family is the first recorded owner of the property back in 1692. The Articles of Confederation during the Revolutionary War were signed by Jonathan Thompson as Supervisor of the Town of Islip. The first Fire Island Lighthouse was commissioned by Dothan Thompson at Sagtikos Manor. The history of Long Island is interwoven with the history of the manor. Julia Gardiner, who was the wife of President Tyler, wrote about her summers that she spent there. It must be preserved so that our Long Island heritage is preserved. Please support us. We did have at the Legislative Committee Meeting, we had many different civic organizations, we had the Islip Historical Society, the Sagtikos Manor Historical Society, Bay Shore Historical Society, East Islip Historical Society, Bay Shore Garden Club, Bay Shore and West Islip Chamber of Commerce and West Islip Bicentennial Committee all representing. And I think we're all ready to form a coalition to help run the Manor so that we can preserve it for the residents of Suffolk County. Thank you for your consideration.

APPLAUSE

P.O. TONNA:
First Assistant Chief Dan Lester. And on deck is Maria Pecorale. I don't know if I pronounced that correctly, but.

P.O. TONNA:
Thank you.

MR. LESTER:
Thank you. Good morning. First off, I'd like to thank you for hearing everyone here this morning. I represent the Amagansett Fire



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Department. Over the past ten years that I've been in the fire service I've seen a lot more accidents and a lot more need for the Medivac Helicopter. We've got a young lady sitting in the audience today that I happened to be there and help cut her out of the vehicle. If we didn't have a Medivac Helicopter that day, she may not be sitting here and she may not be walking. You're talking about the budget, we're here asking you, let's put this money in the budget so we can keep this helicopter at Gabreski year-round. I believe that everybody sitting in this room would love to see it, and I think every

one of you sitting up there is in favor of it. Let's just do the budget, get the money and put it there. Thank you very much.

P.O. TONNA:
Thank you very much

APPLAUSE

P.O. TONNA:
Maria. And on deck is John R. O'Brien. Maria, how do I pronounce --

MS. PECORALE:
Pecorale. You're as close as most people get to it.

P.O. TONNA:
Thank you very much.

MS. PECORALE:
Thank you. I'm here representing the West Islip Bicentennial Committee in support of acquisition Sagtikos Manor and the preservation of this historical site. My appeal is very brief, but very heartfelt. It's a treasure of Long Island that has been kind of -- had been left aside, and needs to be brought to everyone's attention and become a part of the historical preservation of our Island. It covers history from precolonial days up until the 20th Century of people actually using the manor and living there. And it's something that should be preserved for the future. In the realm of things spoken today and priority level, perhaps it's not as important as the Medivac, but it is an important issue, and I urge you to support the acquisition of it. We have a number of local committees that are standing backstage and are willing to work with the County in maintaining it once it is acquired. Thank you.

APPLAUSE

P.O. TONNA:
John O'Brien, and on deck Edward J. Boyd.

MR. O'BRIEN:
Good morning. First of all, I'd like to thank you for hearing everyone. I'm the Chief of the Bridgehampton Fire Department. I've been a member for 27 years. I've seen things come and go and change. We are now in the Year 2002. The advantages of this helicopter are incredible. I remember when they first got their first one, and it was a small one. We don't only use it for medical reasons. If we have a fire, we use it for spotting, we use it for wood fires. We also use it for ocean or bay rescue, because they have a tendency to

be able to see and they can also see a person that is submerged underwater, where it brings you to the Golden Hour. As with anything and as this world changes and everything costs us more and more money, we're all trying to strive for our own project. But this thing here would benefit us all. And we need to do it, and do it now. Thank you.

APPLAUSE

P.O. TONNA:
Thank you very much. Edward Boyd, and then on deck is James Walker.

MR. BOYD:
Good morning. My name is Edward Boyd. I'm an attorney with offices in Southold and Riverhead. I'm a past Chief of Southold Fire Department, I've been a emergency medical technician for over 20 years. The out of hospital delivery of emergency medical services has come a great distance since its inception in the early 1970s. We're doing things today that were not even dreamed of when the program began. I'm sure each of you personally knows of one or more examples of survival due to our modern techniques and the rapid application of those techniques by the trained representatives of the emergency room physicians, the emergency medical technicians. Ironically, although we've come such a great distance in the delivery of critical care to injured patients and persons in the field, it is that very issue of distance which now stands in the way of our providing that same level of care to all residents of Suffolk County 365 days a year. As we know, the East End of Suffolk County, the twin forks, is a unique region for many reasons. Not the least of which are its resources and its geography. While our neighbors to the west are blessed with an abundance of good hospitals and the ability to summon assistance from all directions, such is not the case on the East End. We are served by a total of three hospitals, and as good as they are, they are not trauma centers. For that level of care, we must rely upon the University Hospital in Stony Brook. If we require assistance due to the nature of a call or the number of patients involved, our assistance due to geography must come from only the west or the east. Our transportation of patients is severely compromised by the limited access afforded by only two or in many places, just one east to west highway and by the long distances involved. Distance equates to time, and time is something that critically injured or ill patients cannot waste. Our experiences with helicopter transportation have been overwhelmingly positive and never more so than when a helicopter is based at Westhampton. The arrival of a helicopter signals to each of us in the field that the best possible care for our patient has arrived on the scene, and all that can possibly be done for that patient is being done. Conversely, it is impossible to put into words the disappointment and frustration we feel when provided with 35 to 45 minute estimated times of arrival from a helicopter coming from Islip. That is time being wasted from the account of a patient who cannot

afford such waste ans still survive. And while I'm intensely proud of my many colleagues for appearing this morning to demonstrate the importance of this issue, it is regrettable that an apparent lack of appreciation by some members of this Legislature of the necessity for year-round Medivac coverage in Westhampton has forced so many of these good people to take time from their jobs and from their volunteer



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services to ensure that all will be provided with such vital tool which is required to adequately serve their communities.

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

LEG. ALDEN:
Motion. Motion to extend the public portion past eleven.

LEG. FOLEY:
Second the motion.

LEG. GULDI:
I have questions for the speaker.

P.O. TONNA:
All in favor? Opposed? Let's just get the vote. Okay. Great. The motion is extended. Go ahead, Legislator Guldi has a question.

LEG. GULDI:
Sir, do you have any other thoughts?

MR. BOYD:
I call upon each of you to consider the unique conditions that prevail upon the East End, to put yourself in the imaginative position of a heart attack patient in Montauk, the victim of a construction accident in Orient, or a multi car collision in Southold. I am sure that you would want the best possible care available for you at a moments notice 365 days a year. Those of us who live and volunteer our service on the East End deserve nothing less. We deserve and we demand your support for the year-round stationing of the Medivac Helicopter at Westhampton.

APPLAUSE

P.O. TONNA:
Thank you. Mr. James Walker, and on deck, Scott Cullen.

MR. WALKER:
Yes. My name is James Walker. I am an EMTCC with the Bridgehampton Fire Department Ambulance. Back in June of 1998, on June 5th to be

exact, I was called to respond to a call in front of Bridgehampton School for a pedestrian hit by a motor vehicle. Some of you may have remembered. The accident was my daughter. I was the first emergency services person at her side and in examination found that my daughter had a large lump on the side of her head and that I felt that her best care would be at Stony Brook University Hospital. I called for the helicopter at that time and was given an ETA of 25 minutes. I've learned since then that there are times where they'll give us an ETA of 25 minutes and then there's extra air traffic at Islip they have to clear before the helicopter can actually leave Islip, which extended the time to 40 minutes. Because it's what I do, I insisted after my daughter's death that I needed to know why. The picture the doctor showed earlier of the hematoma on the side of the lady's -- person's skull was exactly the same as what my daughter had. The extra time factor involved, he only knows whether it would have made a



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difference. I had the privilege of using the helicopter many times having it so close where it's within 12 to 15 minutes away from Bridgehampton. We've had the helicopter at the scene of an accident before the person is out of the car. It cuts that Golden Hour from the time of the accident to the time the patient receives definitive care very -- a great amount. It's important for the patients that this happens. I was -- brought this picture in. This is a picture of another fellow EMT, the kind of accident you don't hear about, he was walking his dog, the dog took off, he fell backwards on the sidewalk and ended up with a fractured skull. He was airlifted to Stony Brook for emergency surgery to relieve the pressure from his brain because of the fall. Not the kind of accident you hear about, but the value of this helicopter, the time that this swelling grew in his head was important to him and important to anyone who goes through such a thing. To have this extra 15/20 minutes for this helicopter to be out on the East End. Listening to all these other people who speak a lot better than I do, I came up with a little thing that I feel for myself and that is for all of you, I as a resident of the East End am insulted with the fact that people that come there between May and September are more important than I am who live there year-round.

APPLAUSE

MR. O'BRIEN:
Whether it's a case of money budgeting, people finding the time to move on things, I don't know and I personally don't care. I've heard people answer questions with questions, which are things the politicians do so well. Thank you.

P.O. TONNA:
Would we please have those doors shut? Thank you, sir. Sir, your time is up, but thank you very much.

MR. O'BRIEN:
Thank you.

LEG. TOWLE:
Legislator Tonna.

P.O. TONNA:
Yes.

LEG. TOWLE:
Sir, do you have any other thoughts to add before you walk away?

MR. O'BRIEN:
No.

LEG. TOWLE:
Are you sure you're finished?

MR. O'BRIEN:
Yes.

LEG. TOWLE:
Thank you for coming this morning.



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P.O. TONNA:
Scott Cullen.

MR. CULLEN:
Good morning. I'm Scott Cullen, Executive Director of the STAR Foundation, and before I get into the Millstone Evacuation Legislation that you guys passed 1999, I just want to add that I live in Montauk, and I think that the issue of a helicopter is an important one and kind of goes to the heart of what I'm also here to speak of. Is that so often it seems like the Eastern End of Long Island gets ignored in a lot of these crucial issues. You know, when the Shoreham reactor was being proposed, everybody up in Western Suffolk was sure concerned about evacuation. But now that it mostly impacts us out on the East End, and you pass a bill and nothing has really happened. I just want to read to you from the legislation that was passed in 1999. It says that there's an absence of an emergency evacuation plan for those areas of Long Island that fall within the zone of danger of Millstone. So we're just asking that the County honor its commitment and do something about this. And like Tina mentioned before, it's really the people in this room and all of the emergency people outside there that gives so much of themselves that would be in such a difficult spot. They'd be the ones who would probably suffer the most from this, because people would react with chaos. And the best that we can do is

really hope that some kind of a plan would be created to minimize the amount of danger. And we all hope that nothing ever happens over there. But if it did, we should be prepared, because we never imagined that people would fly planes into buildings, and that's happened. And obviously there's people bent on hurting us and harming us. And a reactor is by far is the easiest and most dangerous way to do that. I have copies of correspondence from Mr. Gaffney and the legislation if any of you guys would like to have it.

LEG. FOLEY:
Yes. Leave it with the Clerk's Office, Scott.

MR. CULLEN:
Certainly.

P.O. TONNA:
Thank you.

LEG. FOLEY:
Thank you. Phil Goldstein. Phil? Going once, Phil ain't here? Going twice.

LEG. BISHOP:
You can't stop Phil.

LEG. CARACAPPA:
You're right, you can't stop Phil.

P.O. TONNA:
You're out of here, Phil. All right. Next, Pat Mansir. Did I even come close to that?



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MS. MANSIR:
Pardon me?

P.O. TONNA:
Did I come close to the right pronunciation?

MS. MANSIR:
Mansir, you did better than most.

P.O. TONNA:
All right. There we go. I want the record to reflect that I'm doing much better after the word debilitating today. I'm doing much better.

MS. MANSIR:
I thank you. I'm a Councilwoman with the Town of East Hampton. I've had the privilege of speaking before you a number of times.

P.O. TONNA:
Hold it a second. Maybe we want Legislator Towle to be back in the room. Legislator Towle, just for the -- you know, for the sake of our speakers. You know what I would do, it's an important issue to have you heard. What I'm going to do Pat, is just -- I'm going to call a -- I have to call a recess anyway to have a Republican Caucus Meeting to talk about a few issues, but I don't know if -- I'd want Legislator Towle to be here to here, you know, every speaker, so is Legislator Towle --

LEG. BISHOP:
You're going to the --

P.O. TONNA:
No.

LEG. BISHOP:
You're going to stop the meeting for a Republican Caucus.

P.O. TONNA:
Dave, Dave, give me a break. All right. You're already pushing my buttons. Just relax.

APPLAUSE

P.O. TONNA:
Is Legislator Towle here? You know what I'll do. If you don't mind, Pat, because what you have to say is important, we're going to take a ten minute recess and wait for Legislator Towle to come back. Thank you.

(*A RECESS WAS TAKEN FROM 11:08 A.M. to 11:53 P.M.*)

P.O. TONNA:
Roll call.

(ROLL WAS CALLED BY MR. BARTON)



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LEG. CARACCIOLO:
(Not present).

LEG. GULDI:
Here.

LEG. TOWLE:
(Not present).

LEG. CARACAPPA:
Here.

LEG. FISHER:
(Not present).

LEG. HALEY:
(Not present).

LEG. FOLEY:
Present.

LEG. LINDSAY:
Here.

LEG. FIELDS:
Here.

LEG. ALDEN:
Here.

LEG. FISHER:
We're here.

LEG. CARACCIOLO:
Here, Henry.

MR. BARTON:
Legislator Fisher's here, Legislator Caracciolo's here, Legislator Alden's here.

LEG. CARPENTER:
Here.

LEG. CRECCA:
Here.

LEG. NOWICK:
(Not present).

LEG. BISHOP:
Still here.

LEG. BINDER:
(Not present).



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LEG. COOPER:
Here.

LEG. POSTAL:
Here.

LEG. TONNA:
Here.

LEG. TOWLE:
Here.

MR. BARTON:
15 are present.

D.P.O. POSTAL:
Okay. We're continuing with the public portion. The next speaker is Tom Field.

LEG. GULDI:
No. Wait a minute, Pat Mansir. Pat Mansir didn't get a chance to speak, she was the last speaker.

D.P.O. POSTAL:
Oh, I'm sorry. Oh, I'm sorry, Ms. Mansir. And following Ms. Mansir, Tom Field. I'm sorry, the Honorable Pat Mansir. I must say Town Board Members are so humble that they don't put down their titles.

MS. MANSIR:
Okay.

D.P.O. POSTAL:
Please go ahead.

MS. MANSIR:
I've spoken to you a couple of times in the past, I appreciate the opportunity to do that again. I'm a member of the East Hampton Town Board and representing the firefighters and the ambulance personnel from the East End on the subject of the helicopter at Gabreski. I just need to point out that East Hampton reciprocates to Suffolk County in training. We have a Chief Harbor Master who isn't here today because he is training the Suffolk County Police Helicopter personnel. In our police department, we have three file cabinets full of file folders with the names and the addresses and the achievements and the training of your police personnel, Port Washington, Glen Cove, Hempstead, Huntington, Smithtown, Babylon, all over Suffolk County. They're trained on things like vessel operation, CPR, AED, defensive tactics, exposure control, blood borne, airborne pathogens to name a few. You save money this way, because our man can come to you and you have trainers up there too during the time that your men are already employed. They don't have to take these courses after hours and you don't have to pay them for that time. And, of course, our policemen

go up to you. We've worked together in situations in the past. The fire -- the wildfires in '95, our men were up here. When we all worked together to go to Buffalo for the snowstorm, we're up there. The East End is an island , but it is not an island unto itself. It's



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surrounded by water. Where there's water, there are marine accidents. The helicopter is not just for emergency service on land, it's for water also, and this is what our men are training over the next two nights out in the Great South Bay off of Great River with Suffolk County Police helicopter to do land-sea rescue. This is a multifaceted item, and we are asking for your services year-round. And I've said the last two times that I've been here I think it's important enough to repeat, I come from the '70s, back in the time when we said we would never have helicopter service, and we've had good logistical reasons why it could never happen. It's happened, but it hasn't happened far enough. We need it year-round. It's just a very practical approach, $67,000 is not an a big ticket item to find. And I appreciate your support. Thank you.

D.P.O. POSTAL:
Legislator Towle. There's a question. Councilwoman Mansir.

LEG. TOWLE:
I appreciate your support.

MS. MANSIR:
I appreciate yours too. Thank you.

LEG. TOWLE:
Thank you. I'm going to make a motion to waive the rules and move Resolution 1190 of 2002 before us for the purpose of aging out of the Budget Committee.

LEG. GULDI:
Second.

LEG. FOLEY:
Second the motion.

P.O. TONNA:
There's no questions, right, she can sit down?

LEG. TOWLE:
That's it.

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

MS. MANSIR:
Thank you.

APPLAUSE

P.O. TONNA:
Okay. I'd just ask Legal Counsel to make sure that we phrase the resolution request or whatever. There's three votes, I think, right?

MR. SABATINO:
Yeah. Actually we need -- we need first, a motion to waive the rule regarding the discharge of bills from the Budget Committee, then --



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LEG. TOWLE:
So moved.

MR. SABATINO:
That would be the first motion.

LEG. GULDI:
Why can't we do a combination motion? There's no reason why we can't do a combination motion and simplify the procedure.

MR. SABATINO:
This one is a little bit different, because you're waiving -- this is a rule that deals with whether a bill can get out of the Budget Committee without the unanimous vote. Then the second issue is the issue of getting the bill before the Legislature.

P.O. TONNA:
Doesn't it have to age for an hour too?

LEG. GULDI:
It has to age for an hour. Is there any -- there is no legal reason that they can't make a combination motion for both those release. It's a point of order, if I may, Mr. Presiding Officer.

P.O. TONNA:
Thank you very much Mr. Legislator. Hold it one second, he's thinking. Ding-ding-ding-ding-ding --

LEG. TOWLE:
Final answer is?

MR. SABATINO:
You can -- you can waive it, but it changes the nature of the vote, which is that it's no longer a vote on whether or not to let a bill get out of the Budget Committee without the unanimous vote, and you're

converting that into a vote on the merits so.

LEG. GULDI:
That's not what I asked.

MR. SABATINO:
Someone is being compelled to vote on both issues at the same time.

P.O. TONNA:
Okay. George, do you want to argue with him? Or do we just want to get --

LEG. GULDI:
That wasn't -- it wasn't responsive to the question. My question was is there a legal reason not -- and I didn't suggest approving the bill as part of this same motion. Obviously, it's to discharge. It's a motion to waive the rules and discharge. Is there -- my question simply, is there any legal reason you can't make those two motions to waive the rules regarding budget discharge and discharge as one motion?



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MR. SABATINO:
No. Not on that issue, no.

LEG. GULDI:
Okay,

P.O. TONNA:
Okay. So we're not voting on the merits, we're voting on whether -- this vote is basically a vote on whether we want to raise the issue now so that it can age for an hour and then we vote on the merits.

LEG. FOLEY:
Yeah. It's waive the rules and discharge then. That would be my motion and it was seconded by Legislator Guldi.

P.O. TONNA:
Okay. Is everybody here, by the way?

LEG. TOWLE:
No. You better call everybody in.

P.O. TONNA:
I'd ask all Legislators, please come to the horseshoe.

LEG. TOWLE:
Mr. Chairman.

P.O. TONNA:
On the motion, Legislator Towle.

LEG. TOWLE:
Just for the purpose of the public, Mr. Chairman, since they are obviously are not necessarily not familiar with our rules, what would basically happen is if this motion is approved this morning, the bill would be before the County Legislature. We break at 12:30 for lunch, we come back at 2:30, usually. We have public hearings, which will probably take at least an hour. Before we could vote on this bill would be the earliest about 3:30 or four o'clock. And I apologize for the delay, but unfortunately, that is the procedure. Obviously, your returning here is just as important as your appearance here this morning, and I thank you for that.

LEG. BISHOP:
Mr. Chairman.

P.O. TONNA:
Legislator Carpenter first and then Legislator Bishop.

LEG. CARPENTER:
Thank you. I think that, and I've said this before this morning, that there is no doubt in my mind that this body as a whole is supportive of the concept of providing year-round helicopter service or providing the stationing of the helicopter year-round at Gabreski. However, I just don't feel that addressing these bills the way they're crafted is the way we should be going. The Police Commissioner has been directed and is coming to the May meeting to share with us the actual facts and



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figures. Also, we have the other issue of where the helicopter should be housed, and it should be housed probably from my perspective in our own hanger and not that we should be at someone's mercy in looking at exorbitant rentals and insurance payments that we have now learned that they're trying to pass along to the County. What I have asked the sponsor to do of the two resolutions that he's trying to move this morning is to compromise on the issue, and I am going to go in the back and call the County Executive's Office and see if they will be willing to give us a CN today so that we could pass a policy resolution supporting the concept of staging the helicopter year-round at Gabreski. And let the process move forward with getting the information from the Commissioner and the Public Works Commissioner and doing this in a proper fashion, not rushing ahead. I think that really is the way to go.

P.O. TONNA:
Okay. Hold it. Legislator Bishop then you Legislator Towle. I know that your already to bear --

LEG. TOWLE:
Yeah.

P.O. TONNA:
-- and I see you're turning a little red, just a little.

LEG. TOWLE:
It's the heat in the room, I think.

LEG. BISHOP:
Legislator Carpenter has accurately described the dialogue at the Public Safety Committee. We were waiting for the Police Commissioner and -- to respond to our requests as to how an expansion of services would be funded. And actually, the first question is how much will it cost. And he did not have those answers. If we are to discharge this today, I would ask at the very least that we obtain those answers before we move forward. So I don't know if the representatives of the Executive's Office can contact the Police Commissioner and ensure his presence here later with answers to fundamental questions like how much and where the monies going to come from. Another issue -- I'm sorry, Paul, I just want to --

P.O. TONNA:
I just want to say that we've heard that request, and I have requested the County Executive to, you know, people to see if they're available to come today. So I've complied with that request.

LEG. BISHOP:
Another issue that I find troubling, and I have no -- I've never seen documentation on this, I've just heard it said to me verbally, that we are paying to lease a hangar at Gabreski. So the County owns an airport, it then leases hangar space to a private entity and then the private entity leases back to the County, so we're -- so that private party makes a profit off our airport to house our helicopter. That seems like a very bad arrangement. And I'd like to get more information on that, if that's the case, and what we can do to rectify that in the short or long term. So these are the types of questions



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that we were hoping to move through in the committee process. Since Legislator Towle is forcing the issue today, which is fine, then at least we should endeavor to get those answers. So those are the questions that I have. If appropriate departments can have those answers before we vote, I think the public will be well served.

P.O. TONNA:
Just wait. Legislator Towle, then Guldi, then Lindsay.

LEG. TOWLE:
I could not concur with Legislator Bishop more with a few exceptions though. I've been asking along with my other two colleagues from the East End for that information for over nine months. You are correct, that we are releasing property that we leased to somebody else. I also concur and believe it's ridiculous. That's why I'll be filing a late starter today directing the Department of Public Works to start planning and design for our own building if, in fact, we pass this resolution today setting the policy in place that there be a helicopter there for 365 days a year. The bill does three things that are before us today, just for clarification. First and foremost, it keeps the helicopter until the end of the year, and it funds it for 60 something thousand dollars. That's what we're talking about on those two issues. And the third issue is it sets a policy, and that's our job as Legislators to set policy, not the Police Commissioner. I'm tired of him dictating to us what we're going to do as elected officials.

APPLAUSE

The last time I checked, he worked for us, we don't work for him. He has been arrogant and nonresponsive to a County Legislator --

P.O. TONNA:
Who's this? Who's this?

LEG. TOWLE:
The Police Commissioner.

P.O. TONNA:
Okay.

LEG. BINDER:
Really. Again?

LEG. TOWLE:
If it was done to you and the shoes were reversed, I would support your efforts today to send a clear message to a department head, because that's what he is in essence. The reality is he will now have, once this resolution is passed, the balance of this year to get his department's act together. And should he fail to do that before we vote on the budget in November, we'll take care of that problem for him. If that's what we have to do. But I would hope considering what we're paying him that his department will be able to present the plan to the Legislature in his budget submission, because for the general public that is his opportunity to tell us what he needs and why. If we've set the policy in place, he needs to fund it. If he or the

County Executive don't fund it as this Legislature has, and unlike Legislator Crecca who's been here a short time, I feel like I've been here a real longtime, too long, in fact. But the fact of the matter is numerous instances this Legislature has passed policy before and department heads, particularly the Police Commissioner, has ignored it. That's why I'm not prepared to agree to Legislator Carpenter's compromise. He is going to be told today under no equivocal terms what this Legislature expects him to do. And should he fail to do it, we will do it.

APPLAUSE

P.O. TONNA:
I know everybody would like to respond, but there's a list. I have Legislator Carpenter who would like to respond, you, but there's a list. Legislator Guldi is next, then Lindsay, then Carpenter, then Caracappa, and then I'll put Bishop back on. Despite your rude comments to me today, I want you know, you still have the -- no, I'm joking.

LEG. GULDI:
Is it my turn yet? If you two are done. With -- Legislator Bishop, with respect to your concerns with the -- at the situation at Gabreski, the last summer lease did fall into the yes, we are our own grandpa, but not in that we have leased hangar space to a tenant. The tenant that we rented hangar space from leased the vacant land from the County and erected structures including a hangar that the County rented part of for the hangar operation. So the -- and I share Legislator Carpenter's concerns about the pass through of insurance expense that may or may inure to the County's benefit in any event and may be redundant with our own insurance policies on the helicopters. The -- Legislator Towle and I haven't spoken because I've also filed late starter to begin the planning steps for capital budget amendment for the erection of our own hangar on our own land at Gabreski.

LEG. TOWLE:
Put me on as a cosponsor. There you go.

LEG. CARPENTER:
Me too.

P.O. TONNA:
Thank you. Legislator Lindsay.

LEG. LINDSAY:
I too am on the Safety Committee. And there were a couple of other issues that we did discuss, a couple of times at a couple of these meetings with the Police Commissioner present and something that was being explored is whether we would need additional pilots and crew to maintain adequate service at two locations and eventually possibly the

addition of another helicopter. So it goes a little bit beyond just the $60,000 that was quoted here, whether that's correct or not correct. Long-term, I think that we need a plan of how much this is going to cost us long-term and so that we could adequate address the issue.



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P.O. TONNA:
So basically what you're saying is you want to go through the process.

LEG. LINDSAY:
Yep.

P.O. TONNA:
Okay. Legislator Carpenter, you have an opportunity to --

LEG. CARPENTER:
Thank you.

P.O. TONNA:
-- to speak.

LEG. CARPENTER:
You know, I can understand why there might be some misunderstanding. I'm just reading an article that was passed out and in it the author states, but some western Suffolk based members of the Legislature and administrators of the County Police Department are balking about stationing a Medivac at Gabreski 12 months a year. Now, let me straighten out the record here. I Chair the Public Safety Committee and not one member of the Public Safety Committee balked at stationing a ship at Gabreski year-round. To the contrary, the members of the committee are very, very supportive of it. But we don't want to plot ahead without having all of the information. The commitment is there and was put there through the budget process. In fact, I had to codify it by sponsoring a resolution that said that this body wanted the helicopter service there from May 1st to October 1st, and we did that. And much to the contrary of what was stated here earlier, the Police Commissioner, and you can go back to the minutes of the meeting and see that he sat before the committee and said, you are the policy makers, you tell me what to do, if you want year-round service at Gabreski, I will do it. And the committee directed him to come back to us with the information that we need so that we can provide the ship at Gabreski year-round. So I don't see what all the fuss is about here this morning. And if Legislator Towle and the rest of the East End Legislators feel more comfortable in seeing a resolution pass, then I ask that we compromise and just put a policy resolution together today that says we as a body support stationing a helicopter at Gabreski 12 months a year and then let the Police Commissioner come to the May meeting. And also as a matter of fact, the Police

Commissioner was prepared to present that information to us at the last meeting. Our last meeting we had a very tight time frame, and we needed to get through the committee business early. This next meeting is going to be a state -- at the request of the Presiding Officer -- will be a State of the County's Public Safety. So in order to give the Police Commissioner and the issue fair time, I asked him, I asked him to wait until May and come prepared to discuss it at the May meeting. So I think -- I would ask again publicly if Legislator Towle would reconsider, and I will be happy to cosponsor it as I'm sure almost every other member of this body would be, and then I think then we send a better message.

P.O. TONNA:
Thank you. That's all right.



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APPLAUSE

P.O. TONNA:
You can clap, you can clap. Thank you. Who do we have next? Legislator Caracappa and then Bishop.

LEG. CARACAPPA:
Thank you Mr. Chairman. I have a question for Counsel, but first to bring up points that were brought up by other members of the Public Safety Committee are true. Number one, as Legislator Lindsay says, there's a possible shortage of pilots, number one, that we're going to have to deal with, and we are dealing with. There's also the space problem, which we're dealing with in the Space Committee and also in the Public Safety Committee. It's to the -- the fire districts across the East End, you were deciding you needed a new truck ladder, you all agree we need a ladder truck, but you didn't have to beg for it, your membership was too low, and you didn't have the qualified driver for it, you had to rent space to place the ladder truck someplace, and all of these things weren't taken care of yet, I doubt you would do the purchase order for that ladder truck. Even though you need one, that ladder truck -- that policy would be put in place , but you just have to clean up the loose ends first. And though your department -- the membership of your department is screaming at the fire district saying, we want our ladder truck now. I know as administrators in the fire district, you dot your I's and cross your T's first, before you buy that ladder truck so you have it housed and have it manned when an emergency arises. That's just what we're doing here. We all agree we need year-round Medivac Service on the East End, but as administrators in a certain way we have to make sure that we dot our I's and cross our T's as well. We've been trying to do that, we're working with the administration, and I think that by the time the end of the service as it currently exists now comes about, we will have a full term 12 month service available to East End residents. But you need to allow us to

do our job, so you can do your job. It's a work in progress and one that I don't think is going to be compromised in the next two weeks. My question to Counsel is, Paul, we are discussing this in the Space Committee, Space Management. I'm a member of that as Public Works Chair. We do not have an agreement for the lease -- to continue the lease at Gabreski at this point in time due to the new insurance costs that have been placed on the operator after 9/11, hangar insurance for which we need to get as a -- and we didn't have. What's our legal obligation? Can we move forward with a year-round service when we don't have a lease available to us at this point in time for the full year service?

MR. SABATINO:
Well, you can commit -- you can commit to the funding and you can commit to the policy, but the implementation is going to be conditioned upon the availability of space, whether it turns out to be a lease extension that's worked out or Legislator Towle's new initiative to construct something out there. But you have enough time because the -- I think May 1st is the commencement date for even the old policy of going forward, and you'll be there month to month to month under the old lease until a new one is worked out or the construction takes place. So the answer is yes you can do it as long



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as you understand that the implementation stage is going to require additional work, either another resolution or some new negotiations.

LEG. CARACAPPA:
Thank you.

P.O. TONNA:
Yes. There is Legislator Bishop is next. Thank you, Legislator Bishop.

LEG. BISHOP:
I apologize. I just wanted to say that I respect Legislator Towle's disappointment that he cannot get answers out of the Executive. And when I request that the Executive be here prior to our vote, I fully expect to have the answers to the questions that we've raised. The Public Safety Committee has raised these questions over and over again. It's been quite a while. I don't think its too much to ask that the Police Commissioner and the Public Works Commissioner have answers to these questions. Obviously, this is an important issue facing the County, the emotions are very high. They have the staff and personnel if they make the commitment to at least provide us the answers so we can make the policy.

P.O. TONNA:
I just have a quick question. Joe, you sit on the Space Committee as

does one of my staff members --

LEG. TOWLE:
You cut me.

P.O. TONNA:
I cut you.

LEG. TOWLE:
Yeah, I'm on the list.

P.O. TONNA:
No. I'm on the -- I can put myself on the list, and I put myself --

LEG. TOWLE:
You'd be after me.

P.O. TONNA:
You want to see the list? I have Tonna -- wait, let me just do it.

LEG. TOWLE:
You need an eraser.

P.O. TONNA:
I got it now. It's the prerogative, I get yelled at more than anybody else, why not?

LEG. TOWLE:
It's fair.



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P.O. TONNA:
Legislator Caracappa, the question is I've heard anecdotal stuff that the rent -- anecdotal.

LEG. BISHOP:
Anecdotal.

P.O. TONNA:
I was debilitated by the anecdotal information that was --

LEG. TOWLE:
For lack of helicopter transport --

P.O. TONNA:
-- was given with regard to the lease that after September 11th, they raised the rent or something like that?

LEG. CARACAPPA:

Insurance.

P.O. TONNA:
I've heard things like that, but I have nothing to back that up with.

LEG. CARACAPPA:
Mostly insurance rates, but we were paying before 9/11 over $5000 a month in rent just for the hangar space at Gabreski.

P.O. TONNA:
I can't hear you, Joe, just wait. I'd ask all Legislators, please -- where's my -- great. Go ahead.

LEG. CARACAPPA:
Actually, I'll defer the rest to the aviation expert and the East End Legislator who we should rename Gabreski Guldi Airport one day, but he sits on the Space Committee with me as Ways and Means Chairman.

LEG. GULDI:
The issue on insurance is somewhat vague. And what we did in Space is we approved the lease subject to Risk Management evaluating insurance. We have Hull Insurance for our helicopter. It is insured against damage or destruction. The landlord has obtained really at his competitors request, a hangar's keepers liability policy that covers him against subrogated claims for damage to our helicopter in the event that somebody else pushes another airplane into it or the hangar falls down on it. That expense of that insurance has -- has risen dramatically, but the necessity of it is questionable since it doesn't cover us, and we have insurance of our own to cover us, but the landlord has under the lease reduced his base rent, but sought to pass through additional insurance expense. We approved the base rent for the term I believe it ran through December in the event the lease we approved ran up to December on a month to month basis, that was the offer from the landlord. And Risk Management's going to resolve the insurance issue as to its necessity and appropriateness as an expense to us.



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

LEG. TOWLE:
Thank you, Mr. Chairman. A couple of things just to point out just for the purpose of clarity, I agree with Legislator Bishop again, twice in one day I'm getting kind of concerned, that the Police Commissioner and/or the Health Department people should have been here now some two hours and 15 minutes into our original request. I guess they're quite busy, but after we move this resolution I'm sure that when we come back from public session, Legislator Bishop, that someone

will be here to address it, because it will be before the Legislature. And that will be their final opportunity. Number two, the Police Commissioner is going to have seven months to resolve either an extension on the lease for this building, before we vote on the budget, or to come up with another location between Public Works or Economic Development, which I actually think oversees, Alice Amrhein's Department, at Gabreski Airport. As far as the insurance issue is concerned that Legislator Lindsay brought up, the reality is we are in that location effective Memorial Day. So we're going to resolve the insurance issue whether we pass this bill or not. They have to -- they have to by, law because we passed the policy that they be there from Memorial Day to Labor Day, the last time I compromised. And that's why I will not once again compromise the safety of the residents of Suffolk County by delaying this any longer, because that's what this is, a delay.

APPLAUSE

P.O. TONNA:
Thank you. All right. Is there is anybody -- is anybody else speaking on this?

LEG. CARACCIOLO:
Let's move the motion.

P.O. TONNA:
No, I have one other --

LEG. CRECCA:
I would like to.

P.O. TONNA:
You would like to say something. Legislator Crecca.

LEG. CRECCA:
Isn't the Budget -- is the Budget Committee meeting, Mr. Caracciolo? -

LEG. CARACCIOLO:
12:30

LEG. CRECCA:
Okay. So 12:30. And this bill is before the Budget Committee, correct?



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LEG. CARACCIOLO:
Right.

LEG. CARPENTER:
Yes. All right.

LEG. CRECCA:
Okay. So one way or the other, it's on our agenda, it has to be addressed, correct?

LEG. CARACAPPA:
No, it's not on the agenda.

LEG. CRECCA:
Budget Committee. Budget Committee's agenda. I'm on that committee.

P.O. TONNA:
Go ahead.

LEG. CRECCA:
What I'm saying to Mr. Towle is this motion can be made at 2:30 at least allow the Budget Committee to meet at 12:30, is my understanding.

P.O. TONNA:
This is -- this is my concern. First of all, I want to commend Legislator Towle, and I think that -- Legislator Towle, I think some of the frustration that you have in pushing this legislation as hard as you have, it's been after a period of waiting, okay?

LEG. TOWLE:
Four months.

P.O. TONNA:
And I understand that. And I understand that. And I think that Legislator Carpenter is correct in assessing as Chairman of the Public Safety and also as getting a sense of the Legislature there -- I don't think there is -- and I would say at least I've talked to 14 Legislators, which is a super majority, at least 14 Legislators have said, you know what, yes, we should have it year-round, yes, we should make sure we've covered up until now October, we have to get some facts, because we want to make sure that we are prudent with the use of County dollars, whether it be rental issues, whether it be statistics, whether it be whatever else, and that's what the committee process is there for, to discuss these issues, to find out relative facts, to be able to have for example this is -- this would have been a primary resolution in the Public Safety Committee if it wasn't that there was a budget mechanism that needed to appropriate money. If not, this would have been under the purview for review and analysis under the Public Safety Committee. The concern that I have is that whether -- whether this resolution right now to discharge it early, without -- without it getting out of committee, to discharge it early is not a vote on whether this Legislative branch is committed to

having a full year Medivac Helicopter. You say that, the arguments are made both ways. To tell you quite honestly, I would like the Police Commissioner to come down and give us relative facts.



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LEG. BISHOP:
Paul, may I go on the list?

LEG. TOWLE:
You'll have plenty of time. Approve the bill now, and he'll be here after public hearings.

P.O. TONNA:
Fred. Fred, thank you. I'd just like to finish what I have to say.

LEG. TOWLE:
But don't mislead the public.

P.O. TONNA:
We're not misleading the public, Fred.

LEG. TOWLE:
You are when you're saying he's not going to be here. Have you been told he's not coming to the meeting?

P.O. TONNA:
No.

LEG. TOWLE:
Has your office been told the Police Commissioner can't be here today?

P.O. TONNA:
To tell you quite honestly, I'd have to ask my office. No. I have make the request, and they said that they were going to work on getting him here. That's what I've heard.

LEG. TOWLE:
So that's great. We approve the bill now, it's got to age for an hour, we go to lunch, the public hearings are over, the bill will be before us at 3:30 or four o'clock. By then I'm sure Police Commissioner can find time in his busy schedule to care about the residents of Suffolk County and show up.

APPLAUSE

LEG. TOWLE:
This is ridiculous, it's ridiculous.

P.O. TONNA:

I want you to know it must have been something that I ate today or forgot to wear today, this is the third time that Legislators feel compelled to bully me. But I would say this --

APPLAUSE

P.O. TONNA:
And that's okay, I'm a big boy, and I'm -- I'm ready for Celebrity Boxing with any one of you.



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LEG. TOWLE:
Donate it to charity.

P.O. TONNA:
Yes. I'll donate every penny. And with some Legislators, I'd even tie one hand behind my back. But the fact is -- I was looking that way, but I might be tempted for some the other way.

LEG. GULDI:
You're on. Pick the time and place.

P.O. TONNA:
Guldi, I'd tie both my hands behind my back.

LEG. GULDI:
You're definitely on.

P.O. TONNA:
The truth is -- all right. The truth is that I think we're misleading the public to think --

LEG. TOWLE:
That's right, you are.

P.O. TONNA:
-- that there is not a commitment by probably at least 14 Legislators, but probably all 18, to make sure that the East End has year-round Medivac Service. And that would be whether this vote goes up or down, this will be dealt with judiciously, I think. And I have assurances from the Public Safety Committee that if we don't get information by next meeting, we should move this -- by this afternoon if we can get information, we should move it, and if we can get CN, we should move it from a policy standpoint and work out the details with regard to rental and everything else later. Legislator Bishop, Binder and then Crecca.

LEG. ALDEN:
Put me on.

LEG. BISHOP:
First, you know, Presiding Officer Tonna, given -- given your difficulties speaking, your desire to resort violence is entirely understandable. I want to say that without committing to the underlying bill of whether, you know, the Medivac year-round immediately $60,000 covers it and all that, I will support the discharge, and I would urge my colleagues to support the discharge, because it's a way to force the Executive Branch to speak on this issue. They have managed this issue by ducking, and that's not the right way to do it, and they've done it continually at the committee.

APPLAUSE

LEG. TOWLE:
Absolutely.



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LEG. BISHOP:
I understand we have an invitation for them to come back. They're going to come back and so on. But I cannot believe that they don't have these answers. So I believe that if we discharge the bill, we'll get the answers this afternoon, and then we can make the appropriate policy. That would be the best way to handle this.

LEG. FISHER:
Mr. Chairman, am I have next on the list?

P.O. TONNA:
No. No. Everybody is on the list. I have you on the list, Legislator Fisher, but right now it's Legislator Binder.

LEG. BINDER:
Thank you. I would hope -- I would hope the Police Commissioner would come down, and I think this is a good idea to spur the Police Commissioner on a little bit. Unfortunately, it's very hard to get some answers, and I have to agree with Legislator Towle, that sometimes you just have to force the issue with the Commissioner. But let -- you know, I'm just kind of surprised we're pushing so hard. How much is this going to cost? My understanding is the whole year is $600,000 for the Medivac.

LEG. TOWLE:
That's ballpark.

LEG. BINDER:
Okay. So we discharge in one day, and we're able to vote 17 to 1 on a bill that we ended up putting three-and-a-half million dollars in for Living Wage Bill, we had no budgetary fiscal impact statement, we had

no information, we didn't know, we're now finding out that people are actually worse off because they loose benefits if they get the increase --

P.O. TONNA:
I knew I made a mistake recognizing you.

LEG. BINDER:
You did. You made a huge mistake. So this is the same Legislature that, no problem, didn't want anymore answers, we discharge it, bang, bang, pass it, put three-and-a-half million dollars in the budget. $600,000 to keep these people safe. We're talking about people's health, that we can't do? We should do this.

P.O. TONNA:
Legislator Binder, you should definitely run for the Senate of New York. That was a Senator's speech if I ever heard one. All right. Let's continue this road show.

LEG. TOWLE:
I'll by you lunch.

LEG. CRECCA:
You know, given your comment --



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P.O. TONNA:
I'm going to say the same thing.

LEG. TOWLE:
You concur, right?

LEG. CRECCA:
Absolutely. I just want to say, and I want to say it publicly, because I know I said it to many of my fellow Legislators in the back room, I am -- I am committed to having year-round operation of Medivac Helicopter on the East End. I'll say that publicly now, because I am on the record so that everyone knows where I stand. I do want some answers to the questions, first. But I can tell you right now that I will be supporting that. I just want -- I want those answers first, and I can understand the Legislators who are saying that -- are reluctant to do the discharge until we get those answers. And then -- but I just -- you know, where I stand on the issue and everyone knows where I stand on the issue. You will have it on the East End as far as I'm concerned. I just -- you may not have it today, but you'll have it, and you'll have it before October 1st..

P.O. TONNA:
Okay. Legislator Foley, I appreciate that you haven't weighed on this

issue yet, but Legislator Alden and Legislator Fisher --

LEG. CARPENTER:
Excuse me. Am I on the list?

P.O. TONNA:
Yeah, you're on the list, but after Legislator Alden and Legislator Fisher.

LEG. CARACCIOLO:
Mr. Chairman, may I be added to the list? Paul. Legislator Tonna, add to the list, please, Paul.

P.O. TONNA:
I'll put you on, yes. Legislator Alden.

LEG. ALDEN:
I want to start with a question to our Legislative Counsel. Paul, it's just been mentioned before, and this is the first time I've heard of it, but can we state a policy in a procedural motion, and would that be possible to do that, just dictate it?

MR. SABATINO:
It wouldn't be legally binding on the County, it would be -- really to do procedural -- procedural motion really is just for internal matters. So the answer is all you'd be doing is telling yourselves, you wouldn't be binding the County -- you wouldn't be binding anybody, but you would be making a statement with regard to yourselves.

LEG. ALDEN:
That would kind of act as what Legislator Crecca just did when he indicated publicly that he supports the concept of the year-round Medivac Helicopter or the police helicopter to be stationed out at



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Gabreski, but he just wants some answers to -- as far as cost, as far as whether we're going to build our own housing for this Medivac Helicopter. There's a couple of other questions too that I think have to be answered too as far as we all know that there's times when at least one -- and they're not times, I think at all times there's usually one helicopter that is down either for servicing or for repair. That's been coming out in testimony over the past four and a half years that I've been here.

Now, is there a priority that's set up in this bill -- that's one of the questions I'll ask when we actually debate the bill. But we really have to find out, you know, priority as far as mission priority and also staging priority when we're down to one helicopter at that point. And I did hear testimony from somebody that said that it looks

like we're going to need at some point in the future if not right now another helicopter.

LEG. CARACAPPA:
And pilots. And pilots.

LEG. ALDEN:
And pilots. Now, there's another important issue that Legislator Caracappa touched on, we need a representative also from the union down here, because I think without their input into this -- I was told by another attorney that analyzed part of the contract that if we do set up a permanent station at Gabreski, that there's a possibility that they need all that command and everything else has to be according to the union documents, and that's something we can't really just gloss over, who is going to stage and actually who's going to be stationed there? Because now it is a permanent -- it would be a permanent station. And similar to sector cars, you have to have people assigned to that, and there has to be a whole chain of command that goes along with that, plus a chain of supply and other types of -- you know, and there are considerations that have to be made on that. So most importantly, Paul, getting back to what I started with, as far as it wouldn't be binding, but it would actually give the public an indication that --

MR. SABATINO:
I think a better vehicle upon reflection would be a Sense of Legislature Resolution, because procedural technically is when you're involving appointments or the use of County -- of Legislative money, but we wouldn't be there. But, yes, Sense of Legislature would more accurately reflect that.

LEG. ALDEN:
Could a sense be dictated today and voted, or that has to be discharged or?

MR. SABATINO:
No. That has no eight day rule applied to it, so wouldn't have to worry about Certificates of Necessary or issues like that. You could do it today if you had the time, the wherewithal to develop the language, yes.



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LEG. ALDEN:
So I would like to -- I would like to dictate at this point in time a Sense of the Legislature Resolution that would indicate the support of the concept of supplying a Medivac Helicopter to the East End by stationing it at Gabreski Airport on a year-round 12 month basis. Further, to develop as far as the cost factors and things of that nature, that would have to take place in a normal fashion where it

would go through the committee process, all the information would be provided to every Legislator, and then they can vote intelligently on something as far as where to take those costs from, because there are substantial costs involved with stationing -- stationing that helicopter out there on a 12 month basis. I have one other point, if we have that, and I'm going to make that as a motion.

P.O. TONNA:
What is the motion?

LEG. ALDEN:
To pass a Sense resolution that I just dictated. It would be a Sense of the Legislature Resolution that would support --

P.O. TONNA:
Can we dictate Sense Resolutions like this? Wait, wait. Point of order. Point of order. This is a first, you know, in the eight years I've been here, eight and a half, is this -- can we --

MR. SABATINO:
No. What we'll do is --

P.O. TONNA:
Can we have sense resolutions like this? It's a dangerous precedent.

MR. SABATINO:
No. What we have to do is during the lunch break, I have to talk to the stenographer to try to reconcile what was dictated to generate a hard copy. We just need -- we need a hard copy for the sense resolution, but we can certainly use what was --

P.O. TONNA:
It's been hard ball all day, now it's a hard copy.

MR. SABATINO:
Physically for the sense resolution, we need to have a hard copy. It can certainly be generated from what was dictated, but I -- that's going to require some time. I'm also in the process of drafting a resolution for Legislator Carpenter to deal with the other issues. So, I mean, there's a lot of things going on at one time in terms of these bills.

P.O. TONNA:
Legislator Alden, you have another issue, please, you still have the floor.

LEG. TOWLE:
Legislator Alden, would you just suffer an interruption for one

second? I just want to ask you a question.

P.O. TONNA:
You have to do that through the Chair.

LEG. TOWLE:
Mr. Chairman.

P.O. TONNA:
All right. Why not Fred.

LEG. TOWLE:
Thanks. That's great. I appreciate your help. Let's just push it right past the 12:30 clock so we have to break for lunch, and all these people have to come back again.

LEG. ALDEN:
Excuse me, Legislator Towle, if you're making a statement now --

LEG. TOWLE:
No. He is.

LEG. ALDEN:
No. You're making a statement now, because my last point is what are we going to do with these people. These people came down wanting us to listen to them, and I'm prepared to listen them. I'm not sure about everybody else that has or hasn't listened to them, I'm prepared to listen them. And if this is some kind of subterfuge so these people don't get to speak, I'm not going to be part of that.

LEG. TOWLE:
That's not it at all, Legislator Alden. But the fat of the matter is what you're asking the sense to do is exactly what this bill does. This bill requires them as a policy of this County to put the helicopter out there 12 months a year. The other thing it does is take care of the balance of this year. That's all it does, and it funds it.

LEG. TOWLE:
Actually, Fred -- I'm sorry, Legislator Towle, actually I would support if that's all it did, but unfortunately, it takes money out of retirement. I'm not sure where the retirement account is at this point and whether that's appropriate to go and actually to take that funding out and put it in there.

LEG. TOWLE:
Budget Review gave the offset.

P.O. TONNA:
We have still six more speakers. Legislator Fisher.

LEG. ALDEN:
That didn't answer my question as far as are we going to listen to these people or we're not going to listen to them?

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P.O. TONNA:
That's kind of a rhetorical question.

LEG. ALDEN:
No, it's not. Because what is the plan here? To try to cut off debate?

P.O. TONNA:
The plan is at 12:30 we break for lunch.

LEG. FOLEY:
Motion to extend the meeting to 12:35.

LEG. GULDI:
Second.

P.O. TONNA:
There's a motion and a second. There's a motion and a second to extend the meeting to 12:35. All in favor? Opposed? Fine. We're -- at 12:35 that's the last extension.

LEG. FOLEY:
Others can make motions as they deem fit.

MR. BARTON:
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LEG. FISHER:
Mr. Chairman, two years ago, without a crowd, without applause --

P.O. TONNA:
Hold it. Sorry, Legislator Fisher.

LEG. FISHER:
Oh, I was recognized by the Chair.

P.O. TONNA:
I recognized you, I'm sorry. Let me just -- go ahead.

LEG. ALDEN:
I still have a procedural question then, when we come back, are we

going to allow these people who took off from work to come down here, it's important enough to them, are they going to be allowed to address this?

P.O. TONNA:
Let me tell you this. As long as I'm Presiding Officer, which at any day might be changed, I would say that anybody who fills out --

LEG. GULDI:
Second.

LEG. HALEY:
Second.



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P.O. TONNA:
Thank goodness you'll be overridden. Anyway, everybody who fills out a card wants to speak, speaks. Period. That's it.

LEG. ALDEN:
Thank you.

P.O. TONNA:
Thank you. Okay.

LEG. FISHER:
Mr. Chairman, I was beginning to state that two years ago without fanfare, without applause, without crowds, I sat in my office with Doctors {Henry} and Alicandro from Stony Brook University who train the medical professional who ride in the Medevac, and based on the information that they gave me and long conversations with the aviation unit, with medical and emergency professionals, I introduced a resolution providing a pilot program which provided the helicopter to be based at Gabreski Airport. What's critical to look at here is that this was a pilot program, and the purpose of a pilot program is to test whether or not there's a need for a program. This pilot program began -- the thinking for the pilot program began two years ago. I consider that ample time for the Administration, for the County Executive and his offices to prepare a plan when they saw that there was great success during those months of the pilot program. And so I concur with what Legislator Bishop has previously said.

We set policy and we expect the County Executive and his Administrative team to implement that policy, to provide the information, to do the research, to present to us the numbers that are necessary in order to implement programs which we have called for. Earlier this morning, I stood with the people from STAR who were calling on the County Executive to implement a plan which this Legislature passed in early 1999 again, for the health and safety of

the people of Suffolk County. We cannot let the County Executive drop the ball again and again. We must demand that when this Legislature sets policy, when we provide a pilot program that because of the success has indicated that we need to have a helicopter at Gabreski, that the administrative arm of this government do its due diligence and provide the information that we need. And so I expect to have questions for people from the County Executive's Office. I'm hoping that we'll see the Commissioner this afternoon, and I hope that we can tie this plan up and get it moving.

APPLAUSE

P.O. TONNA:
Thank you. Legislator Carpenter. And by the way, I was just told by -- I'll recognize you.

LEG. CARPENTER:
Thank you.

P.O. TONNA:
She's on the list anyway.



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LEG. CARPENTER:
I just got off the phone with the Commissioner's Office, spoke with the Police Commissioner, he will be down here this afternoon.

LEG. TOWLE:
Good.

LEG. CARPENTER:
Also spoke with the County Executive's Office, and they too are working on -- it seems that there was some question about the offset. They are willing to work with us, so I do want to say two things, though. Legislator Towle, you said that we need to be fair with the public and honest with the public, and I think we would be less than honest with the public if we dared to even insinuate that the Police Commissioner does not care about the safety of the residents of this County.

LEG. TOWLE:
I stand by my comment.

LEG. CARPENTER:
Which was something you said, and I know that you are passionate about this issue as we all are, but I think one thing that we all can agree on, almost all of us agree on that the Police Commissioner does do --

LEG. TOWLE:

I'd fire him.

LEG. CARPENTER:
-- a good job, and he does care about the residents of this County.

LEG. TOWLE:
I would fire him if he worked for me.

LEG. BINDER:
Can I cosponsor?

LEG. CARPENTER:
Well, it's a good thing that he --

LEG. TOWLE:
That will be the day when I allow a department head not to respond to a policy maker. I'd fire him, and I'm not alone.

P.O. TONNA:
Fred. Fred. Fred, we're going to have to Medivac you out for some blood pressure medicine, just relax. I just want you to know there will have to be a counter balance on that helicopter. Legislator Carpenter, let's finish this.

LEG. CARPENTER:
I just think to characterize the Commissioner as not being responsive is not fair, because I think everyone from the Public Safety Committee can agree with me and reinforce what I'm saying that he sat before the committee and said, we set the policy, tell him what to do, and he will implement it. And he will be here this afternoon to address our



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concerns, so I suggest we move forward with this whole --

LEG. TOWLE:
So we'll move the bill, and he'll be able to talk about the bill when gets here.

LEG. CARPENTER:
He doesn't need to have the bill moved to talk about it.

P.O. TONNA:
We still have Legislator Foley and Caracciolo. I'd like to call a vote.

LEG. CARACCIOLO:
Call the vote.

LEG. GULDI:

Roll call.

P.O. TONNA:
All right. Let's call the vote. This is to -- waive the rules and discharge.

MR. SABATINO:
Just for the record, make it rule -- it's rule 6B and 6B1, just so we have an accurate record.

P.O. TONNA:
With the full knowledge -- right. Okay.

MR. SABATINO:
To avoid a three quarters vote.

{ROLL CALLED BY HENRY BARTON}

LEG. TOWLE:
Yes.

LEG. GULDI:
Yes.

LEG. CARACCIOLO:
Yes.

LEG. CARACAPPA:
Pass.

LEG. FISHER:
Yes.

LEG. HALEY:
Yes.

LEG. FOLEY:
Yes.

LEG. LINDSAY:
No.

LEG. FIELDS:
No.

LEG. ALDEN:
Pass.

LEG. CARPENTER:
No.

LEG. CRECCA:
Pass.

LEG. NOWICK:
Yes.

LEG. BISHOP:
Yes. I want answers.

LEG. BINDER:
Yes.

LEG. COOPER:
Yes.

LEG. POSTAL:
No.

P.O. TONNA:
No, not until afternoon.

LEG. CARACAPPA:
Yes, for now.

LEG. ALDEN:
Pass.

P.O. TONNA:
No, you already passed.

LEG. ALDEN:
Abstain.

P.O. TONNA:
Okay.

MR. BARTON:
Legislator Crecca.

LEG. GULDI:
Discharge.

LEG. CRECCA:
We're on the second round, right?



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LEG. TOWLE:
Discharge.

LEG. CRECCA:
Yes.

MR. BARTON:
12.

P.O. TONNA:
Okay. Great. It's discharged, it's going to age for an hour and lunch.

(A RECESS WAS TAKEN FROM 12:34 P.M. UNTIL 2:34 P.M.)

LEG. CARPENTER:
Good afternoon. I would ask all Legislators if they would please come to the horseshoe, we're going to start the public hearings. The Presiding Officer is tied up at the moment.

LEG. CARACCIOLO:
Roll call. I'd like a roll call.

LEG. CARPENTER:
I don't know if it's necessary for a public hearing.

LEG. CARACCIOLO:
I'm requesting a roll call.

LEG. CARPENTER:
Okay. Legislator Caracciolo, let the record reflect, has requested a roll call. Go ahead.

(ROLL CALLED BY HENRY BARTON)

LEG. CARACCIOLO:
Here.

LEG. GULDI:
Here.

LEG. TOWLE:
(Not present).

LEG. CARACAPPA:
(Not present).

LEG. FISHER:
(Not present).

LEG. HALEY:
(Not present).

LEG. FOLEY:
(Not present).



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LEG. LINDSAY:
Here.

LEG. FIELDS:
(Not present).

LEG. ALDEN:
(Not present).

LEG. CARPENTER:
Here.

LEG. CRECCA:
Here.

LEG. NOWICK:
Here.

LEG. BISHOP:
(Not present).

LEG. BINDER:
(Not present).

LEG. COOPER:
Here.

LEG. POSTAL:
(Not present).

LEG. TONNA:
(Not present).

MR. BARTON:
Mr. Binder is present.

P.O. TONNA:
Here.

MR. BARTON:
Legislator Tonna.

MR. BARTON:
Mr. Chairman, a quorum is present for a public hearing.

P.O. TONNA:
Great. It doesn't have to be, but that's great.

LEG. CARPENTER:
Mr. Clerk, have the affidavits of publication filed?

MR. BARTON:
Yes, the affidavits of publication are in proper order and have been filed.



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LEG. CARPENTER:
Okay. Thank you. The first public hearing is on Resolution 1187, adopting a local law to ensure scanner item pricing accuracy within Suffolk County. There are no cards. Does anyone wish to speak on this public hearing?

LEG. TOWLE:
Motion to close.

LEG. CARPENTER:
Legislator Lindsay, what's your pleasure?

LEG. LINDSAY:
I just want to point out that the bill was modified within the last week or so, right Paul? I'd make a motion to close.

LEG. CARPENTER:
Okay. There's a motion, and I'll second to close the public hearing. The hearing is closed. Next we have 1244, authorization and approval fore Seacoast Transportation Service, petition for cross bay freight baggage and passenger water taxi and ferry service over the Great South Bay. The first speaker is John Mensch. Okay. Go ahead. You have five minutes and just make sure the microphone is on and you speak into it. Thank you.

MR. MENSCH:

I'm here today just to -- I'm to the committee to ask --

LEG. CARPENTER:
If you could please bring that up and speak into it.

MR. MENSCH:
Could you hear me now?

LEG. CARPENTER:
Yes. Thanks.

MR. MENSCH:
All right. Thanks. I'll here to take any questions and to answer any of your concerns in reference to my petition regarding the cross-bay lateral baggage and freight.

LEG. CARPENTER:
Does anyone have any questions?

LEG. BISHOP:
What is this?

LEG. CARPENTER:
This is -- why don't you ask. Legislator Bishop has some questions.

LEG. BISHOP:
You have to give us more than that.

MR. MENSCH:
Okay. I petitioned the Legislature in reference to a water taxi



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service in reference to the Great South Bay --

LEG. BISHOP:
Fire Island.

MR. MENSCH:
Fire Island and also Moriches Bay.

LEG. BISHOP:
Is this the thing I saw articles on where people were complaining that they -- they were left --

LEG. TOWLE:
No, Legislator Bishop.

MR. MENSCH:
No. There were articles in reference to that on another water taxi

because there's -- there is no competition for water taxis. And that's the reason why I'm apply for the petition is to create a competition to give the public a choice in riders and different kind of service.

LEG. BISHOP:
Now, how are fees your set?

MR. MENSCH:
My fees are less than the current operator. And also we had designed a new thing called a Fire Island Metro Pass, which you can buy, similar to the Metro Card in New York City, as you can buy ten trips and 20 trip tickets.

LEG. BISHOP:
And Budget Review, we reviewed this application, and you'll issue a report on it, it is that -- is the report already done?

MR. SPERO:
We did issue a report.

LEG. BISHOP:
Which findings were?

MR. SPERO:
The findings? Well, the company is a brand new company, but as of yet, we recommended that the Legislature not issue a license until the company has actually received or obtained landing rights on both sides of the Bay.

LEG. BISHOP:
We had this another year with --

MR. SPERO:
Another company, right. I think Paul would support me on this, but Legislature shouldn't grant a license absent them having landing rights and being able to begin service on the Great South Bay.



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LEG. TOWLE:
Legislator Bishop, would you suffer an interruption for a second?

LEG. BISHOP:
Sure.

LEG. TOWLE:
I've met with Budget Review, I've also spoke to Counsel, and I've sponsored the resolution on behalf of Mr. Mensch. One of the problems that he's had, I've also attended some meetings with him and the Town

of Brookhaven, the Town of Islip and also with our own Parks Commissioner here for Suffolk County, because he's interested in access to some of our parks facilities. And one of the problems is which comes first, the chicken or the egg? All of these people are willing to issue him landing rights for a fee, but the first thing they ask him is, where's your license to do that. We're now saying to him you need the agreements between the towns or municipalities or villages or communities in order for us to give you the license. The fact of the matter is he has two boats, he has the financial wherewithal to do this. You know, based on what I've seen and based on what he's submitted along with his application, he also has an extensive record as far as land transportation is concerned, and this is obviously a new venture for him. And each of the entities being Islip, Brookhaven and the County that I've sat in on those three meetings, I've not sat on the other meetings he's had with villages, have all indicated that should he get his license, they'd move forward with a contract with them. So that's the dilemma we're at.

LEG. BISHOP:
Mr. Spero, this chicken and the egg argument, what -- it makes sense to me. Why would we deny him the license?

MR. SPERO:
Well, I guess it's a policy call of the Legislature, but you're going to be granting a license to operate service, and it should not be just a blanket approval to operate service on the Bay. It should be at specific locations, and those locations should be defined in the license specifically. If he has those locations, a license can be granted on a limited basis to specific locations. And if additional locations are obtained later on, the license can be amended.

LEG. BISHOP:
Well, can't we do a conditional license so he can move forward with his --

MR. SABATINO:
I suppose you can. Paul -- I'd defer do Paul on that.

MR. SABATINO:
No, you can't do a conditional license.

LEG. BISHOP:
By what statute? I mean, what are you --

MR. SABATINO:
Because the last time we proposed conditions was with the North Ferry



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Company. And if you recall, the court issued an unintelligible

decision in which it said you can impose conditions, but we strike seven out of the eight conditions you impose without telling us why the conditions were struck. So based on what happened in that court decision, you know, the implication of that is that if you put conditions on a license, you're going to have a problem.

LEG. BISHOP:
How do -- Counsel, how do we facilitate competition among water taxis? What would you recommend to this applicant or to the Legislature in general?

MR. SABATINO:
What do I recommend to force the competition, or what do I recommend that he do with regard to this application?

LEG. TOWLE:
Both.

LEG. BISHOP:
This application. Let's solve his problem first, then we'll move.

MR. SABATINO:
You have to -- unless the County is willing to condemn the -- the sites on the other side of the Great South Bay --

LEG. BISHOP:
Which side? Fire Island side?

MR. SABATINO:
Yes. Unless you're willing to go out there and condemn those sites, under law there has to be a consent, there has to be an approved use of the property for the point of destination. So what we've done historically is we've required that the parties bring before us the requisite documentation for the consents -- the only thing unusual about this one is that normally we're dealing with one or two points of destination. This one's proposing 40, but out of the 40, even the one for the County, which is I think one of the parks facilities, even that one hasn't been forthcoming in terms of approval.

LEG. BISHOP:
Maybe you can help me before I -- what is our job as the regulatory body with regard to licenses for water taxis?

MR. SABATINO:
As I said before, it's like you fill the role of, like, a mini PERB, which is that you have to deal with issues of reliability and adequacy and safety of service. So you have to look at issues that deal with reliability, safety, are the boats --

LEG. BISHOP:

Are the vessels sea worthy?

MR. SABATINO:
-- adequacy. You know, can they serve the proposed, you know, population? And then the financial wherewithal, are there resources

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there? Those are the four major issues.

LEG. BISHOP:
You went through all that and you said everything's fine except they don't have --

MR. SPERO:
Well, he's got no landing rights on either side of the --

LEG. BISHOP:
Other than that though, they're all right?

MR. SPERO:
Well, he didn't have Coast Guard certified vessels either at the time we did it. So if you want to grant a license under those conditions, we wouldn't recommend it, but.

MR. MENSCH:
Can I interfere?

LEG. BISHOP:
I wouldn't grant a license to somebody who doesn't have Coast Guard certified vessels. On the other hand, I'm sympathetic to this chicken and egg argument. It seems like we've gone down this path before here.

D.P.O. POSTAL:
David, I think Mr. Mensch may want to respond to your question.

MR. MENSCH:
I just want to interfere for one second here. What happens is with the Coast Guard regulation, I had purchased three boats. We are in the process of Coast Guard certification. In that process, I am going through my license. In the past, other water taxis have run against the same scenario, and what they did was actually run illegal, then got the consent, then came back to you and said, I got consent now, can I have my license. I'm trying to do it the right way and get consent from the County first, then go to the communities and say, listen, here's my license, can I have access to your docks, submit those access agreements to the County, and as I get them, then you can grant me those landing rights for that community.

LEG. CARACCIOLO:

Madam Chair.

D.P.O. POSTAL:
Legislator -- are you finished, Legislator Bishop? Legislator Caracciolo.

LEG. CARACCIOLO:
Mr. Mensch, did you indicate just a moment ago that other operators have actually gone into business illegally?

MR. MENSCH:
Yes. And the County -- we had a meeting with Budget Review, and they acknowledged that, yes.

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LEG. CARACCIOLO:
Okay. Is that going to be anywhere in the Budget Review report as to who those entities were and what we intend to do about that?

LEG. TOWLE:
Legislator Caracciolo, if you'd suffer an interruption for a second?

LEG. CARACCIOLO:
Well, do you -- do you know where they are Mr. Mensch?

MR. MENSCH:
I know a few, I don't know all of them.

LEG. CARACCIOLO:
Okay. If you would confidentially share whatever information you can with this Legislator and anyone else interested, I would appreciate that.

MR. MENSCH:
Sure.

LEG. CARACCIOLO:
Thank you.

LEG. TOWLE:
Legislator Postal.

D.P.O. POSTAL:
Legislator Towle.

LEG. TOWLE:
One of the points that you made, Legislator Caracciolo, did come out during the meeting that we had with Budget Review. It was the point that Legislator Bishop mentioned earlier about the articles of

companies that were charging exorbitant rates. I also filed a bill at the same time that I filed the bill for Mr. Mensch, being a constituent of mine and seeking a license before the Legislature, and that bill also was bottled up in committee, which would have basically reviewed and investigated whether or not those news articles were accurate or inaccurate. You know, Mr. Mensch is willing to be held to whatever the standards are, but obviously, from our perspective as policy makers everyone should be held to the same standards. He shouldn't be denied this application because he doesn't have his Coast Guard certification, it should be clearly stated in his contract that should by the time he open not have his license, then, you know, his license is voided. You know, it would seem to me, I mean, as I said, I hate to use the chicken and the egg article, but clearly we have people here that are violating their licenses and leases with us, and we're doing anything about it. This person is a reputable person who runs, you know, bus transportation companies, has got a proven track record, has proven financial records, has come before the Legislature and asked to be granted a license and wants to be given an opportunity. He's purchased, you know, three crafts to do that. He's in negotiations with at least three entities that I'm aware that I've attended the meetings myself to verify so that I could attest that to all of you because I wouldn't expect all of you to be going to all



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these don't, this is my constituent. And, you know, quite honestly, I don't know what else we can try to do to get Mr. Mensch's application moved forward with exception of approving it, you know, conditionally on him getting the land rights.

LEG. CARACCIOLO:
Okay. In terms of the process, Mr. Mensch, you are in the process of having your boat certified by the Coast Guard.

MR. MENSCH:
As we speak, yes.

LEG. CARACCIOLO:
Okay. You've gone through the due diligence review by Budget Review in terms of your financial capabilities.

MR. MENSCH:
Yes.

LEG. CARACCIOLO:
Okay. What exactly, as I'm not at all familiar with your proposal, where -- are you looking to transport passengers only?

MR. MENSCH:
Passenger freight, and we also transport tours and sight-seeing.

LEG. CARACCIOLO:
And somewhere on the South Shore there's somewhere on Fire Island, can we kind of narrow this down?

MR. MENSCH:
Yes. I've purchased a marina where I'm based out of in Sayville, and I transport from the Mainland to the Fire Island communities in the Great South Bay and also on Moriches Bay to restaurants that are on waterfront plus the County parks plus town -- town beaches.

LEG. CARACCIOLO:
So in terms of landing rights for this particular proposal for three additional taxis, where are you proposing additional service?

MR. MENSCH:
Just -- my service is only proposed in Moriches Bay and Great South Bay.

LEG. CARACCIOLO:
Are these existing lease agreements that you have in effect?

MR. MENSCH:
No. What happens is I am in negotiations with the towns and the communities and the villages. They won't go any further unless I have a license to prove to them from the County.

LEG. CARACCIOLO:
Okay. So as a precondition to getting what you need in terms of landing rights, you need this license approval.



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MR. MENSCH:
Correct.

LEG. CARACCIOLO:
Okay.

MR. MENSCH:
And the County in turn wants to know if I have the landing rights before they grant me a license. So I'm in between.

D.P.O. POSTAL:
I'm sorry. Legislator Caracciolo, I'm sorry, I was looking at a new card that came to me and I remembered recognizing Legislator Towle. Did he defer to you?

LEG. TOWLE:
No. I spoke.

D.P.O. POSTAL:
Oh, because Legislator Alden was next on the list.

LEG. ALDEN:
Let Mike finish.

LEG. CARACCIOLO:
They're all my friends. I appreciate that, Cameron.

D.P.O. POSTAL:
I'm glad, but, you know, it's really nice for the Chair know who has the floor and who's requested the floor.

LEG. CARACCIOLO:
Madam Chair, I have a question for Counsel and/or Budget Review. Am I correct to understand that your earlier comments addressing conditional licenses notwithstanding the North Ferry issue, would have been -- this would have been something we would have been able to do in the absence of that decision, that court decision?

MR. SABATINO:
Yes, it would be a lot more -- much higher confidence level, because we used to impose conditions all the time, and there was never a problem. Although that court decision said, yes, you can impose conditions, it struck all of the conditions which were in my judgment very reasonable conditions and never gave a rationale or a reason or a standard. But once you get beyond that, then you get to the next level, which would be assuming you could impose the condition, you have to make, as Mr. Spero said, a policy decision on whether you want to undertake that kind of engagement or commitment in the absence of the Coast Guard certifications and the property approvals. That you would look at from the perspective of the four issues I mentioned to Legislator Bishop, plus potential liability because one, you know, one ferry boat capsizing with just one person being seriously injured or killed exposes you to enormous liability. And when they look back at the record and they see that these things weren't in place, it's something you have to factor into your deliberations, especially given the fact that in the past we have thusfar required these things to be



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in place before the approvals are granted. But again that's, as Mr. Spero said, that's a judgment that you're going to have to make, but in making that judgment, because you really do sit as a mini PERB, you have to factor in the safety, the liability, the financial wherewithal, the adequacy of service, the reliability of service. All of these things are items you would look at. I think it's just important from our perspective that we're making you aware of the things that are not completed or not in place before you make that

final decision.

The last point I would make is that this is just the public hearing component, the petitioner has not filed any resolutions for the 40 -- for the actual 40 sites. I know Budget Review has written at least several times asking their attorney to follow-up. So, you know, you could have a resolution for one of those sites maybe to try it on a trial basis or five of the sites or ten of the sites or all 40, but the application talks about 40. Right now, we don't have anything in front of us other than that proposal.

LEG. CARACCIOLO:
So assuming you could bridge that gap and reduce it down to a reasonable number of possible locations for this ferry taxi service, do we still escape the liability question?

MR. SABATINO:
No. You still have -- you still have to make that judgment. But again, there's talk about the boats are close to getting the certifications. Maybe if you're only dealing with one or two sites initially and one of the boats gets the certifications, at least you have some comfort level that you're dealing with something manageable as opposed to one boat or no boat certified and 40 sites. These are the kinds of things you have to think about in terms of making the deliberation. But also, it would -- the reason I suggest maybe this scaling it back to one or two sites is to kind of verify this issue about the consent will be forthcoming if you grant the license, maybe that's true, I'm not -- I'm not challenging the validity of what was stated. But it's contrary to our experience in the past. But maybe there's a new world out there, and I have an open mind about that. But I would be a little hesitant to take that gamble or that risk with 40 sites as opposed to several sites.

LEG. CARACCIOLO:
Okay. Thank you.

D.P.O. POSTAL:
Legislator Alden.

LEG. ALDEN:
I would like to suggest something to Legislative Budget Review Office. Jim, there was an issue that you brought up in your analysis as far as cash management plan, and there was none when you reviewed this. Has that been brought up to date?

MR. SPERO:
The company -- we would like to see if they do get a license a requirement that they institute some sort of a cash control plan or

some way to account for their revenues. Of course, the company hasn't operated yet, so there has been no opportunity or need to -- to implement such a system. So they wouldn't put the system in until such time as the license was granted and the operation actually started up.

LEG. ALDEN:
Is there a plan, though, that's included in the business plan?

MR. SPERO:
The financial information we got was really the bus company. There's no -- really no financial data for the ferry company, because it hasn't operated yet. But the data that was presented was for the bus company the petitioner operates.

LEG. ALDEN:
Okay. And then just give Mr. Mensch an opportunity to answer the same question.

MR. MENSCH:
With the metro card, we have -- it's a prepaid system, and what happens is, it's just like if you were on a transit bus, every time you swipe the card, it's deducted off your credit card, similar -- and that's how it's controlled. Now, I just also wanted to add that the current water taxi system, and that's why the Budget Review is very concerned, is that they don't have a managed system in place at the current system.

LEG. ALDEN:
But you have a plan?

MR. MENSCH:
My plan is, with the metro card, we have control on the computers, where if you come and you buy a ten-trip, twenty-trip or even a round-trip ticket, it's all on a prepaid basis and a credit card. So, when you use it, the card is punched and it's done with, and that goes into a computer system and then it tells you what my revenues are and it tells you how many riderships I have, one-way, round trip, and what destinations.

LEG. ALDEN:
So you're not going to accept cash.

MR. MENSCH:
We do accept cash, but we also -- it's all on the system. When you -- we get your name, your address, and we know where you're going, what destination, when you're going to depart, arrive, all that stuff.
Similar to when you go to an airplane ticket booth, some people do pay cash, but most people pay by credit card. But before you pay cash,

you need to give your name, your address, what your destination is, what your return trip is, and it's all -- it's in a database system. So, if the Budget Review ever wanted to come and review our records, we have everything on the computer system.

LEG. ALDEN:
Paul Sabatino, the history and the performance of the bus company, I



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mean, that's what they gave as far as some of their financials, but that's not really relevant in this context, is it?

MR. SABATINO:
It's relevant from the standpoint of the character and the background of the person who is an applicant, so it's relevant from that standpoint, because they have no experience or track record in the ferry transportation industry, but it's not relevant from the standpoint of the statute says, you know, "Show me what you've done in the past in this particular industry." But since they can't, in fairness to the applicant, this is the next best thing, which at least starts to give you some comfort level with what their financial capabilities are in general, but it's not specific to this point.

LEG. ALDEN:
Okay. Now, procedural-wise, we'll either close or recess the hearing today, and then it would go to committee?

MR. SABATINO:
Well, if -- before you recess you may close that hearing, you'd have to make some kind of a decision on what direction you want to go in, only because this one's unusual, with forty sites out there and no consents. But, presuming that you made some decision to close the hearing subject to something happening in terms of the overall petition, then the petitioner would have to file said resolution, which, right, would go to committee, seeking the actual approval for the license for whatever point of service their going to provide.

LEG. ALDEN:
Okay. Thanks.

LEG. FOLEY:
Mr. Chairman.

D.P.O. POSTAL:
Legislator Towle. And I'll put you on the list, Legislator Foley.

LEG. TOWLE:

Thank you, Legislator Postal. Just a question of Counsel. Obviously, I would think the license would be granted, you know, despite the outstanding lawsuit on two subjects, one, obviously, being the Coast Guard certification. I mean, that's a forgone conclusion, that anybody we issue a license to, we want them to be Coast Guard certified. Just because the boat's Coast Guard certified today in April does not mean that if he was going to be operating in June, that the boat's in the same condition. So there's no guarantee. My understanding is that the Coast Guard does multiple inspections on the boat, first and foremost, so I would want to make that part of the license, I would think.

And I think the second issue is the very issue that we approve the license that Legislator Alden talked about, the cash issue about, you know, the financials of the company once they're operating. The company that's in place now, apparently, and which we've granted a



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license to, that's the very crux of the problem that we're having with them, that they're charging, apparently, so the news article's reported, outlandish rates for, you know, that particular service. Budget Review pointed that out last year and brought it to my attention when we sat to have a meeting to talk about Mr. Mensch's application, and that's why I filed a bill to investigate that and determine whether or not that was accurate or inaccurate. It's obviously a news account, I don't have firsthand knowledge of it.

So, you know, I think Mr. Mensch's system of computerization regarding the books is something that would, you know, meet the threshold of providing us with the number of people he's got using his system and, you know, what type of money he's taking in and whatever fees are due to the County. I think, clearly, the second issue on the provisional concept of the license will be pending what sites he brings forward to us. And I would imagine that, although he had a very ambitious plan of 40 sites, that he'll probably come in with a half a dozen to a dozen approved sites within the time frame to operate this year, and that's what I'd like to do. I'm assuming the licenses are yearly or three years. Or how do -- what was the time frame on the licenses, Counsel?

MR. MENSCH:
It's five years.

MR. SABATINO:
I thought this was a five-year one that was asked for. You can go as high as fifteen years under the statute.

LEG. TOWLE:
Yeah. And can we adjust the time frame lower or higher on the five

years?

MR. SABATINO:
It can't go beyond the maximum, which is 15, but you can always go less, so you -- at one point, we were giving Fire Island six-month licenses.

LEG. TOWLE:
So, if we were to grant Mr. Mensch a license of let's hypothetically say two years or a year, giving him ample time to secure the sites, that's something that we could do within our legal authority as opposed to --

MR. SABATINO:
Yes, you can give a -- again, you can't go beyond the 15, but you can go to a short -- you can go to six months, a year, year-and-a-half, two years, whatever, yes.

LEG. TOWLE:
Something acceptable to you, giving you two years to put the sites together, that's --

MR. MENSCH:
Yes, it is.



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LEG. TOWLE:
So, from my perspective, as the sponsor of the purpose of today's public hearing, those are the three conditions I'd look for, unless other Legislators had other conditions, obviously, the boat certifications, you know, temporary license, financial plan, and then, obviously, the site plans, you know, the site locations.

D.P.O. POSTAL:
Legislator Bishop.

LEG. BISHOP:
Yes, thank you. I'd like to begin again with an elementary question. The water taxi business, is that like a taxicab in the city or in a town? In other words, the theory is that you stand on the dock, the taxi comes and it takes you to where you want to go?

MR. MENSCH:
Yes.

LEG. BISHOP:
All right.

MR. MENSCH:

Basically, you have to types of services. You have like a line run scheduled service, which you run up and down the communities in Fire Island --

LEG. BISHOP:
Right.

MR. MENSCH:
-- based on a time schedule, and you print that schedule. Also, you have an on-demand service. You get out of dinner, you call, "I'm at Kismet, I need a taxi, I'm going to," wherever.

LEG. BISHOP:
So, when they talk about sites, that's where you're allowed to pick up and drop people off?

MR. MENSCH:
Right.

LEG. BISHOP:
So, if you limit the sites, then the service --

MR. MENSCH:
Is limited.

LEG. BISHOP:
-- is not very --

MR. MENSCH:
Correct.

LEG. BISHOP:
-- conducive to the public's desire, right?



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MR. MENSCH:
Correct.

LEG. BISHOP:
So why would we want to limit the sites? Why is that -- what's the issue?

LEG. ALDEN:
They can't get -- he can't get permission to land his boat so far.

LEG. CARPENTER:
You have to have permission to land on the site.

LEG. BISHOP:

Yeah, but --

D.P.O. POSTAL:
The question is what he can secure. If I'm correct, we're talking about, you know --

MR. MENSCH:
As Legislator Fred said, if you give me --

LEG. BISHOP:
But, I'm saying, as Legislative policy-makers why would we want to limit sites? I'm missing the point.

LEG. TOWLE:
We're not.

LEG. BISHOP:
I mean, to me, you'd want --

D.P.O. POSTAL:
I don't think that that was --

LEG. BISHOP:
-- taxi's to go --

LEG. TOWLE:
Oh, we're not.

LEG. BISHOP:
-- all over.

D.P.O. POSTAL:
Yeah. I don't think that was suggested.

MR. MENSCH:
No.

LEG. TOWLE:
If you let me -- if you let me --



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D.P.O. POSTAL:
I think what was suggested was a limited period of time.

LEG. TOWLE:
For him to secure the sites. He very well may get 40 sites, but, you know, I think --

LEG. BISHOP:

Oh, I thought I heard Counsel's answer at one point saying let's start with five sites or something --

LEG. ALDEN:
Can I answer that for you?

D.P.O. POSTAL:
I think he was talking about years. That was the impression I had.

MR. SABATINO:
No. What I -- what I had said --

D.P.O. POSTAL:
Oh, you were talking about --

MR. SABATINO:
No. What I had said was, I was just making a suggestion that given the fact that this is unusual, because we've never had somebody come before us with one, let alone 40 unconsented sites and granted an approval. We had somebody come before us a couple of years ago from Bay Shore with a similar circumstance and we rejected it, we did not approve it. But a compromise or a step short of that would be to pick several sites and see if, in fact, the consents are forthcoming.

LEG. BISHOP:
He did say it with the sites.

MR. SABATINO:
I did say that, yes. I didn't say you had to do it, I said it was being a suggestion.

LEG. BISHOP:
Yeah. No. But I'm trying to -- but why?

LEG. ALDEN:
Because it's a franchise.

MR. SABATINO:
Because you've got an application for 40 sites, none of which the consents exists for at the time that you're voting to approve the application.

LEG. BISHOP:
Yeah. But leaving aside the question of whether it's approved or unapproved, what would be the argument to limit the sites where the taxi can go?



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MR. SABATINO:

To find out whether or not the statement, which is contrary to 20 some-odd years of experience is true, which is that the parties holding the ownership interest in the land will only grant the consents if a license is first issued. So, if it turns out that by issuing a license for only five or six or seven sites results -- results two weeks later in six sites coming forward with immediate consents, that would tend to give some credence to --

LEG. BISHOP:
Again, there's no argument against -- against a large amount of sights other than the permission, weather they'll have permission or not have permission, and so on, because to me, I would want to provide the public a service that allows them to go where they want to go. That -- all right. The other question is are we, as the mini PERB, the regulators of this, are we supposed to investigate or consider how many water taxis should be on the Bay in total?

MR. SABATINO:
It's something to consider in your deliberations. I mean, you could make a decision at some point that there's saturation of service. You could make a decision that there's inadequate service. Yes, that's something you can --

LEG. BISHOP:
I mean, that's where I --

MR. SABATINO:
It's something you should factor in, absolutely, yes.

LEG. BISHOP:
Now, did you consider that, Budget Review? I mean, that -- those are the --

MR. SPERO:
No. We look at the -- there's no -- there's no limit on the number of licenses you can grant.

LEG. BISHOP:
This whole process is kind of crazy to me.

LEG. TOWLE:
Imagine you're the applicant.

LEG. BISHOP:
We should have an understanding of how many customers are out there, how many taxis are needed, how many companies want to provide the service. That's where we should be beginning, not who has landing rights, who doesn't have landing rights. We should have competition, so long as we don't saturate it that we kill the entire industry. That's the right way to do it, I believe, and I don't think that we

have been pursuing it that way. I felt that way several years ago with the other application and this just reinforces that feeling.

D.P.O. POSTAL:
Legislator Carpenter.



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LEG. CARPENTER:
I think Legislator Bishop makes some valid points, and it's probably something that should be taken up in the Public Works and Transportation Committee, those very questions you're raising. I want to ask you where you are in the process as far as the Coast Guard certification.

MR. MENSCH:
We have three boats. Two are being equipped with the motors and power system, and the third boat is being inspected this week.

LEG. CARPENTER:
Okay. I have some concerns as far as based on some of the things Counsel said, and, certainly, some of the things that was raised in the Budget Review's report, but I think, apart from that, the thing that's even more pressing is the fact that the boats are not Coast Guard certified. And I think absent that certification, it really is premature for us to consider this at this point. I think the vehicles, you know, the boats have to be Coast Guard certified.

MR. MENSCH:
There's no question about it.

LEG. CARPENTER:
So, if you're moving along with that process, and, certainly, your granting of a license is not conditional on having the boats Coast Guard certified, I suggest that we recess this hearing, and that once the vehicles are, in fact, Coast Guard certified, that we then entertain it.

D.P.O. POSTAL:
Legislator Foley.

LEG. FOLEY:
Thank you, Madam Chair. The application, as I read it, is for a cross-bay license.

MR. MENSCH:
Yes.

LEG. FOLEY:
There's no thought given to lateral water taxi service from one beach

to the next?

MR. MENSCH:
The application considers both.

LEG. FOLEY:
Because, in essence, you had seemed to infer that, so I don't know whether --

MR. MENSCH:
The application is for authority for both lateral and cross-bay. The cross-bay in the application has a time frame, and what happened --



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LEG. FOLEY:
Okay. Because, when I read the public -- when I read, and I'm ready to be corrected, but when I read the public hearing and the resolution, it speaks only of a cross-bay license.

MR. MENSCH:
There's both.

LEG. FOLEY:
I don't -- I didn't review -- Counsel. Counsel, can you look at the public hearing notice? Is it just for the cross-bay or is it also for the lateral? Because I didn't read lateral in the resolution.

MR. SABATINO:
Well, my reading of this, and I have to go back to the original resolution for the hearing --

LEG. FOLEY:
1244, correct?

MR. SABATINO:
I know that, but it's -- the resolution that actually set the hearing is not -- is not in front of us. I'd have to get a copy of the resolution.

LEG. FOLEY:
Well, I have it.

MR. SABATINO:
My recollection, it was limited to the cross-bay.

LEG. FOLEY:
I have it right here. It authorizes a public hearing for authorization, approval for cross-bay freight service. There's no mention in the --

MR. MENSCH:
The petition -- the petition --

LEG. FOLEY:
Well, I can only -- Mr. Mensch, I can only go by the reso, and when I read the resolution, it speaks of cross-bay, but not of lateral. So there has to be a corrected -- if, in fact, it's recessed today because there is no, as of yet, although it is imminent, as you mentioned, but if, in fact, there is, as we speak, no cross -- rather, Coast Guard certification, there's going to have to be an amendment made to this resolution that speaks of lateral as well as cross-bay. And I don't think we're quibbling over words, I mean, that to me is a substantial -- and, normally, the two go together, so -- and we know that.

MR. MENSCH:
Correct, yes.

LEG. FOLEY:
And sometimes some applicants may think it's inferred or implied, but



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I always know that when we've reviewed these in the past, they've always either have been together in the same resolution, or there was a follow-up concomitant resolution.

MR. MENSCH:
It was in the same resolution, yes. I guess that's a typo, because in my petition, it says for both --

LEG. FOLEY:
I understand.

MR. MENSCH:
-- cross-bay and lateral.

LEG. FOLEY:
Okay. I can only go by this.

MR. MENSCH:
That's okay.

LEG. FOLEY:
Now, if I just may ask Counsel another question. When we in the past have approved licenses or extended license and the like, have we always known what the destination points are from reach, and whether or not, whether or not the applicant had already received approval for landing rights, whether for their lateral service or for their

cross-bay service?

MR. SABATINO:
Yes, for the ones we've approved. As I stated before, there was one application that came up a couple of years ago. It was similar to this, except there was only one or two sites, and there was an absence of consents and there was an absence of certifications and that was not approved.

LEG. FOLEY:
But only speaking, we've -- first, we've -- obviously, we've always required a certification, but what you state on the record is that when we've approved either extensions or new licenses, it's also been part and parcel of the application of specifying the approved landing rights over in Fire Island, as well as on the mainland; correct?

MR. SABATINO:
Or at least before the final vote. If it wasn't there --

LEG. FOLEY:
Before the final vote.

MR. SABATINO:
-- at the time of the application, at least before the final approval.

LEG. FOLEY:
Okay. Now, Mr. Mensch, just on this final point, I'm well aware from last year of a lot of concerns people had with some of the rather exorbitant fares that were let's say foisted on some unsuspecting folks who were either cross the bay or going from one community to the



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other, and on that basis, there, no doubt, is a need to try to bring something to bear on that particular point. But there is a process that, as frustrating as it may seem to those who are applying, there's a process that we do follow, and it's for a good reason why we do follow it. So I would expect at the next Public Works Committee we'll be taking this up again, obviously, and, you know, things won't fold over the next several weeks. Notwithstanding the time urgency that you have with this, but we need to follow both the letter and the spirit of these application processes in order to ensure that the public is protected, as well as -- as well as the applicant. Okay?

MR. MENSCH:
Sure.

LEG. FOLEY:
Thank you.

MR. MENSCH:
I understand.

D.P.O. POSTAL:
Legislator Towle.

LEG. TOWLE:
Yeah. Just a couple of questions of Counsel, if I could. Paul, my recollection is that during the meeting with Budget Review, we discussed both methods that Legislator Foley pointed out, and that we were going to do two separate resolutions, that he wasn't prepared. There was some kind of technical issue. I don't remember exactly what it was. I don't know if you recollect the conversation.

MR. SABATINO:
Yeah, that's what we were going to do, is we were going to break it into, like we do on all of the others, separate hearings for the cross-bay, and then a separate hearing for the lateral, then separate resolutions for the license for cross-bay, then separate license resolutions for the lateral. I think that what grew out of all that was because it was a huge undertaking and there was a lot of work that had to be done by the applicant, that his initial application limited it to the -- to try to get the cross-bay in place, because there was time constraints and whatever, so that I think the lateral was going to be postponed to a subsequent date.

LEG. TOWLE:
Yeah. That was my recollection, just to answer Legislator Foley's question. The second issue that came up is we keep on talking about other licenses that we've approved. How many licenses have we approved for how many different companies that are apparently operating now? I mean, do either you or Budget Review have a handle?

MR. SABATINO:
There's probably five or six companies that are out there, and we've had over 25 years probably. Multiply that by five. You know, you're probably talking 30, 35 votes, maybe -- I mean, 35 or -- 30 or 35 approvals.



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LEG. TOWLE:
Okay.

MR. SABATINO:
Over like a 25-year period.

LEG. TOWLE:
Just walk through the procedure again. I know you did earlier, but just the people have been walking in and out of the room. If we

recess the hearing today, obviously, the next step would be what? And if we were to close the hearing today, what would be the next step?

MR. SABATINO:
Well, before you make that decision, I think you have to get a sense as to what you want to do. If you want to -- if you want to go with the 40, as submitted, close the hearing and just ask the applicant to submit the requisite resolution to approve the 40 sites. If you want to do something different from that, but you're not sure what it is today, then recess the hearing. If you want to do something short of that and you know what it is today, which is -- I'm just throwing this out. You want to say it's, like you said, subject to those three conditions or five sites or ten sites, whatever it is that you want, if that's laid out now, then you can close the hearing, but that's on the record that that's -- the hearing is being closed on the condition that the application's going to be -- I'm sorry, the resolution's going to be submitted to conform to those conditions. So those are the three choices. If you don't know for sure, recess. If you know you want to do the 40 as submitted, close it. If you want to do something in between and you know what it is, say what it is and then just request the applicants, before you close -- well, after you close the hearing, to make that submission.

LEG. TOWLE:
No. I think that, as Legislator Carpenter pointed out, the Coast Guard certification is a must, I mean, that's not even an optional item. I think giving a shorter term license, you know, gives us the ability that he's not out there for five years doing whatever he wants to do with a license, that he didn't finish. The only real question that I can't answer would be how many sites do you think you'd be able to get in that time frame? You know, a dozen, do you think that's realistic?

MR. MENSCH:
I think, if you grant me the obligation of 20 sites, half of it.

LEG. TOWLE:
So, if we tied those three conditions to it, what's the general census, I guess, consensus?

MR. SABATINO:
If there's -- now that you -- if there's a comfort level with that, then make a motion to close the hearing based on what was just outlined, but with the understanding that the applicant will --

MR. MENSCH:
Once the 20 site --

MR. SABATINO:
-- submit a resolution.

MR. MENSCH:
Right.

MR. SABATINO:
I mean, you get to pick the -- he picks the 20 sites. You don't want to --

LEG. TOWLE:
Well, it's going to be 20 of the 40 he's already submitted.

MR. SABATINO:
Right. My only point is that --

MR. MENSCH:
Right.

MR. MENSCH:
I mean, does the Legislature want to determine where the 20 sites should be, or do you just want to leave it up to him to pick the 20 sites?

MR. MENSCH:
It has to be granted from the communities.

MR. SABATINO:
Okay.

LEG. TOWLE:
Yeah.

MR. MENSCH:
I can't say I'm going to pull up --

LEG. TOWLE:
That's going to be between him and the --

MR. MENSCH:
-- when they say no, you know.

LEG. TOWLE:
-- license sites, I would think.

MR. MENSCH:
The other thing, if the 20 sites are granted, in the meantime, I do get additional sites. I would like to bring those petitions back to the Legislature to let you know that I have the twenty-first, or twenty-second, and twenty-third sites approved.

MR. SABATINO:
Well, let's just -- let's accomplish one thing at a time; okay?



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MR. MENSCH:
I understand.

MR. SABATINO:
If we get -- if this hearing is closed and you're given the authority to come back with 20 sites conditioned on the certifications and the -- receiving the consents and having a two-year -- you said a two-year license instead, the first thing you have to do is you got to show us -- before you're going to get to the twenty-first, twenty-second, twenty-third, you're going to have to show us the consents for the 20.

MR. MENSCH:
No problem.

MS. FARRELL:
And the resolution.

MR. SABATINO:
I said that, he has to submit the resolution.

D.P.O. POSTAL:
Okay. Fred, anything?

LEG. TOWLE:
No. Those would obviously be my three conditions, obviously, a two-year license up to 20 sites, and then, obviously, the Coast Guard certification being the first and foremost issue. And if there's any other requirements that Legislators have, I mean, we'd add those to the record. I don't know how else to do this. It's the first time I've been but in this predicament.

MR. SABATINO:
This is the way the process works. I mean, you're acting as a regulatory commission in this particular capacity. And this unusual -- I mean, it's unusual in the sense we've never had somebody come before with 40 unconsented sites.

LEG. TOWLE:
As I said, I'm recommending those three --

MR. SABATINO:
And so we have to adjust to what the reality.

LEG. TOWLE:

I'm recommending those three. I'm not saying that I'm unreasonable or unwilling to discuss any others, but if you have them, let's hear them. I guess that's it.

D.P.O. POSTAL:
Legislator Fields.

LEG. FIELDS:
What was your purpose of stating that you would get the names and addresses of the people who were going to use the water taxi?

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MR. MENSCH:
It would be regulated to the point where, if the Budget Review comes in to inspect my records under the Legislative -- under the law, then I would have who was actually -- what kind of ridership is going to Fire Island, number one, number two, what the fares are and what the pricing schedule is from either one town over or five towns over, how many people go cross-bay, how many people actually use it in a season.

LEG. FIELDS:
Have you ever been on a water taxi?

MR. MENSCH:
Yes.

LEG. FIELDS:
Have you ever given your name and address when you jump on those things and they're doing a hundred miles an hour across the bay and --

MR. MENSCH:
Well, my boats don't do a hundred miles an hour, but we're trying to --

LEG. FIELDS:
I just find that --

MR. MENSCH:
We're trying to come out with a different system, because there's only one system out there.

LEG. FIELDS:
I just -- I've been on many, many water taxis, and, generally, what it is, is that wherever your point of getting onto the ferry -- onto the water taxi is they want to pull in, you've got to jump into the boat as rapidly as you can, because they almost pull out before you've got your second leg into the boat, and then their whole point of being a water taxi is to get as many customers as they can to make money and get to their next destination as rapidly as they can. You can't hear

each other on the boat, and so forth. So I just find that it --

MR. MENSCH:
We're trying to change that experience for you.

LEG. FIELDS:
Well, I just find that it would be very difficult to get anybody's name and address when you're working with -- you know, with the cash.

MR. MENSCH:
We are going to have representatives on the docks in each community as you load and unload at that point. So what happens is, if you call and want a taxi, you can stand by a certain point, and there'll be a representative from the company at that dock and saying the boat will be here in five minutes, two minutes or even ten minutes, and as you're doing that, that person will do your name and address, and all that stuff.



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LEG. FIELDS:
So you would have to keep an employee --

MR. MENSCH:
At that dock in that community.

LEG. FIELDS:
-- at 20 destinations.

LEG. CARPENTER:
Forty.

MR. MENSCH:
Forty.

LEG. FIELDS:
Or 40 destinations, minimally, Friday all day, Saturday all day, and Sunday all day.

MR. MENSCH:
Mostly on the weekend, yes, because the business is on the weekend.

D.P.O. POSTAL:
Legislator Lindsay.

LEG. LINDSAY:
Maybe what I'm about to ask is too simplistic, but we've licensed water taxis before. Is this process unusual from our past experience with this? Does anybody know?

MR. SPERO:
I think only insofar as the number of landing sites the petitioner is requesting. This is -- 40 sites is rather an unprecedented number. Typically, the license is granted for transportation across the bay to a specific site, not just a scattergun approach, "Well, I want to land on every possible location there is on -- between Fire Island and the mainland of Long Island."

LEG. LINDSAY:
Okay.

MR. SPERO:
So it's unusual in that regard.

MR. MENSCH:
Could I? The 40 --

LEG. LINDSAY:
Go ahead.

MR. MENSCH:
The 40 sites are unusual, because I am actually applying for Moriches Bay, which there is no service right now, because there's County parks that no one goes to. So the other water taxis that do apply for licenses is mostly in the Great South Bay.



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LEG. LINDSAY:
Okay. But my question is still a basic one. Have we approved a license to operate a water taxi without Coast Guard certification, without locations?

MR. SPERO:
Not that I can recall.

LEG. LINDSAY:
Okay.

MR. MENSCH:
No. It's been done the opposite way. Actually, there's been water taxis out there that got a boat, did it, and then finally came to you and said, "Okay, I'm in the water taxi business, I've been going to such and such landing, and here's the rights, and could I have a license?" I'm trying not to do that. I'd rather get the license before I run the boat, and I had said that in many meetings with Budget Review and with Paul Sabatino.

LEG. LINDSAY:
And don't get me wrong, I wholeheartedly endorse the idea of

competition. Most of the communities you want to serve is in my Legislative district, but it just -- the process seems --

MR. MENSCH:
The process is actually a little backwards, actually.

D.P.O. POSTAL:
Legislator Alden.

LEG. ALDEN:
I think that before there was a suggestion made as far as conditions that would be put on this, but I would go a little bit further than that and I'd say that I think this has to be recessed. There's a lot of things that are covered in the Budget Review analysis of this that I'm not real comfortable with right now. Also, the whole concept of a franchise has to be identifiable. You can't -- I find it absurd that you're going to grant a franchise to somebody to run from where to where? You know, it's that much up in the air. Nothing has been solidified as far as any submission that has been given to us. I'd like to see a more detailed cash management plan, and I would also like to, because we can't base it on management of boats because you haven't run that, but I would like to see a more detailed analysis or history of your bus company, defaults on any bid bonds, any type of problems that you've had with school districts, and I mean a very, very --

MR. MENSCH:
Not a problem.

LEG. ALDEN:
Very, very deep analysis on that.

MR. MENSCH:
Not a problem. I'd just like to ask that if you request that of me



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and my company, I would like you to request that from the previous companies and existing companies that are out there, because that's not being done.

LEG. ALDEN:
Well, that's something we could --

MR. MENSCH:
I'd just like to be treated fair, that's all.

LEG. ALDEN:
We could take that under consideration, as far as anybody that comes before us in the future with a -- with a similar --

MR. MENSCH:
Well, you have a --

LEG. ALDEN:
-- request for a franchise.

MR. MENSCH:
You have a water taxi company out there that's doing illegal things. Granted --

LEG. ALDEN:
Well, excuse me.

MR. MENSCH:
-- if you investigated that or not, but I'm saying is I just want to be treated fairly.

LEG. ALDEN:
No. Is this an analysis -- what I'm getting right now is an allegation.

MR. MENSCH:
Well, no.

LEG. ALDEN:
An accusation.

MR. MENSCH:
What you're asking me is for a cash --

LEG. ALDEN:
No, no, no. You just -- you just --

MR. MENSCH:
Cash plan and --

LEG. ALDEN:
You just said somebody's out there operating illegally. Where is -- you present the proof to me right now, then.

MR. MENSCH:
Well, you're asking me to give you a cash plan.



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LEG. ALDEN:
No, no, no.

D.P.O. POSTAL:

No. Mr. Mensch, can I just -- I think that this -- this issue was raised just a short time before, and I think that Legislator Caracciolo had asked if information could be provided; am I correct?

LEG. CARACCIOLO:
That's correct.

D.P.O. POSTAL:
That that information --

LEG. TOWLE:
And I answered that question.

MR. MENSCH:
And I said yes.

D.P.O. POSTAL:
And Legislator Towle.

MR. MENSCH:
And I agreed to give that information.

LEG. TOWLE:
It's already in committee.

D.P.O. POSTAL:
And so I think that the point you're raising is a good point, but I think that it's already been addressed and there is, I guess, a plan to provide information to pursue that issue.

LEG. ALDEN:
Right, except that what we're hearing right now is a charge that there's an illegality, and I don't like to just have something thrown about like that without any proof behind it, so --

D.P.O. POSTAL:
Right. And that charge was made, or that statement was made a short time before, and Legislators Caracciolo and Towle have, if I'm -- if I remember correctly --

LEG. ALDEN:
Right. And I have a problem with every time it's made.

D.P.O. POSTAL:
-- just asked for the information to be provided, so that it can be --

LEG. TOWLE:
Yeah. He's not making the allegation, though. I just want to -- the allegation was made in the newspaper. He's repeating the allegation that we've all read in the -- hold on. He's repeating the allegation

that in the newspaper. I asked what was the procedure, because, like



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you, I did not know what the procedure was, and I was told by Counsel and Budget Review that I'd be required to do a resolution to investigate whether or not they were complying with their license agreement. I filed the resolution at the same time that I filed the bill on the public hearing, but once again the bill has been kept in committee and it has not been voted out of committee. That's the procedure. I'm not making it up, I'm just --

LEG. ALDEN:
I might be slightly hearing impaired, but, you know what, I just heard him say that there are people out there operating illegally. So that's not saying that there was a newspaper story that somebody's operating illegally, he just made an allegation or a charge that somebody under our watch is operating illegally.

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

LEG. ALDEN:
I'll take exception to that each time until I see the proof that a statement like that is made.

D.P.O. POSTAL:
Yeah. Legislator Alden --

MR. MENSCH:
Okay. No problem.

D.P.O. POSTAL:
-- I think that there was a statement made by the speaker, and I think that there has been, I guess, a request that that information be provided and will be pursued. I agree with you, it should not be made as a statement and left --

LEG. ALDEN:
Mistakes can't be made over again.

D.P.O. POSTAL:
But, you know, I was under the impression from listening that there was a request to secure whatever information is out there, so that it can be provided to those in authority to investigate it. That's the impression I had.

LEG. TOWLE:
Legislator Postal. What committee is it tabled in, Counsel?

MR. SABATINO:
Transportation Committee, which is part of Public Works.

LEG. TOWLE:
So Legislator Foley is the Chairman?

LEG. FOLEY:
Vice Chair.



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LEG. TOWLE:
Vice Chairman? Who's the Chairman?

LEG. FISHER:
Caracappa is the Chair.

LEG. TOWLE:
Caracappa. Do you or any of the other committee members know why the bill is being tabled; have any recollection to the dialogue or debate?

LEG. FOLEY:
Which reso was he speaking of?

LEG. TOWLE:
This is the resolution in reference to the allegations made against a company, and I think it was the Fire Island News that did the article initially about the price gouging. The resolution, apparently, which was filed the same time as this resolution, has been in committee now for three committee cycles.

LEG. ALDEN:
And I'm not on that committee.

LEG. FOLEY:
No.

LEG. TOWLE:
Yeah. I'm not on it either, I'm just --

LEG. FOLEY:
Three? Three committee cycles?

LEG. TOWLE:
It's been tabled three times.

LEG. FOLEY:
Well, why don't we wait for the Chair to -- I understand there was no committee meeting last week, so --

LEG. TOWLE:
Anybody else from the committee? I'm not sure who's --

LEG. FOLEY:
But why don't we hear from the Chair on it? It might be helpful, Legislator Towle, if you would attend --

LEG. BISHOP:
Because probably --

LEG. FOLEY:
If you could attend the next committee meeting as well about it.

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



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LEG. BISHOP:
Nobody spoke for or against it.

D.P.O. POSTAL:
Can I suggest that we wait for the Chair to respond to the question?

LEG. TOWLE:
Unless there are other questions, why don't we just recess this now?

D.P.O. POSTAL:
It's a good question, but I would certainly suggest, then, there are other Legislators who would like to ask questions. So we're not at that point, but I would suggest that there are a great many questions and it would seem to me to be appropriate to recess this hearing, at very least. But, Legislator Alden, I'm sorry, were you finished?

LEG. ALDEN:
Pretty much.

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

LEG. BISHOP:
I just want to make one point, which is, if I had three boats and I came to the Legislature and I said I want to start a ferry company -- a taxi service, I don't think there would be anybody who could give me direction, that's what I'm hearing. Is there a memo that goes to this applicant or anybody else that tells them --

D.P.O. POSTAL:
Ask him. Ask Budget Review Office.

LEG. FOLEY:
Budget Review has --

MR. MENSCH:
The process -- the process is we have to go through Budget Review, and they had -- they have a guideline that we have to present. The problem is, is the system is in a catch 22. The County is asking me for landing rights.

LEG. BISHOP:
I know. And then you don't have the landing rights yet.

MR. MENSCH:
The landing rights are asking me for my license. I'm in between. Give me direction where to go and I'll do it. I just want to follow --

LEG. BISHOP:
Unfortunately, the Chairman of the committee is not here.

MR. MENSCH:
I'd just like to follow -- excuse me. I'd just like to follow the same direction as the other guys and be treated fairly like the other guys.



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LEG. BISHOP:
I would say -- I'm on Public Works. Andrew, you're on Public Works, Legislator Crecca?

LEG. CRECCA:
I'm on Public Works, yes.

LEG. BISHOP:
Legislator Foley. I think we should get a copy of the document that's given to the services, the applicants, and go over it and come up with a process that is rational. I'm not sure we have a process now that is rational.

LEG. TOWLE:
I agree with that.

LEG. FOLEY:
Okay.

LEG. FISHER:
Motion to recess?

D.P.O. POSTAL:

I would --

LEG. TOWLE:
Second.

D.P.O. POSTAL:
There are other speakers. I would just add to that. I think that, you know, that's a very good suggestion. There was a question asked before about whether other water taxi companies have been authorized previously over the years, and I believe that Mr. Sabatino said there were, you know. And what he said that was unusual about this one was, apparently, that the sites were not identified, that that was -- if I understood you.

MR. SABATINO:
No. I'm not doing a good job of communicating today and I apologize. The difference between this and the other situations is that not just -- there's the magnitude. It's 40 sites. But that doesn't -- you know, that's just magnitude. It doesn't mean that it's wrong, it's illegal or inappropriate, it's just magnitude, but there are no consents for any of them. The only other time we had somebody come before us with no consent was two years ago, but that was limited to only one or two sites, but that was rejected. It was not approved, because the individual could never bring us the final documentation.

D.P.O. POSTAL:
But I guess what I'm trying to clarify is whether there have been other authorizations for water taxis over the years where the sites have been approved prior to the County -- in other words, when the application comes to the County --



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MR. SABATINO:
Yes. That's what I said early on. I said that -- the question was asked of me twice, once by Legislator Lindsay and once by Legislator Foley --

D.P.O. POSTAL:
Right.

MR. SABATINO:
-- that there are no circumstances I can think of where we didn't have the consent in advance of the approval.

D.P.O. POSTAL:
In advance. I think what's happening here and what's confusing is that the speaker is telling us that he can't get consents for the sites until he gets the authorization from us --

MR. SABATINO:
Right. And I said before that --

D.P.O. POSTAL:
-- and we're being told that there have been other situations where the consent was secured, and then we issued the authorization.

MR. SABATINO:
Right. That's why I said before that, again, because of the magnitude -- and I'm not challenging the validity of what the gentleman is saying. He may be absolutely right, that all of these entities are out there ready, willing and able to grant the consents. But because that's contrary to our experience, I suggested, rather than gambling on all 40 sites, go with a smaller number. See if, in fact, the consents are forthcoming after you grant the approval. If that's the case, you'll have a confidence level. If it's not the case, you won't have a confidence level.

D.P.O. POSTAL:
Well, I would just -- and I don't know if Legislator Bishop had finished with his questions, but I think that his suggestion is the only rational one, that the committee take a look at what the procedure is and confirm that there is a procedure, because we seem to be getting --

MR. SABATINO:
There is a procedure. I mean, with all due respect, the Clerk's Office does -- the Clerk's Office does something that no other governmental agency in this country does, which it actually helps the applicants prepare the documents. The Budget Review Office also provides that kind of assistance. Anyplace else in America, if you walk in, they tell you, "You prepare the documents." A lot of these applicants hire attorneys, and the attorneys do no work, we wind up doing the work in-house, which, quite frankly, is -- you know, it's a public service, but, really, it's not our job. So we go the extra mile-and-a-half for all of these applicants, not just this one, but all of the applicants. They're given the documents, they're given the opportunity, they're given the explanation. I, personally, spent an hour-and-a-half at a meeting that Legislator Towle set up to assist



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the applicant in trying to put the documents together. But the one thing we can't do is we can't -- we can't give him the boats, we can't give him the money, we can't give him the certifications, we can only help them with the paperwork.

D.P.O. POSTAL:
Thank you. Did you have another question, Legislator Bishop. You look like have a --

LEG. BISHOP:
We're going to send it to committee now?

D.P.O. POSTAL:
Yeah. Well, there are two more people who have questions, and then I think we're going to have a motion to recess the hearing. Legislator Towle was next. .

LEG. TOWLE:
Motion. No questions.

D.P.O. POSTAL:
Did you? Legislator Foley? Okay. There was -- I believe there's a motion by Legislator Carpenter to recess the hearing?

LEG. CARPENTER:
I'll recess.

LEG. FISHER:
Second.

D.P.O. POSTAL:
Seconded by Legislator Fisher. All in favor? Any opposed? The public hearing on 1244F is recessed. Thank you, Mr. Mensch.

MR. MENSCH:
Thank you all.

D.P.O. POSTAL:
The next public hearing is regarding Introductory Resolution Number 1248, authorization -- excuse me. Authorization of extension of license for Sayville Ferry Service, Incorporated, for cross-bay service between Sayville, New York, and the Fire Island communities of Fire Island Pines, Cherry Grove, and Water Island. I have no cards for this hearing. Is there anyone who would like to address the Legislature on this hearing?

LEG. FOLEY:
Motion to close.

D.P.O. POSTAL:
Hearing no one, amotion to close by Legislator Foley, seconded by Legislator Alden. All in favor? Any opposed? 1248 is closed.

Public hearing regarding Introductory Resolution Number 1280, a local -- a charter law establishing common sense capital project sunset policy for Suffolk County. I have no cards for this public hearing.

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Is there anyone who would like to address the Legislature on this hearing.

LEG. CRECCA:
Motion to close.

LEG. FIELDS:
Recess.

D.P.O. POSTAL:
Motion to close -- oops.

LEG. FIELDS:
No.

D.P.O. POSTAL:
No? A motion to close by Legislator Crecca, seconded by Legislator Lindsay. All in favor? Any opposed? 1280 is closed.

Public hearing regarding Introductory Resolution Number 1285, a charter law to stabilize real property taxes by optimizing use of the Tax Stabilization Reserve Fund. I have no cards on this public hearing. Is there anyone who would like to address the Legislature on this matter? Legislator Crecca, as Chair of Finance, do you have a -- 1285.

LEG. CRECCA:
Yeah. Motion to close.

D.P.O. POSTAL:
Motion to close by Legislator Crecca.

LEG. FISHER:
Second.

D.P.O. POSTAL:
Seconded by Legislator Caracciolo. All in favor? Any opposed? 1285 is closed.

Public hearing regarding Introductory Resolution Number 1287, a charter law to reestablish a Suffolk County Department of Real Estate. The first speaker is Thomas Isles. And you have five minutes. Is Tom here?

MS. BURKHARDT:
He may be in the back back.

D.P.O. POSTAL:
Okay. We'll switch to the next card I have for that public hearing.

I have a card from Richard Amper to speak on this public hearing, as well as 1288, 1297, and I.R. 1356. Is Mr. Amper here? Gee.

MR. AMPER:
Yes.



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D.P.O. POSTAL:
Aha. Yes. Mr. Amper, we know that you have the opportunity to speak. You're speaking on a number of different public hearings and resolutions.

MR. AMPER:
Two minutes on all of them.

D.P.O. POSTAL:
Terrific. You have five on all three, so go right ahead.

MR. AMPER:
Two minutes on four.

D.P.O. POSTAL:
Go ahead.

MR. AMPER:
The scandal involving Allan Grecco and its implicit threat to every environmental protection program that the people of Suffolk County and this Legislature holds sacred has been devastating to the environmental community. It is now under investigation by the proper law enforcement authorities, and this Legislature has been represented and the County Executive has been represented, Legislator Lindsay, Legislator Carpenter on a committee with the folks in Planning and the County Attorney's Office. They've looked carefully at this. They've decided what they think needs to happen, what needs to be done to avoid this happening again. And, at the same time, we do not want to protract the process where we're not buying land, we're not doing the protection of drinking water and the preservation of open space that is really required. I know the members of this Legislature do not want that to happen. And so we're eager to have you vote today on a package of bills that will correct any possible misdirection of the department from before, and prevent a recurrence of this kind of situation in the future. It is so important that we get on to the business of preserving open space, to which this Legislative body has been committed.

On 1287, that proposes to create a County -- separate County Department of Real Estate. We urge you to vote no. The Planning -- the Planning Department is doing a good job. Planning is what we need in Suffolk County. It helps to balance out pressures from the

environment and from the developers. It's a good place. Planning Department can't be faulted here. We had a problem in the Division of Real Estate. I think you're moving to correct that. But we would urge you to vote no on creating a new Planning Department -- I mean, on a new separate Department of Real Estate. It won't serve the County very well. It's not necessary.

On 1288, selecting real (sic) appraisers by the Division of Real Estate in the County Department of Planning makes sense. Increasingly, you've been grappling with it in Legislator Bishop's committee. Took a lot of very good input from the State program, the Nature Conservancy, balancing the pros and cons, trying to do a fair job. We have every confidence that if you get good appraisals, you can make good decisions. You're providing for some flexibility. We



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disagree with Newsday's editorial just in that one portion today. We think that this Legislature should set policy and should weigh the pros and cons as to what a piece of landing is worth to the County apart from what a particular appraisal says. But that shouldn't be done by an individual in the Executive branch, it should be done by you people, and we trust you people to do it. You are not going to engage in a conspiracy of 18 members of this Legislature to do a favor for a friend. We trust you to do it. You've been doing it since 1997 and we'd like to see you get back on track with it. Let's get good appraisals, get good information, then you make the decisions. We have confidence in you.

1297, this is the overall procedures, how to fine-tune. We think that the committee came up with good recommendations. We think it's been translated. Some of the stuff has been discarded and some of it's been translated into new procedures. We have tremendous amount of confidence in Tom Isles in Planning to implement this now and make these corrections. We have a new Planning Director, very, very impressive in the early going. The Legislature is tuned in, wants to make sure that this program works. Let's put the program back on track.

This Legislative body and this County is second to none in preserving open space in the United States of America. The people of Suffolk have spent more money than 45 of the 50 states to do it. We have to resume it. It's been stopped and we have to resume it. We don't want to have the medicine worse than the disease. Let's get back to the land-buying business.

And, finally, in front of you today, separately, as 1356 is the Pine Barrens omnibus resolution. We're down to the last 35 acres -- 3,500 acres of Pine Barres. We'd like you to authorize the Real Estate Division and the Department of Planning to go out and get those lands

and finish the most important environmental job in the history of Long Island, the preservation of Long Island's Pine Barrens. The protection of drinking water, the preservation of open space, it's all of our legacy, let's get on with it. Thanks very much.

D.P.O. POSTAL:
Thank you. Question from Legislator Fisher, and then Legislator Foley, and then Legislator Guldi.

LEG. FISHER:
You mentioned in your discussion of 1287 that this won't work. I'm quoting you. Can you tell us why in your opinion it won't work?

MR. AMPER:
The Department of Planning has played a very, very important role. I guess you know best in Greenways, for example, in helping to rank the parcels, make sure we were buying the right ones and not buying the wrong ones, that keeps us or tends to keep us from buying from friends and not on the basis of the merit. We think the Planning people have an -- yeah, they could do it externally, but it would be external. When it was -- even when it was in the Department of Law, you remember all of us complained it just wasn't working. A program that was preserving 2,500 acres a year in the latter part of the '80's and the



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first part of the '90's was preserving 200 to 400 acres, maybe. The Department of Law just doesn't think in terms of environmental protection, no offense meant. And if you want to see one place where things tend to get bogged down, it's in this business of developing contracts in the Department of Law, things just simply not moving ahead.

So we think it makes eminently good sense to keep it associated with Planning, and part of it is because we've watched Tom Isles in action for awhile, we've watched him interact with you people, and it looks like you've got a good relationship here. It looks like he's listening, he's trying to solve the problem. In all fairness, this has been an agony for us, the period of time that it's taken to resolve this. But, boy, I'll tell you, they rolled up their sleeves, they set out and worked directly with this Legislature. The Legislature weighed in, sometimes advancing things we didn't much like. But what you've got in front of you will solve the problem, and I just don't want to go reinvent this process.

LEG. FISHER:
And part of your opinion is based on your having seen the Real Estate Division work with the Department of Law, and you've seen the contrast between that --

MR. AMPER:
And Planning. Steve Jones did just a sensational job.

LEG. FISHER:
Did I misspeak? Did I say -- oh. No. I thought I was hearing a correction from behind. I thought I had misspoken. It was -- I said Division of Real Estate. Okay. And you saw the difference in how it operated when it was with Law and when it was with Planning.

MR. AMPER:
Night and day. And Steve Jones made a major contribution and Isles is going to top that.

LEG. FISHER:
Okay. Thank you for clarifying that.

LEG. FOLEY:
Just following up on that line of questioning, if there's a separate Department of Real Estate, could it not even -- even administratively speaking, they can work with the Planning Department. I mean --

MR. AMPER:
Nothing to keep that from happening, that's true.

LEG. FOLEY:
-- there's no walls there, so to speak. I mean, there is a different, if you will, establishment of two separate departments, but that does not prevent the Commissioner of Real Estate from working with the Planning Department to ensure that the Real Estate's stewardship of properties, whether it's in assets and inventory, what's to be auctioned, what's not to be auctioned, what's to be purchased, what's not to be purchased.



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I think one of the things that was looked at by the committee that was formed was whether or not planning should be, by it's very name and from Public Administration 101, should be a planning agency, whereas Real Estate is not -- wouldn't just be a planning -- wouldn't just have planning responsibilities, but would have some operational, if you will, responsibilities as well. So it's not just planning, it's doing, so to speak. Whereas, I think what we're hearing from the Planning Department is they wish to return more fully to their original mission of doing some very important planning work that would compliment, and I'd like to hear your response to it, that would compliment the work that would be charged to the new Real Estate Department.

MR. AMPER:
We wouldn't want to take the resources away from Planning. In fact,

we need to give them additional resources. I'd rather give the additional resources to Planning rather than those that would be required to create this separate bureaucracy. It's the management relationship that we like a lot. We think that Real Estate ought to be working for planning. We don't think it's just a separate thing, there's a relationship there, and Planning has an objective and says, "This is what Suffolk County needs to protect drinking water," or "This is what we need to handle the last 15,000 acres. We want to secure it before the next decade." Then there, you know, we've got the dog wagging the tail rather than the other way around. They're not just Real Estate people transacting land deals, they're Planning people who have some vision of what it is that's supposed to happen here. If there's any way they can do it, we'd love to have them keep doing it, because that's what you people are committed to.

LEG. FOLEY:
Thank you.

D.P.O. POSTAL:
George.

LEG. GULDI:
Yeah, I had the same line of questions that's been sufficiently addressed. Thank you.

D.P.O. POSTAL:
Legislator Alden.

LEG. ALDEN:
Hi, Mr. Amper. Two quick questions, and you can save us a lot of time. To purchase the remaining pieces in the core of -- now, what's New York State doing on that?

MR. AMPER:
Good question. Thank you very much. And that's why, by the way, the omnibus bill is so important. Up until the Pine Barrens Protection Act of 1993, the Legislature was doing everything, and it was committed to do everything. It was your program and we love you for it. But when the State got in, it committed informally 10 million dollars a year to support. I mean, okay, yes, it wasn't an equal --



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coequal thing, but to help you, to provide some assistance to the Legislature in completing. They've fallen of in the last two-and-a-half years. The total amount spent to date is 56.5 million dollars. Now, that's money -- nobody, I think, actually sitting here today bet against this, but there were a lot of people, when we were talking about the Pine Barrens act, on this Legislature that says we don't get a dime from the State. Well, we've gotten 56 million

dollars from the State. We need more.

We've got the commitment of the Governor now, in just in the last two weeks, do an Environmental Protectionn Fund. That comes from the State EPF. They didn't have one last year for the first time since the Pine Barrens Act. The Environmental Protection Fund was created for and only as a result of the Pine Barrens Act. It's because we needed that funding. They've now committed to a 250 million dollar Environmental Protection Fund, and the particular target, one of the main targets here on Long Island for the expenditure of those kinds of money is the completion of the Pine Barrens preservation effort.

LEG. ALDEN:
My second question would be if you would have a full court press on, because this is a good year. New York State, as we all know, everybody is running, so you guys are putting a full court press on all the State --

LEG. ALDEN:
Legislator Bishop was grinding out the last deals of what his committee wanted to put before you today the other day and we went over a rough spot as to how we were going to get some specific language as to when the Legislature would come back and reassert itself. And I thought we pretty well had it, and he called on me and he said, "You're not leaving just as we're about to resolve all this," and the answer was I was to get involved in a conference call among the leadership up in Albany in order to make certain that we didn't have the Albany folks deciding what's going to be in the EPF instead of us. We're equal opportunity offenders. You people do what you're doing here today. You get from the Executive branch the 62.5 million dollars from the State revolving fund and the Environmental Facilities Corporation start buying the land. The best thing that could possibly happen to this Legislature is you won't see me for months, I'll be in Albany.

LEG. ALDEN:
But the Governor's behind it. How are you doing as far as the Senate and the Assembly, are we looking --

MR. AMPER:
The Senate and Assembly? The Senate and Assembly have always been supportive, Senator LaValle and Assemblyman DiNapoli. And now we have Senator Marcellino, who's the Environmental Conservation Chair in the Senate, both of them from Long Island. We're in a real good field position to finish this job, folks. Give us the green light and we'll help you do it.

D.P.O. POSTAL:
Legislator Lindsay.

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LEG. LINDSAY:
Yes. Mr. Amper, it really isn't in terms of a question, but maybe just to clarify something that was said either by you or some of the other Legislators. The committee, the Task Force, it wasn't one of their thirty-three prime recommendations to separate Real Estate --

MR. AMPER:
That's correct.

LEG. LINDSAY:
-- out as a separate department, it was actually a --

MR. AMPER:
They floated it out as an option for you folks, that's right.

LEG. LINDSAY:
It was actually footnote, because there wasn't universal agreement on the committee about it.

MR. AMPER:
That's right.

LEG. LINDSAY:
And, primarily, and speaking for myself, I didn't view that as one of the problems with the Grecco scandal, per se, I didn't --

MR. AMPER:
Nor did we.

LEG. LINDSAY:
All right. I didn't think it was a structural problem as far as organization is concerned, and I just wanted to make that clear.

MR. AMPER:
I think that's right. And, again, one of the other things that I thought was useful is Legislator Carpenter, during that process, also said, "Let's get all of the information out in front of us before we just start doing legislation and drag this thing out unnecessarily and hurt a program, and continue to keep a cloud over what I consider an aberration. I think you did that. I think you're poised now to put that behind us and get back to the business of land preservation.

D.P.O. POSTAL:
Thank you.

MR. AMPER:
Thank you very much.

D.P.O. POSTAL:
Next speaker is Thomas Isles.

MR. ISLES:
Good afternoon, and thank you very much. I would just like to speak in reference to Resolution 1287. The Planning Department was a participant in the process of the joint Executive/Legislative panel,



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looking at the issues of the Real Estate Department and the process of the acquisition and disposition of surplus land in the County. I think it was a very effective process, one that I think resulted in some substantially good recommendations that many of which have been put into effect already administratively within the Department, many of which have been under discussion at the Environment, Land Acquisition and Planning Committee. That committee has put in a tremendous amount of work. I think we've discussed it for the past nine or ten hours in the past two meetins, but a very thorough process to look at what's best for this County to get this program back in business and functioning for the benefit of the taxpayers and citizens of this County.

There were many recommendations. As Legislator Lindsay indicated, this was one of the thirty-three recommendations, and one that it was portrayed as being, this is something that should be considered. Obviously, there are pros and cons of doing this, and I think the feeling of the committee, and not -- just speaking for myself, is that there's a time to look at this, to look at process, to look at changes, and so forth, and there's a time to move on. At this point, we feel that this is something that should be considered, and there should be a beginning, middle and end to this, and we move on to resuming the acquisition, the surplus, disposition of surplus properties, that we not hold programs in suspension.

And I'd just like to comment briefly on the specific proposal to separate Real Estate. This Legislature certainly knows the history of the Real Estate Division being a part of the Department of Law, and then prior to that, being an independent department functioning for about 18 years. Meanwhile, this County has been acquiring land since at least 1962, when Dr. Koppelman completed the first open space plan for the County. At that point, and through the 30 or 40 years that followed, there's been extensive planning input into the process of identifying parcels for acquisition, making recommendations to the Legislature, and coordinating the functions that are involved in that role.

There are issues in terms of the role of Real Estate, and our next speaker, who submitted a card, is the Director of Real Estate at this time, Christine Costigan, that would like to provide to you a little

more description of what actually Real Estate does. And it's important to note that acquisitions and sale of surplus property is really just a very small portion of what that division does. I think the key thing is that the comments we heard earlier by Mr. Amper are certainly good to hear in terms of complimenting the role of the Planning Department, and, certainly, there would be no debate with the fact that Planning needs to be involved, we feel, in making recommendations to you, to the County Executive on this program. But I think it's also important to note that this does have an impact on the Department, and I think that's something that has to really be very carefully considered.

We're a Department of about 25 staff members who do a whole variety of functions for this County. And one aspect of the Real Estate Division is that it's a larger division actually than the entire Planning Department itself. I think one important thing is that we can't, I



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feel, allow the management oversight of Real Estate to become a burden or an impact to the operation of Planning. I won't get into that in great detail, but we did have a discussion at the last Legislative meeting about a cleanup of property, and that's something that is very important and needs to be done, but we have over 4,000 surplus properties in this County. Obviously, it's something that takes a lot of time to keep track of that.

I had an issue yesterday dealing with the vehicle fleet in Real Estate and that was probably an hour's worth of time, but here, again, it's taking away from core Planning functions that I believe should also be weighed in heavily here.

The last point I wanted to make is that the process of acquiring land and making recommendations for the preservation of parcels is one that involves a lot of overlap of input and roles. Ultimately, acquisitions have to be approved by the Legislature and signed by the County Executive. Ultimately, all sales of surplus County property have to be approved by the Legislature and signed by the County Executive. During that process, there are various systems in place to ensure input from various involved agencies, including the Parks Trustees, the Farmland Select Committee, in the case of leasing, the Space Management Steering Committee. Obviously, it also involves County departments. Obviously, the Planning Department, the Department of Public Works, the Department of Health, Office of Ecology, and so forth.

My point on this is that the Real Estate Department, if it were to be created, would certainly not exist as an island, it would not be completely unto itself. Obviously, I would strongly suggest that Planning needs to have input into this process, we would -- we would

want that. And, also, the other involved agencies would also have to do so. So we'd provide that to you for your consideration today. We think this is something that is important in terms of moving forward and getting on with the important programs, as the prior speaker identified. And we thank you for your time.

D.P.O. POSTAL:
Thank you, Tom. A question from Legislator Fisher.

LEG. FISHER:
Tom, earlier Legislator Lindsay made a very important point, and that was that if -- I don't want to paraphrase him incorrectly, so I'll just say --

MR. ILES:
Okay.

LEG. FISHER:
-- I'm agreeing with the point that he made, but I'll say it in my own feelings, which are that many of the problems that we faced in the scandals, in land acquisition scandals, were not due to the structural problems or makeup of the Real Estate Department and the Department of Planning and their relationship, but, rather, other issues of decision-making. And that being said, do you feel that -- you said you would like us to consider this. And did you mean that in terms of



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your recommending this, or just that we consider it and move on? How comfortable would you be to have the Department of Real Estate continue to operate as it had been operating prior to the scandals?

MR. ISLES:
Okay. Well, first off, I do support this resolution, number one. Number two, I certainly wouldn't say that this was the problem or a systemic problem that led to some of the issues that were raised over the past few months. But I think what happened with the committee, and even just internally in our review of the systems and so forth is that rather than stopping halfway in terms of what should change and so forth, we wanted to take a broader approach and start looking fundamentally on how is the process organized, how is the Division organized, what impact does the current organization or relationship have on the Planning Department, on the Real Estate Department. And that's something, here again, not to speak for Miss Costigan, but it works both ways, just as it -- obviously, it takes the Planning Director's time, whoever that may be, it also inhibits, I think, the Real Estate Director's role in terms of they got a chain of command that -- and here again, Christine is relatively new, but there are things that are -- that often come up that probably shouldn't require that kind of additional oversight, that she should have that ability

to execute management decisions and implement things. So I think it's looking at it both ways.

So it is something we recommend. And, ceratinly, I'm not characterizing it as being the source of any problem that may have existed in the past, but in looking at the whole picture that this few months has enabled us to do, it is something we believe.

LEG. FISHER:
But still maintaining a close relationship with Planning --

MR. ISLES:
Absolutely.

LEG. FISHER:
-- because they're integrally involved.

MR. ISLES:
Absolutely.

LEG. FISHER:
Okay. Thank you.

MR. ISLES:
Yeah.

D.P.O. POSTAL:
Legislator Crecca.

LEG. CRECCA:
Tom, I guess you answered some of my questions, but the only question I have left for you is Planning will still be -- if this legislation is approved, do you envision Planning still making recommendations on acquisitions, obviously? In other words, is that part of the process,



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reviewing and giving a recommendation?

MR. ISLES:
I would certainly think that that would be very important. And I think that's what Planning should be doing and Planning should be a part of that, so I would certainly see that as being the case.

LEG. CRECCA:
So, you know, that you can't get out of the land acquisition meetings then.

MR. ISLES:
Okay.

LEG. CRECCA:
All right. I just want to make that clear. All right. Thanks for answering my question.

MR. ISLES:
I think we've taken care of the hard work.

LEG. CARACCIOLO:
Madam Chair.

D.P.O. POSTAL:
Legislator Alden. I can put you on the list. Legislator Alden, and then Legislator Caracciolo.

LEG. ALDEN:
Hi, Commissioner.

MR. ISLES:
Okay. Mr. Legislator?

LEG. ALDEN:
You mentioned that you -- or I guess I'm taking what you said, that you would recommend that we pass a resolution and break Planning out -- well, not break Planning out, but break Real Estate out of Planning. Real Estate right now is a division of Planning.

MR. ISLES:
Correct.

LEG. ALDEN:
So, administratively, even if we left it there, you can still delegate the authority and you can set up your internal controls and things like that, that you would be delegating that, and the answerability, I guess, for lack of a better word, you could still rest that with the -- she's not going to be a Commissioner, she's going to be a Director, right?

MR. ISLES:
Right.

LEG. ALDEN:
So, I mean, you could accomplish your goal of removing yourselves and



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go back to a little bit more planning, and allow that Division of Real Estate to function, you know, almost internally, aside from what you do. So whichever way we go today, you could still -- you could accomplish it administratively, if we don't choose to do it by a vote

here.

MR. ISLES:
Yeah. It's a matter of degree. So you're certainly right in that sense that there's obviously delegation of authority. I have a lot of faith in the new Director of Real Estate. I believe she's highly competent. But, nonetheless, there's an involved that goes along with being a department head on a division. And I certainly understand that the Legislature, for example, when certain questions come up, want the answer of the department head, and that's happened many times and I understand that, I accept that, and that's your prerogative. So I think that's what we're looking at is that it definitely has an impact on time. There's a judgment call as to whether that's the best expenditure of time. In considering this, we think it's probably best to make it separate.

From 1962, when we started acquiring open space under Koppelman's plan, to '99, the County has done a tremendous job in that, and, as indicated, is one of the best programs in the nation on that, but I think it does impact it. I know what you're saying.

LEG. ALDEN:
Tom, just -- and you're an administrator. Administratively, this is going to raise prices -- or not raise prices, but raise costs to the County, if we make that a separate --

MR. ISLES:
I don't think it's going to significantly impact cost, I think the -- what we're looking at is no creation of new staff positions, other than what we've -- the County Executive has put a resolution in to create a position for a certified appraiser in the Real Estate Division, which, regardless of what happens with this resolution, I think should go forward, and that's being done as a reappropriation of existing staff positions that are vacant, so there's no new expenditure coming out of that.

As far as the hearing on the separation of the department, the only -- I don't see anticipating any new staff positions beyond that. There may be some slight pay increase for a commissioner over a division director, but I think it would be a nominal amount.

So we're certainly not looking at this as being an empire building and expanding government. I think what we're looking at is taking the existing staff personnel, resources, equipment expenses, and so forth, and slicing it in the organizational chart and the budget chart differently.

D.P.O. POSTAL:
Legislator Caracciolo?

LEG. CARACCIOLO:
Yes. Tom, from your perspective as the department head, what is the



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justification for the change?

MR. ISLES:
The primary justification for the change would be a concentration of focus on the Real Estate Division by having it as status as a department, number one, that there would be a department head appointed by the Legislature, nominated by the County Executive, direct accountability to the County Executive, direct accountability to the Legislature, and also giving the department head then the authority to completely run the department and carry out the duties of that position. On the other sides, would be the impact on Planning, and that would then be how much time should the Planning Department, should the Planning Director, the Deputy Director, and so forth, be spent on the administration of Real Estate versus Planning functions that we do for the County Executive, for the Legislature, the Suffolk County Planning Commission, for municipalities and so forth.

So, in answer to your question, what is the primary justification, my feeling is, from an organizational standpoint, to have more direct association of duties to the -- to the department.

LEG. CARACCIOLO:
As -- well, when did you join County service?

MR. ISLES:
About a year ago, sir.

LEG. CARACCIOLO:
About a year ago.

MR. ISLES:
March of --

LEG. CARACCIOLO:
So you arrived and were basically learning your position as both -- not as Planning Director --

MR. ISLES:
Right.

LEG. CARACCIOLO:
-- you've got plenty of experience there, but overseeing the Division of Real Estate. And up to that time, how would you characterize the role of the Division of Real Estate? Did they pretty much operate on their own?

MR. ISLES:
Up until what time, Mr. Caracciolo?

LEG. CARACCIOLO:
Oh, during your tenure.

MR. ISLES:
Oh, during my tenure, okay.



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LEG. CARACCIOLO:
Yeah, yes.

MR. ISLES:
No, I certainly wouldn't say they operated on their own, by no means whatsoever. They are a big department. They have 45 personnel. And, as Ms. Constigan will explain in a few moments, to go through the roles and the jobs that they do for this government, they certainly weren't on their own. And I think the -- there was definite management oversight. And I will tell you, too, Mr. Caracciolo, that, certainly, since the summer, there's been much more of my time spent on the Real Estate Department and less time as a matter of result of that in the Planning Department.

LEG. CARACCIOLO:
Well, that I can acknowledge, because it was last summer that I personally requested that you supervise some pending land acquisitions, because of concerns I had about the way they were being handled, so I appreciate that very much. I think that perhaps saved the County some more problems than we presently have. And that's why, from my perspective, I'd like to see the Division be just that, a division, not a separate department, because in all branches of government, we need checks and balances. And while I don't know Mrs. Costigan that well, she certainly appears to be eminently qualified. I trust that she will carry out her job and her responsibilities dutifully and responsibly. But I don't mind having a little management oversight, if you will, so that I can pick up the phone if I think someone in that chain may not be positively acting in the County's best interest, to have someone else look over their shoulder to make sure that they are. So I will not support this resolution.

MR. ISLES:
Yeah. You would have a department head to do that, too, but I respect your opinion.

LEG. CARACCIOLO:
Thank you.

MR. ISLES:
Okay.

P.O. TONNA:
Hey. How are you?

MR. ISLES:
Hi, Paul. Good.

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

P.O. TONNA:
Love your hair.

MR. ISLES:
I like yours, too.



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D.P.O. POSTAL:
You have a question?

LEG. HALEY:
Yeah.

D.P.O. POSTAL:
Go ahead, Marty.

LEG. HALEY:
Yeah. If you don't mind.

D.P.O. POSTAL:
I don't mind.

LEG. HALEY:
I haven't spoken all day today.

D.P.O. POSTAL:
I am privileged to have you do that.

LEG. HALEY:
My biggest concern --

P.O. TONNA:
Hi, Marty.

LEG. HALEY:
Hey. How are doing?

P.O. TONNA:
Good to see you here --

LEG. HALEY:
Thanks for coming.

P.O. TONNA:
-- around the horseshoe.

LEG. HALEY:
My biggest concern is rather obvious. First of all, I take exception to anyone who refers to scandals; okay? In my view, it should be alleged scandals and that's it. That's, I think, the furthest you can take it.

Secondly, in absence of anything that shows us a systemic problem, I can't imagine why we would even make a change. I mean, I don't see a system problem. I think we did very well to date, especially well with the level of acquisitions that we've made. I think it's a professional department, I think it runs very well, and other than the alleged scandals, I think that everything's moving along fine. Thank you.

D.P.O. POSTAL:
You're welcome. Thanks, Tom. Thank you. The next speaker on this public hearing is Christine Costigan.

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MS. COSTIGAN:
Good afternoon. May I give out a handout?

D.P.O. POSTAL:
Whenever you're ready.

MS. COSTIGAN:
Thank you, Legislator Postal.

D.P.O. POSTAL:
We'll just -- go ahead.

MS. COSTIGAN:
The document I've handed out and the reason I'm here is, obviously, to discuss this departmentalization, if you will, of Real Estate. And I admit, because it's so obvious, that I'm in an odd position to make -- to do this discussion, being relatively new to the job. However, I would debate Mr. Amper's statement that this will not work. I mean, I've run the Real Estate Division and he hasn't, and I can tell you what will work and what will not work there, even from my tenure at hand. It is, as Tom pointed out, a large group of people. This is

forty-five people who work in more varied areas than I think you all suspect.

If I can refer you to the handout just for a moment. The large box is the Department of Real Estate and all our duties. The first group of those duties having to do with surplus property management and the redemption functions, when people do redeem their property, implementing the auctions that are coming up, and I hope you all will come to them, then the transfer of surplus property. The leasing of County facilities is entirely our responsibility. Property records, safeguarding of all real property records of the County, title documentation, and all the functions that have to do with condemnation. None of that has anything to do with Planning. All of that we have the duty and responsibility to carry out, and, indeed, more than half my staff is working on. It has nothing to do with Planning, and, yet, Tom has to oversee all of that. And he is being polite when he tells you that he has spent some of his time in Real Estate. He is burdened by Real Estate. He sees me coming and cringes because of the hours he has to spend handling with the day-to-day housekeeping of this County's inventory of 4,000 properties. They have nothing to do with Planning in the upper regions there of what we're talking about.

Now we continue on still with more duties of the Real Estate Division. Identifying acquisition candidates, the use of surplus property, should it go to the towns, should it be sold at auction, should it be given away to a nonprofit. Land exchanges, exchanging environmentally sensitive land with a private owner with County land and the conservation easements, these cannot be done without Planning. I don't care if you leave it as a division or if you make it as a department, you can't separate those functions of Real Estate from Planning. They are wedded no matter what happens.

The next section after that, the contracts, the landlord/tenant



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functions, the litigation and the covenants is wedded with the Law Department. It doesn't matter if you put us under the County Clerk's Office or if you put us in DPW, we still have to deal and constantly be interacting with the Law Department and those functions.

And lastly, we have an enormous interaction with the Treasury Office that we once were under back in 1991 for a brief time in terms of the tax deeds, the redemption functions, and an enormous amount of revenue that comes through us in terms of the auction proceeds, the redemption proceeds all have to be reconciled constantly with the Treasury Department, the Department of Finance and Taxation, and, also, we maintain an enormous escrow account managed by Taxation and Finance.

These things cannot be separated, so we're not talking about whether or not Planning dictates the day-to-day functions or has the decisive role in terms of acquisition, use of surplus property, land exchanges and conservation. What we're talking about is the top group where, on a daily basis, the management of the property owned by this County is taking most of the time of the Department of Real Estate, the landlord/tenant problems, moving -- destroying buildings, declaring buildings unsafe, having them taken down. We have enormous problems with unsavory tenants, if you will, getting them out, getting a good tenant in there, trying to preserve the house, so it's useful for the auction. I mean, one of the big problems this year with the auction is finding decent houses to put in the affordable housing auction.

So my Department has a tremendous number of functions, and that's really what we all do most of the day. The notoriety that has come to acquisitions, the acquisitions are flashy, they're flashy, they're big, they're public, they're popular. They're not the meat and potatoes of the Real Estate Division. The extent to which you have, by the omnibus bill, put in recommendations and controls, which we have testified on behalf of most of them, as a matter of fact, makes a new frontier for acquisitions. The controls on acquisitions are now far more, as you know, in your hands, and that's not a bad thing at all, I mean, that's fine. But nobody's changed anything as to the original group there, and those are the things which have to be done day to day, and I think those are the things to get out of Tom's office and into our hands.

I don't agree, I'm sorry, Mr. Alden, with you that it could be done just administratively. The reason Tom had to spend an hour yesterday dealing with a problem with Real Estate vehicles is that I don't have the authority. I mean, we're talking about basic matters of whether there are stickers on the walls of the cars or not, and it's -- can he delegate? Theoretically. But practically speaking, no. He's the head of the Department. The ball stops there and the ball rolls there. So I think that's why this is in front of you. In 1991, when Real Estate was separated --

P.O. TONNA:
Christine, I'm going to -- maybe somebody will ask a question, so you can finish.

MS. COSTIGAN:
Okay.



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P.O. TONNA:
I'll ask the question, just --

MS. COSTIGAN:

You ask the question

P.O. TONNA:
Just to say what happened in 1991?

MS. COSTIGAN:
I think --

P.O. TONNA:
Or 1998? What was the year you said?

MS. COSTIGAN:
No, in 1991. In 1991 --

P.O. TONNA:
19 -- yes, what happened in 1991?

LEG. FOLEY:
We have to ask a question.

P.O. TONNA:
You have to ask a question to continue. Your five minutes are up, that's why now --

MS. COSTIGAN:
Right. Thanks very much.

P.O. TONNA:
There you go.

MS. COSTIGAN:
Thank you, sir.

P.O. TONNA:
Now you got it. What happened in 1991?

MS. COSTIGAN:
In 1991, when Real Estate was -- had been a department and was separated into a division then of the Department of Taxation and Finance. It's been a problem ever since, and it hasn't worked right since. And the reason it was separated had nothing to do with its functioning. And I think it would work better if it were separated back the way it was. There's a reason that in most major urban type counties, suburban type counties like ours, Real estate is a separate department.

P.O. TONNA:
Christine, I have a question. I know Legislator -- my question is it almost, although I hear what you're saying, and I've heard what Tom has said, it almost seems counterintuitive, that if there is -- that

there was a problem in a department, that to remove it of supervision,



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that somehow that's going to help the department. And understanding that, we know that, you know, there are investigations still going on, there are things like that that have nothing, absolutely nothing to do with you and nothing to do with Tom. But my sense is, is that, you know, what Legislative body would pass a resolution to now say, because there is an allegation, as Legislator Haley would say, an allegation of impropriety or of scandal, or whatever else, that the best thing to do is to now separate it out --

MS. COSTIGAN:
Right, right.

P.O. TONNA:
-- and let them run it on their own.

MS. COSTIGAN:
No. I see your point. I think, on the other -- if you took the other argument, it's counterintuitive to leave it alone.

P.O. TONNA:
Right.

MS. COSTIGAN:
Yeah.

P.O. TONNA:
It's counterintuitive to leave it alone, right.

MS. COSTIGAN:
To leave it -- it's --

P.O. TONNA:
No. It's counterintuitive to leave it alone.

MS. COSTIGAN:
Yeah, is what I'm saying, that -- you're saying isn't it counterintuitive to separate it. I'm saying it seems to me it's counterintuitive to leave it alone, if that's when --

LEG. FOLEY:
To leave it where it is. To leave it where it is.

MS. COSTIGAN:
-- the structure under which you had a problem.

P.O. TONNA:

No. Well --

MS. COSTIGAN:
But one way or the other, yes.

P.O. TONNA:
-- the truth is, you know.

MS. COSTIGAN:
Yes, yeah.



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LEG. FOLEY:
You're both using "alone" in a different way. She means "alone" for --

LEG. FISHER:
Status quo.

LEG. FOLEY:
Status quo.

MS. COSTIGAN:
Status quo.

LEG. FISHER:
Leave it alone, status quo.

LEG. FOLEY:
Whereas you're thinking of "alone" as a separate department.

P.O. TONNA:
Okay. All right. I understand.

MS. COSTIGAN:
Alone, yeah.

P.O. TONNA:
Okay.

MS. COSTIGAN:
But might I -- I mean --

P.O. TONNA:
Anyway, I fell a little debilitated --

LEG. FISHER:
May I ask a question that's intelligible?

P.O. TONNA:
-- today.

LEG. BISHOP:
Or anecdotally.

P.O. TONNA:
But it's a -- yeah, panic anec. Anecdotally, I -- no. Anyway, I understand. I just -- I just think this is not -- there might be a time.

MS. COSTIGAN:
I can see you may want to think about this.

P.O. TONNA:
But I don't know if this is the time now --



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MS. COSTIGAN:
Yeah.

P.O. TONNA:
-- until all of the information is -- everything is out, all of it's done, you know, and that you have a track record running.

MS. COSTIGAN:
Right.

P.O. TONNA:
You know.

MS. COSTIGAN:
I don't disagree with you.

P.O. TONNA:
Okay.

MS. COSTIGAN:
I mean, it's on. I'm giving you the intelligence behind it. If I were you, I think I'd put it on in September, frankly, or something like that.

P.O. TONNA:
I'd like to consider it in the omnibus, you know, in the budget process when we look at reorganizing, you know, County organizations. And since I think the Comptroller's Office is not on my number one hit list this year with regard to purchasing and things like that, that, you know, we'll be looking at other places to reorganize. But thank you.

MS. COSTIGAN:
I wouldn't -- I mean, I wouldn't mind if you postponed it until after -- you know, passed it and postponed it until after my tenure, but I think that would be a very long time.

P.O. TONNA:
Right. Thank you.

MS. COSTIGAN:
Thank you.

P.O. TONNA:
Yes. And to the good of the County.

MS. COSTIGAN:
Thank you.

P.O. TONNA:
Legislator Fisher has a question.

LEG. FISHER:
Christine.



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P.O. TONNA:
Thanks, Christine.

LEG. FISHER:
I have a question for you.

MS. COSTIGAN:
Yes.

LEG. FISHER:
By the way, thank you for the handout. I think visually and this works for me.

MS. COSTIGAN:
Good.

LEG. FISHER:
But there were a couple of questions I had upon reading the resolution. And I was under the impression that leases were currently done in the Law Department, County Attorney.

MS. COSTIGAN:
Again, it's -- the paperwork is done there. On the Space Management Committee, it's the Department of Real Estate who -- Space Management

Committee gets a request for a leasing, it's assigned to Real Estate. We look for properties. We make a hit list of properties. Space Management makes a -- you know the top four, or something. We then negotiate with the landlords or brokers, or whatever the situation is, and keep going back to them through Space Management.

LEG. FISHER:
So you don't have attorneys within your forty-five personnel who would handle the leases before --

MS. COSTIGAN:
No. We handle all the negotiating, all the terms, and then once we hit the terms in the negotiation, it goes up to Legal for drafting by the Law Department.

LEG. FISHER:
Okay. I saw on Page 3 of the resolution that it indicated that there would have to be a New York certified appraiser on staff.

MS. COSTIGAN:
That's right.

LEG. FISHER:
Is there -- isn't there currently an appraiser?

MS. COSTIGAN:
There is currently a New York certified general appraiser on the staff. She has not been -- she's in another function, but she's glad to lend those credentials to any need that we have, but that doesn't happen to be what she's doing right now.



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LEG. FISHER:
Oh.

MS. COSTIGAN:
So we want a full -- somebody who's there full-time. She's a manager.

LEG. FISHER:
That's a Civil Service test? Is that a competitive title in Civil Service?

MS. COSTIGAN:
There is -- there is --

LEG. FISHER:
Appraiser is a competitive title, isn't it?

MS. COSTIGAN:

There is no list for it. If it is -- if there ever was one, I don't know. They've told us we'd have to make up a test -- I mean, have a test done for them.

LEG. FISHER:
Okay. Oh, so, there currently is not --

MS. COSTIGAN:
There's no existing list.

LEG. FISHER:
There is not a test for Appraiser I --

MS. COSTIGAN:
Right.

LEG. FISHER:
-- Appraiser II? Okay.

MS. COSTIGAN:
That's right. And I don't know if there's a title.

LEG. FISHER:
I see.

MS. COSTIGAN:
I don't know.

LEG. FISHER:
Okay. Thank you, Christine.

LEG. FOLEY:
Thank you.

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

MS. COSTIGAN:
Thank you.



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D.P.O. POSTAL:
I have no other cards for a public hearing on Introductory Resolution 1287. Is there anyone who would like to address the Legislature on this resolution? Hearing no one, motion to close?

LEG. CRECCA:
Motion.

D.P.O. POSTAL:
Seconded by Legislator Foley. All in favor? Any opposed? 1287 is closed.

Public hearing regarding Introductory Resolution Number 1288, a charter law to transfer the function of selecting real property appraisers to the Division of Real Estate in the County Department of Planning. I have no cards on this. Is there anyone who would like to address the Legislature on this public hearing?

LEG. FOLEY:
Motion to close.

D.P.O. POSTAL:
Hearing no one, motion to close, Legislator Foley, seconded by myself. All in favor? Any opposed? 1288 is closed.

Public hearing regarding Introductory Resolution Number 1287, a charter law to formalize procedures for Legislative committee review of land transactions. I have no cards on this public hearing. Is there anyone who would like to address the Legislature on this hearing? Hearing no one, Legislator Caracciolo?

LEG. CARACCIOLO:
Motion to close.

D.P.O. POSTAL:
Motion to close, seconded by Legislator Bishop. All in favor? Any opposed? 1297 is closed.

Public hearing regarding Introductory Resolution Number 1391, a local law to facilitate full public disclosure of County election campaign finances. Lee Lutz.

MR. LUTZ:
Good afternoon.

D.P.O. POSTAL:
Good afternoon.

MR. LUTZ:
I have a brief statement to read into the recored, and then, if you have questions, do my best to answer them.

Candidates for public office are required by New York State Election Law to submit statements of their campaign financial activity on a regular and predetermined schedule to the Board of Elections. This

information is public and intended to disclose to the public a record of the candidate's sources of campaign funding, expenditures, and other campaign financial activity.

The Suffolk County Campaign Finance Board is required by the Suffolk County Charter, Section 41-7H to develop a data base, including information on contributions to and expenditures by candidates and their authorized committees, and to make this information accessible to the public. In addition, the Board is required by Section 41-12 to report on a regular basis and at other times as it deems appropriate to the County Legislature and Executive on the conduct of election campaigns in the County of Suffolk. In order to fulfill this -- its mandates under the law, the Board must have reliable and prompt access to this financial disclosure information.

The bill under consideration by the Legislature today, I. R. 1391, is intended to facilitate the requirements of Suffolk's law and to address a problem encountered by the Board. For nearly three years, the Board has been requesting from the Board of Elections copies of candidates' campaign financial disclosure statements in order to perform its duties. The Board of Elections has been providing these copies to the Board, but, due to its staffing levels and other required duties, been unable to fill the requests promptly. In fact, since the Campaign Finance Board began keeping such a record over a year ago, it has taken on average forty-two days from the time the statement is requested until it is received in our offices. These delays, longer even than the mandated interval between certain reports, is both unacceptable and unnecessary.

The bill before you today will alleviate problems for the Campaign Finance Board and for the Board of Elections. For the Campaign Finance Board, it will provide the data we require promptly and directly. For the Board of Elections, it will eliminate the burden of copying each and every disclosure statement. It will accomplish these goals by requiring the candidates or political committee's treasurer, within his or her legally required duty, to submit these reports to the Board of Elections, to make an additional copy of the statement, and submit it directly to the Campaign Finance Board.

The cost in time and money to a candidate's campaign is virtually nothing. The savings to the County taxpayers, by eliminating the time and materials expended by the Board of Elections, is significant, and the efficiencies accomplished by the Campaign Finance Board will enhance its ability to fulfull its mandated responsibilities.

Ultimately, the biggest winner is the public, whose ability to easily and promptly access public information regarding candidates' campaign financial activity will provide them with another tool to fulfill their responsibility to cast an informed vote. The Board can foresee no reason not to enact this legislation and calls upon the Legislators

to approve this bill as quickly as possible. Thank you. And if you have questions, I'll do my best to answer.

D.P.O. POSTAL:
Thank you, Lee. I have no other cards. Thank you.



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LEG. COOPER:
Maxine, I do have a question.

D.P.O. POSTAL:
Oh. Who is that, John? Legislator Cooper.

LEG. COOPER:
Lee, assuming that this legislation was enacted, what would be the next step? How do you envision actually getting the financial disclosure information to the public? What do you envision doing?

MR. LUTZ:
Well, we're in the process now of fulfilling another one of the law's mandates, and that is to establish a computer data base of all of this information and, as I quoted from the law, making it accessible to the public. We're working on that by means of an internet accessible data base, which the Board has acquired on behalf of the County in order to establish this data source for the residents and voters of Suffolk County. That software is in the hands of the Information Systems, IS. They've been working on it for sometime now to ultimately get it up and running, and that, of course, will be where all of this data will eventually go, so that it will become accessible to the public.

LEG. COOPER:
And when, optimistically, do you believe that this website will be up and running?

MR. LUTZ:
Well, being an optimistic, I would like to think within a month or so. Realistically, I think we're a couple of months away. The software that's been acquired, I'll use a technical term, which I don't understand either, IS tells me a couple of the files will not compile, whatever that means. Apparently, their people are working, their technical people are working on it now. They've indicated they're making progress. They have indicated that they've not come across a problem that's insurmountable. And my feeling is that, realistically, within a couple of months, we will have system up and running.

LEG. COOPER:
Thank you.

MR. LUTZ:

You're welcome.

D.P.O. POSTAL:
Legislator Nowick.

LEG. NOWICK:
Mr. Lutz, do you have the staff to take all the information? Do you have enough staff to take all that information and feed it into the computer, or will that cost more money? Will that be more staffing to put that into the computer like that? This will create an internet where anybody can tap in?

MR. LUTZ:
That's correct. That's correct. Do we have the staff? No.



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LEG. NOWICK:
So you would have to hire more personnel to do this?

MR. LUTZ:
Well, the Campaign Finance Board's budget is not going to permit hiring staff. We have been significantly limited in the ability of the Board to accomplish the mandates that are required by the law. I have already looked into and made some inquiries regarding getting some interns or volunteers who will aid in the manual assistance necessary in order to upload this data. It is one of the things, compiling this data is one of the things that I've been doing for a year-and-a-half, and we anticipate that -- surprisingly, perhaps, once a procedure or protocol has been established for uploading this data, it goes very quickly. It is not as undoable a task as you might at first envision. It will take staff, and we are proceeding on the basis that we're going to try to get interns or volunteers to do so.

LEG. NOWICK:
Will the interns be voluntary? They'll be voluntary.

MR. LUTZ:
Yeah, exactly, of course, yes.

LEG. NOWICK:
Oh, okay.

MR. LUTZ:
Because we do not have the resources to pay employees. The staff, as it is now, which is me, will probably stay me, at least through this budget, and, hopefully, next year, as the Board is accomplishing more, as the public is getting acquainted with what we're accomplishing, that we'll be in a position to be able to better accomplish the mandates that the law requires us to do.

LEG. NOWICK:
So this will be an internet where anybody can click on, go to this website, and they can see where their candidates -- how their candidates raise money? It will be that complete financial disclosure statement that is submitted and it goes onto the internet?

MR. LUTZ:
That is correct. Basically, it would be all the information that is required already by State law, which every candidate for public office has been submitting on a regular basis to the Board of Elections for years and years. This is nothing new.

LEG. NOWICK:
Oh, right.

MR. LUTZ:
What's going to happen is that that information is going to become readily available, whereas, at this point, as of today, although it's public information, it's very difficult for the public to get their hands on it. We've had some difficulty getting our hands on it interdepartmentally between the Board of Elections and our offices.



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LEG. NOWICK:
Thank you, Mr. Lutz.

MR. LUTZ:
You're welcome.

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

MR. LUTZ:
Thank you.

D.P.O. POSTAL:
I have no other cards for this public hearing. Is there anyone else who would like to address the Legislature regarding Introductory Resolution Number 1391? Hearing no one --

LEG. COOPER:
Motion to close.

LEG. FIELDS:
Second.

D.P.O. POSTAL:
Motion to close by Legislator Cooper, seconded by Legislator Fields.

All in favor? Any opposed? 1391 is closed.

I have a motion by Legislator Nowick, seconded by Legislator Fisher, to set the date of April 30th, 2002, at 7 P.M., at the William H. Rogers Legislative Building, Hauppauge, for public hearings on the 2003-2005 Capital Budget and Program, Introductory Resolution Number 1357, Number 1399, Number 1405, Number 1412, Number 1424, Number 1450, and to set the date of May 8th, 2002, at 10:30 A.M., in the Riverhead, New York, for the public hearing regarding the 2003 to 2005 Capital Budget and Program. All in favor? Any opposed? The dates of the public hearings have been set.

The Chair now recognizes Legislator Foley for a presentation.

LEG. FOLEY:
Thank you, Madam Chair. Ladies and Gentlemen, it's a distinct honor and pleasure that I speak this afternoon about some very noteworthy accomplishments by our Suffolk Community College athletic program. This morning, we heard and witnessed and listened to some fantastic students in the realm of science, mathematics, and in jazz and in times past, we've heard from other school districts and from the Community College, and in a number of ways, that their students have excelled, whether it's through academics or through athletics. Well, today we have the honor to have with us today the undefeated Women's Volleyball Team and the undefeated Women's Basketball Team. Their coaches are here as well. They will speak in a few moments. But let me just underscore just what a great season both had.

When you consider, those of us who have been involved in athletics, the difficulty with not only having a winning season, but to have an



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undefeated season, speaks so well of the commitment of the athletes as well as the coaching staff. And in the case of the Volleyball Team, Coach Rich Norman's team went undefeated. They were Section 15 champions, and Coach Norman was also named the Coach of the Year for Section 15 as well. So I wanted to have his team acknowledged here today in our presence, and by doing so, being part of the official public record of this County, so that both he as well, as his teammates, as well as his team, if you will, can be acknowledged by us for a job well done.

So, Coach Norman, if you could step forward with your team. If you could just give us an overview, and also mention the athlete's names who are here with you today.

MR. NORMAN:
Okay. Our volleyball team had a record of 22 and 0. We won the Region 15 Championships, and we competed at the National Championships

in Rochester, Minnesota. We finished seventh in the nation. And with me today, I have brought three of my sophomores, Maureen Burns from Westhampton Beach, Tanya Villar from Shirley, and Michelle Arnone from Centereach. Michelle was a second time selection to the All American First Team, which is the top six players in the nation, and she was voted to that team by the committee both years that she played at Suffolk. Tanya received the Coach's Award and was named to the Second Team All Region, and Michelle was also Player of the Year in Region 15.

(Applause)

Thank you.

LEG. FOLEY:
Okay. As has happened in prior years, we've had a very successful basketball program at your Community College as well, and over the years, Coach Kevin Foley has graced our meetings with his presence, as well as those of his team. And over a series of years, his team has been a standout within Section 15. And true to the mission as a coach and true to the mission of the College, he has prepared young women for the rest of their adult lives, and a number of whom have gone on to finish their undergraduate program by working through and learning from the basketball program and the schooling at the Community College level.

Now, again, this basketball team was undefeated in the regular season. I believe that they finished fourth in the nation among Junior College Division 3. Coach Foley was Coach of the Year for Region 15, and also Coach of the Year for District D, which is roughly one-eighth of the country. Also, what he and the team is most proud of is for that the fourth time in eight years, the team has won, and this is what it's named as, the Sportsmanship Award in Section 15. And also this year, they won the National Sportsmanship Award at the national tournament that was held in Corning, New York earlier this year.

So, you know, those of us who are competitive, whether it's in the field of politics or in athletics, what his team has shown is that you can be competitive, but, at the same time, comport yourself in such a



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fashion that you hold the highest ideals of athletics and you demonstrate the ability to have respect for your opponents as well.

So if Coach Foley could step forward with his -- with some of his team today, so he can acknowledge for us those players. And if he wants to say a few words, he's more than happy to do so.

(Applause)

MR. FOLEY:
I'd like to thank you for taking time today to acknowledge not only the Basketball Team, but the Volleyball Team. If I could just take a moment of your time. One thing that Brian did mention, but I will add to it, Rich is also the coach of the Softball Team, and his Softball team is undefeated. And this is the first time -- I've been at the College long before I had gray hair, about 29 years ago, and this is the first time that at the College we've ever had an undefeated team in three sports, and both of us are very proud to coach the young women that we do.

This year's Basketball Team was a very special team, as Brian mentioned, we were undefeated for the regular season 21 and 0. We lead the country in offense. And those of you who have played sports know that usually teams like to do one thing or another. We averaged 78 points a game. But we also lead the team in defense. We averaged -- in the country, we averaged -- gave up 37 points a game, and that's almost a 50-point margin.

If you followed the University of Connecticut, we used to like to say is that whatever the Connecticut women did, we want to replicate, because they've played excellent basketball and they didn't take any mercy, and they went about doing things in a very, shall we say, first class way, and that's what we tried to emulate.

The women that I'd like to introduce here are, first, a first-year player from East Patchogue, Rochelle Clark.

(Applause)

Another young lady, who I'll have to talk to about the hazards of the sun, but she's from East Islip and her name is Kaitlin Burke.

(Applause)

Kaity, they way they know who you were, that's why I had to say that. Now, I'd like to introduce two players who last year played for me, they started last year. We were a little down. These young women played thirty-eight to thirty-nine minutes a game. I asked of them to do things that they weren't prepared to do and they were just two wonderful young ladies. And I told them just to wait one more year and we'll take care of business. And April Robinson is a young lady from Brentwood. She was the --

(Applause)

She won the Coach's Award and she was a two-year starter. Erica

Marichal from Mastic was our --

(Applause)

April and Erica were our captains. Erica led the country in assists this year. She was also First Team All Region, and she did a tremendous job. For those of you had sports, it's nice to know that you have a coach on the floor. And she also had to put up with me a lot, because, if you played sports or basketball, you know the person who is the point guard takes the most heat. And I can say this honestly, she never once looked at me like, at least to my face, like I was from Mars, which is a compliment.

I'd like to -- a person who has been with me, she was on my first All Region team -- I mean, my first championship team. Kerry Swanson is my Assistant Coach.

(Applause)

As I mentioned, we had a tremendous team in terms of offense and defense. There's a young lady who couldn't make it -- be with us today, her name is Molly Brothers. She led the country in scoring, the country in rebound. She was First Team All American, and whe was the MVP of the region. And we have a lot of these young ladies coming back. Erica and April are going to move on to school, a four-year school, and we have a possibility to do as well as we did this year and in the upcoming year.

But, as Brian mentioned, one of the things that's great about these young ladies is that this is our fourth time winning the Sportsmanship Award, and I know it's not very politically correct to use it, but that's the phrase that they use. And these young ladies just handle themselves with class. In four days, when they went to the Nationals -- and there's 83 teams. Now, Brian didn't mention this, because we didn't tell him this, but with the Volleyball Team, there's 83 teams across the country, with basketball, there's 83 teams across teams across the country, and the people that you represent, and these young ladies came in seventh in volleyball and fourth in basketball, which is an outstanding achievement.

So we really appreciate your support. And I'm sure Rich would say the same thing. We're proud to coach these young ladies, because they commit a lot of time, a lot of effort, and they do it in a way that represents you and represents the County in a first class way. So thank you very much.

(Applause)

LEG. FOLEY:

In closeing, part of the real challenge, as some of you know, particularly with community colleges and junior colleges, that there's a lot of turnover by the very nature of the institution. So to have a winning program, whether it's in volleyball athletics, over a series of years, really speaks to the level of commitment of the coaches and the level of excellence of the students.

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You know, in times past, when we've had debates around budget time about ways to recruit and retain students at Suffolk Community College and the issue of out-of-county tuition, many times we don't give as much attention as we should to how we can improve the athletic program and how to acknowledge the exploits of the athletics program as a means by which to attract students to Suffolk Community College. So as much as we speak about other issues, the fact of the matter lies that if there was a better job of marketing the athletic program at our Community College, I would dare say that we wouldn't have a problem with out-of-county tuition. And by virtue of the fact of these two teams being here today, the publicity that that they will hopefully receive from today's visit, these are the ways in which can be part and parcel of other ways to try to portray the best of the Community College to the County at large.

So, again, I want to thank you very much for the attention. And, again, hopefully next year, when we're back here again, we'll see that -- we'll hear more about the athletic success of both the Volleyball and the Basketball Program. Okay. Thank you for your attention.

D.P.O. POSTAL:
Thank you.

(Applause)

I'm going to make a motion, seconded by Legislator Carpenter, to go into executive session to discuss bus litigation, and to approve the presence of the Budget Review Office, the County Law Department, County Executive representative Todd Johnson, Ellen Martin, and our Legislative Counsel, Paul Sabatino. Please, shut off all microphones. I'm going to have to ask the public to please step out of the auditorium. When we complete the executive session, you'll it be able to return and we will resume the public portion that we left off this morning.

MR. SABATINO:
Just get a vote, Maxine.

D.P.O. POSTAL:
All in favor? Any opposed?

[Executive Session was Held from 4:39 p.m. to 4:58 p.m.]

P.O. TONNA:
Fred, are you going to make a motion, so we could get on? We're going to have the Police Commissioner here. We have health --

LEG. TOWLE:
Do a roll call.

P.O. TONNA:
Okay. Roll call, Henry.

(Roll Called by Mr. Barton)



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LEG. CARACCIOLO:
(Not Present)

LEG. BISHOP:
Missing.

LEG. GULDI:
Here.

LEG. TOWLE:
Here.

LEG. CARACAPPA:
Here.

LEG. FISHER:
Here I am.

LEG. HALEY:
Here.

LEG. FOLEY:
Here, Henry.

LEG. LINDSAY:
Here.

LEG. FIELDS:
Here.

LEG. ALDEN:
Here.

LEG. CARPENTER:
Here.

LEG. CRECCA:
Here.

LEG. NOWICK:
Here.

LEG. BISHOP:
Here.

LEG. BINDER:
Here.

LEG. COOPER:
Here.

LEG. POSTAL:
Here.

P.O. TONNA:
Here.



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MR. BARTON:
17 present.

LEG. TOWLE:
Mr. Chairman.

P.O. TONNA:
Okay. Thank you. Just before, Carl, there was a question asked with regard to why was there an executive -- if you read the agenda, you'll see that Item Number 11, after the public hearings, when we have an executive session, that's the time that we schedule our executive sessions, right after the -- right after the public hearings. Okay? So that's on the agenda. Okay.

LEG. TOWLE:
Mr. Chairman.

P.O. TONNA:
Legislator Towle, I recognize you for the purpose of --

LEG. TOWLE:
I'm going to make a motion to -- 1190, which we had pulled out earlier today has aged significantly. I'd like to make a motion to approve the resolution. It's my understanding that the Police Commissioner

and our EMS Director is here to answer any questions that --

LEG. GULDI:
Second the motion.

LEG. TOWLE:
-- Legislators may have.

P.O. TONNA:
Right. Well, there's a motion and there's a second by Legislator Guldi. Okay. On the motion, just I'd ask if -- Police Commissioner Gallagher, I know you're around somewhere.

LEG. TOWLE:
Mr. Chairman, while we're waiting for the -- while we're waiting for the Commissioner and --

P.O. TONNA:
Right.

LEG. TOWLE:
-- Dr. Alicandro, just for those members of the public that are still here and not -- have not speak -- spoke at this point before the Legislature, the purpose of this is so you could all go home as opposed to taking another two hours to allow you to speak. I'm not opposed to that, but, clearly, if we can move this tonight, that, obviously, is the goal.

P.O. TONNA:
I would say this. It's probably more like twelve hours; okay? But just --



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LEG. TOWLE:
I'm prepared to buy breakfast, if that's necessary.

LEG. GULDI:
It sure is.

(Applause)

P.O. TONNA:
Freddy. Freddy. Freddy, I'll take the cash. All right? Just give me the cash.

LEG. BISHOP:
Make a real offer, buy us dinner.

P.O. TONNA:

Where is the District Attorney? What was that, cash?

P.O. TONNA:
For breakfast, just give me the cash. Steak and eggs.

LEG. FIELDS:
Buy us dinner.

P.O. TONNA:
Yeah. It's all right. All right. I know he's back there eating some of my cashews. Could somebody get him? All right. Fred, do you have anything else you want to say?

LEG. TOWLE:
No. I had questions. That's the whole purpose of the bill.

P.O. TONNA:
Okay. Does anybody else want to go on the record to say anything while we're killing some time.

MS. BURKHARDT:
He's on his way.

P.O. TONNA:
Okay. Why did the chicken cross the -- all right. We got him? Okay. Here we go.

LEG. FOLEY:
Decorum, Paul.

P.O. TONNA:
I'm doing -- I'm doing -- decorum? Okay. Talking about decorum, Police Commissioner, thank you very much. We have some questions for you, I think. I know Fred Towle was here. He just walked right outside.

LEG. GULDI:
And there he is.



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P.O. TONNA:
There he is. Fred?

LEG. TOWLE:
I'm coming.

P.O. TONNA:
Okay. We've all eaten, okay, we've all relaxed, and I would ask that we have a certain modicum of decorum while we ask our Police

Commissioner -- no? All right. Figure something better. Anyway, please, Fred, ask your questions.

LEG. TOWLE:
I, personally, don't have any questions at this point. Mr. Chairman, if the Commissioner wants to make a presentation on this bill --

P.O. TONNA:
Well, no. This is a time -- we're debating a thing, so if you have a a specific question.

LEG. TOWLE:
Well, I don't have specific questions at this point.

LEG. BISHOP:
I have questions.

LEG. TOWLE:
I'll base my questions on the dialog this evening between the Legislators. I've received as much information as I think I can get at this point. I'd be surprised if I heard something new.

P.O. TONNA:
Okay. Thank you. Legislator Bishop, you have the floor.

MR. BARTON:
Mr. Chairman.

P.O. TONNA:
Yeah.

LEG. BISHOP:
Let's start with the most basic question. Do you support Legislator Towle's resolution.

COMMISSIONER GALLAGHER:
Yes.

(Applause)

LEG. BISHOP:
Change now.

P.O. TONNA:
Okay. There you go.



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LEG. BINDER:

Move the question.

COMMISSIONER GALLAGHER:
Thank you, Mr. Chairman.

LEG. TOWLE:
Legislator Bishop.

P.O. TONNA:
John Gallagher for President.

LEG. TOWLE:
I want to -- I want to point out what a fine job Commissioner Gallagher has been doing in the last -- since lunch. Since lunch, I want to point that out, I've changed my opinion on his status.

LEG. CARPENTER:
Yeah. It's a far cry from the Commissioner you were going to fire a couple of hours ago.

LEG. GULDI:
I think we just achieved perfection in a presentation.

P.O. TONNA:
I heard it was until hell freezes over, but okay.

LEG. TOWLE:
And, in fact, I'm prepared to buy Commissioner Gallagher dinner now tonight.

P.O. TONNA:
Yeah. I'll tell you, that's a heavy lift, trust me. Anyway, go, please. Go ahead.

LEG. TOWLE:
After he just insulted you, you're --

LEG. BISHOP:
What happened since you were undetermined on the resolution. What did you find out that you can --

COMMISSIONER GALLAGHER:
No, not undetermined. I support the resolution, I only -- I also support the resolution with the assumption and presumption that I will get the money I need to continue the helicopter service after September 30th.

LEG. BISHOP:
Doesn't the resolution provide money from your own budget; is that correct or --

LEG. CARACAPPA:
No.



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LEG. BISHOP:
From where?

COMMISSIONER GALLAGHER:
No. We have a budgeted -- we have a budgeted amount that starts in two weeks, May 1st, that will run through September 30th. And what I think the issue that we were asked to come up with the figure for was the numbers from September 30th on or October 1st on. I have those numbers and I have numbers and cross estimate for the year 2003, October 1st to December 31st, and then what we estimate would be the total cost of running for an entire year.

LEG. BISHOP:
All right. Now, how much will it cost to run from October 1st to the end of the year?

COMMISSIONER GALLAGHER:
We estimate 145,000, approximately $146,000 to run from October 1st.

LEG. BISHOP:
And he estimates 60,000?

LEG. TOWLE:
Put me on the list now.

LEG. BISHOP:
So there's our first problem, we have a --

LEG. TOWLE:
Actually, we don't have a problem.

P.O. TONNA:
Wait. Go ahead, Dave. You still have the floor.

LEG. FOLEY:
Legislator Bishop, could you speak into the microphone, please, because it's difficult to hear you.

LEG. BISHOP:
I'm sorry. Do you have sufficient staff to operate the helicopter?

COMMISSIONER GALLAGHER:
We have the same staff we would have whether the helicopters were operating singularly out of Islip or out of -- two aircraft out of

Gabreski. The staff we have we would supply to the West -- to the East End, I should say, on an overtime basis for the most part. In other words, I could have so many pilots and I'd have to distribute them between east and west. If we had an ongoing tour to our East End operation, we'd have to distribute them on an overtime basis. That's part of the cost.

LEG. BISHOP:
Would providing -- never mind. Withdrawn. Go ahead. I'm done.

P.O. TONNA:
Okay. Legislator Fisher has the floor.



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LEG. FISHER:
Good afternoon, Commissioner.

COMMISSIONER GALLAGHER:
Yes.

LEG. FISHER:
Commissioner, I had another question, but I'd like to segue on -- I'd like to continue with the questioning that Legislator Bishop was asking with regards to personnel. When we are talking about pilots, aren't there only -- aren't there limitations on the number of flying hours that they can put in?

COMMISSIONER GALLAGHER:
Well, we -- every pilot has that. There's a limit to how many hours they can fly within a given time by FAA regulations.

LEG. FISHER:
Right. So if we're talking about using overtime, then can't we run into problems with that?

COMMISSIONER GALLAGHER:
We'd have to be -- in other words, it's the Aviation Section's obligation to try to keep constantly balancing their pilot time, so that they don't run over the time, yeah, that they don't run out of time. You know, nobody can foresee with absolute certainty that, at times, we're going to have to stand down because a pilot's time is up. That has happened in the Islip operation, too, where we have to wait until the pilot can, you know, take over again. But I think the operation going on at Gabreski, remember, they're there on a stand-by basis, so the amount of actual flight time would be what would be the critical issue there.

LEG. FISHER:
I see. Okay. With regards to the lease situation out at Gabreski, could you --

COMMISSIONER GALLAGHER:
The what?

LEG. FISHER:
The leasing of the --

COMMISSIONER GALLAGHER:
Oh, I'm sorry.

P.O. TONNA:
The hangar.

LEG. FISHER:
Of the hangar.

COMMISSIONER GALLAGHER:
We have an -- we have a cost in the agreement for -- in the estimate for hangar rental. I don't know anything about, you know, in terms of



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the actual status of the present lease or the -- or what -- just what we are about with the space we have there.

LEG. FISHER:
Okay. Commissioner, based on the experience that we have had at Gabreski, the pilot program, apparently, was successful, because we continued. Did you see -- did you see enough of a difference to warrant your support? Is that why you're supporting this, because of actual data?

COMMISSIONER GALLAGHER:
Yeah. Well, what I did was I rely on the Health Department at that point in terms of the medical necessity for the -- the helicopter usage is a two-pronged operation here, you know, for the Police Department. Our basic usage for the craft out east is in Medevac purposes, but there are -- you know, helicopters are also used for police purposes also.

LEG. FISHER:
Right.

COMMISSIONER GALLAGHER:
We do searches, we do search and rescue operations, we -- pursuits, other kinds of -- other kinds of operations.

LEG. FISHER:
We were pretty educated with that when we were shopping for helicopters.

COMMISSIONER GALLAGHER:
Okay. So you know that there are --

LEG. FISHER:
Yes.

COMMISSIONER GALLAGHER:
-- all kinds of reasons we need them. In the East End, as I said, the primary use of the helicopter has been for medical evacuation purposes, although East End police are very pleased to have a helicopter, you know, within closer proximity to them to be able to use them for their purposes, too. And in those -- in that area, I rely on the medical evacuation area, I rely on the Health Department. Dr. Alicandro is here, and her figures that she has supplied to us, you know, over the last few weeks, looking back on the service in these past months, would definitely indicate that, you know, there's a medical -- there's a valid medical necessity to having a helicopter on the -- in the definition by -- again, the medical terms, definition of "trauma," etcetera. There have been enough calls that have been, obviously, validated by the seriousness of the medical emergency that would validate the need to have a craft that could give you that much less time to respond to the emergency.

LEG. FISHER:
Okay. So, certainly, this is data-supported and --



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COMMISSIONER GALLAGHER:
It is, yeah.

LEG. FISHER:
Okay.

COMMISSIONER GALLAGHER:
Yeah, it is.

LEG. FISHER:
Thank you very much, Commissioner.

P.O. TONNA:
Okay. Legislator Alden.

LEG. ALDEN:
Hi, Commissioner. On the handout that we just got, 0700 to 2300, that's like military hours, is that what we're talking about there?

COMMISSIONER GALLAGHER:
Those are -- yeah, those are --

LEG. ALDEN:
Hours of operation?

COMMISSIONER GALLAGHER:
There would be 16 hour, what we call a two-tour operation, yeah.

LEG. ALDEN:
Okay. So 0700, that's 7 A.M.

COMMISSIONER GALLAGHER:
Seven A.M. to 11 P.M.

LEG. ALDEN:
Eleven P.M. And seven days a week?

COMMISSIONER GALLAGHER:
Yes.

LEG. ALDEN:
Okay. Is there an impact as far as --

COMMISSIONER GALLAGHER:
Seven days a week.

LEG. ALDEN:
That's correct?

COMMISSIONER GALLAGHER:
Yeah.

LEG. ALDEN:
Okay. Is there an impact as far as a PBA contract or anything -- if we establish a permanent post, are we going to have to put separate command people there, or will the command still be over at MacArthur?



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COMMISSIONER GALLAGHER:
No. The command still is housed at MacArthur, so there's not an issue of creating a new charter, a new command. They're just -- they're operating understand at a different duty station.

LEG. ALDEN:
And strictly pilots, they'll have their ready station and things like that?

COMMISSIONER GALLAGHER:
Pilots, medical personnel from -- paramedics will be stationed there. That's separate from our operation from Stony Brook. I think, from time to time, a helicopter mechanic will be -- will be needed to take flight -- you know, do flight mechanic checks, but that's just they bring them in from -- they would bring him in from MacArthur.

LEG. ALDEN:
Mission statement or protocols, the primary mission of the Police Air arm is for police work; is that correct or is that not correct?

COMMISSIONER GALLAGHER:
By our definition, yeah. Police helicopter is a police vehicle. It's primarily used for police purposes.

LEG. ALDEN:
Okay. What I just want to, and I have concern over this as far what's the protocol going to be as far as availability of these helicopters? Because now we're separating the two helicopters, and from what I remember, you know, when I took the tour and things like that, we do have periods of time when at least one helicopter and sometimes two are down either for repair or servicing.

COMMISSIONER GALLAGHER:
Well, a helicopter has to go down for repair, it has to go down for servicing every so many hundred hours, you know, regardless of what you're using it for. When you reach flight time of a certain number, you have to put it down for repair. As far as protocol, you have to remember, Legislator Alden, within the definition of a police purpose would be -- you know, our job is to protect life and property. So, if your life is in danger, that would take precedence over the use of the helicopter for a property search or, you know, if it's a life and death situation, the Medevac -- the Medevac operation would take top priority.

LEG. ALDEN:
Okay. Do you foresee any time when two helicopters could be out of service, possibly?

COMMISSIONER GALLAGHER:
I believe so, yes.

LEG. ALDEN:
So we only have three; is that correct? We did sell the other two off?



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COMMISSIONER GALLAGHER:
We have -- yeah.

LEG. ALDEN:
So we have the three helicopters. What would be the protocols, then, that'd we'd establish, as far as --

COMMISSIONER GALLAGHER:
I think, like as always, when we're down to one helicopter, it's then -- it's then kept just on a stand-by basis for the most urgent priority runs.

LEG. ALDEN:
Okay.

COMMISSIONER GALLAGHER:
I mean, you just -- you just have to use discretion. You have to leave it to the discretion of the pilots.

LEG. ALDEN:
Okay. Now, do we coordinate with EMS Services and tell them that, you know, like our helicopter is not available, or something along those lines?

COMMISSIONER GALLAGHER:
Yes.

LEG. ALDEN:
Okay, because -- and that's part of that new 800 --

COMMISSIONER GALLAGHER:
Well, when they call for Medevac service -- well, I'll give you another -- a more prosaic example is helicopters cannot fly in many kinds of weather that, you know, you may not keep -- fog, for example, you know, they can't fly in a foggy condition. So when the call comes in, the immediate dispatch -- the dispatcher who requests gets aviation base and they are told immediately whether there's an availability or not. So that goes back to the ambulance or the fire chief that's asking for a Medevac, would be told immediately there's not -- it's just not available.

LEG. ALDEN:
Now, Legislator Fisher had pointed out to us earlier that this was done out there as a pilot program.

COMMISSIONER GALLAGHER:
Yes.

LEG. ALDEN:
Okay. Do we have all the documentation and everything and the report as far as --

COMMISSIONER GALLAGHER:
Well, we've kept --

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LEG. ALDEN:
-- number of missions and things like that?

COMMISSIONER GALLAGHER:
Yeah, we've kept statistics. Yes, the Aviation Section has kept statistics on the number of missions flown month to month, but that's done as a routine. And, as I said, they all justify the presence of a helicopter out at the East End, you know, in terms of the numbers of times that they have flown missions that in the -- in the opinion of the medical experts were valid medical life and death missions.

LEG. ALDEN:
Do we keep track of -- in a statistical basis times when Medevac was requested, but wasn't sent for whatever reason, whether it's fog or weather, things like that?

COMMISSIONER GALLAGHER:
Yeah, it's kept.

LEG. ALDEN:
And do we track the -- what happened to that patient?

COMMISSIONER GALLAGHER:
No, we don't track. We do not track the --

LEG. ALDEN:
Who would I be able to get that information, or where would you suggest me to go to to find that information out?

LEG. TOWLE:
Doctor Alicandro.

COMMISSIONER GALLAGHER:
The Emergency Health Services? It's a tricky statistics, I think, because the patient then becomes -- I mean, there's -- you know, as always, there's the option to take the patient by ambulance to the most -- you know, to the nearest hospital. Usually, the Medevac is requested on the basis of the need to go to a trauma center, with Stony Brook Hospital being the Level 3 trauma center that we have out here.

LEG. ALDEN:
Right. So something, an injury that would be time sensitive, like we heard before testimony that bleeding into the brain, that's a minute by minute type of situation.

COMMISSIONER GALLAGHER:
Yeah. I think when you don't have the helicopter -- you know, I shouldn't even speak as an expert, but -- and I'm not, so I just would -- I would assume that then you'd go to the nearest hospital.

LEG. ALDEN:
If there's anybody out there that has a card in and they can address that, I would just ask --



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LEG. TOWLE:
Dr. Alicandro.

LEG. ALDEN:
-- to be able to -- you know, either that, or see me after, you know, like afterwards, or my Aide is around here somewhere, too.

LEG. TOWLE:
Mr. Chairman, can Dr. Alicandro join us to be able to answer the medical questions for Legislator Alden?

P.O. TONNA:
Yeah. John, just --

COMMISSIONER GALLAGHER:
Sure.

P.O. TONNA:
Yeah.

DR. ALICANDRO:
I don't know specifically cancelled calls. .

LEG. ALDEN:
Hold it just one second, please.

DR. ALICANDRO:
I'm sorry.

LEG. ALDEN:
I can't hear.

LEG. POSTAL:
Could you use the microphone?

LEG. FIELDS:
Talk into the microphone.

LEG. FOLEY:
Speak closely into the mike.

LEG. FIELDS:
Closer to the mike.

DR. ALICANDRO:
I'm sorry. I'm Dr. Alicandro, Medical --

LEG. ALDEN:
No. I'm hard of hearing a little bit.

DR. ALICANDRO:
Medical Director of EMS. I don't know specifically canceled calls, what the outcomes were, but I do know that there were 52 secondary transfers from nontrauma centers to the trauma center from out East in this time period when the Medevac was there, presumably, because it was unavailable, or they had an {unmanaful} airway and had to



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immediately move to the nearest hospital. There were 52 of them, several of whom had time dependent entities, such as cerebral hemorrhage, penetrating trauma to the torso, requiring operative intervention, pericardiotomy, penetrating neck injuries that required exploration. Cervical fractures, pelvic fractures, multiple trauma burns, ruptured globe, a child with a kidney laceration, those kind of things were secondarily transferred, presumably because of unavailability

LEG. ALDEN:
What's the number of your office? I'm going to have my office follow up on -- you sound like the person I can get the --

DR. ALICANDRO:
35802 is my number.

LEG. ALDEN:
Thank you very much.

P.O. TONNA:
Thank you, Doctor. Are you done?

LEG. ALDEN:
Yes.

P.O. TONNA:
Okay. Next on the list is Legislator Carpenter. No? Okay. No? Caracappa now. Legislator Caracappa.

LEG. CARACAPPA:
Thank you, Mr. Chairman. Basically, most of my questions were answered, but one did arise while the Commissioner was speaking. Commission, with relation to the three vessels that we have, the two MD's and I believe the A Star, does that rotate with regard to what stays at Gabreski and what's at MacArthur, or does one of the MD's, since we've received them, or the A Star, does that stay at Gabreski when it's stationed there during the time we have service?

COMMISSIONER GALLAGHER:
Well, I'm not sure of your question, but I'm going to defer to Aviation, to Lieutenant Blosser.

LEG. CARACAPPA:
Lieutenant, won't you come up and just --

LIEUTENANT BLOSSER:
Sure. Lieutenant John Blosser, Suffolk County Police Department Aviation Section.

Legislator, to answer that question, what we did last year and we plan to do this year --

LEG. FISHER:
Can you speak closer to the mike?



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LIEUTENANT BLOSSER:
Sure. Is that better?

LEG. FOLEY:
Yes.

D.P.O. POSTAL:
Thank.

LIEUTENANT BLOSSER:
What we did last year and we'll plan to do this year is, if both of the Explorers are in service, one will be at Gabreski and what will be at MacArthur. If one Explorer is down and one Explorer is in service, then the A Star will be at Gabreski and the Explorer will be at MacArthur, because there are more calls west and the helicopter is manned 24 hours, whereas the Gabreski operation is 16 hours. And if we go down to only one helicopter in service, it would be at MacArthur.

LEG. CARACAPPA:
Okay. While you're -- don't go away. While you're up there, and I know you've worked diligently with regard to the lease negotiations, and getting the hangar space out in Gabreski squared away for the next

upcoming season. I see the look on your face --

LIEUTENANT BLOSSER:
Oh, yeah.

LEG. CARACAPPA:
-- and I can -- I and Legislator Guldi can relate to your -- to that look. How is it going with relation to Risk Management looking into the insurance? I don't know if we should be speaking about this on the record, Counsel, but if I cross the line with relation to any questioning, just let me know.

MR. SABATINO:
I'm listening.

LEG. CARACAPPA:
How's it going with checking in with Risk Management and checking into the insurance problems that we face with the hangar insurance and likewise?

LIEUTENANT BLOSSER:
I haven't heard back from them recently or spoken to Theresa Allar, but my understanding was the Space Management Subcommittee approved the lease of that hangar contingent upon the resolution of that question, whether it was the owner's responsibility to provide that insurance whether we were there or not, or whether it was just a question if he had to have it because we were there, and insofar as I understand, that was -- it was still contingent upon that and we were going to be leasing it either way, pending settlement of that consent.

LEG. CARACAPPA:
Thank you, Lieutenant.



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LIEUTENANT BLOSSER:
You're welcome.

P.O. TONNA:
Okay. Legislator Towle.

LEG. HALEY:
Roll call.

LEG. TOWLE:
Yeah. Thank you, Mr. Chairman. Just on Budget Review, if I could. Jim, the offset on the resolution was the retirement account, correct?

MR. SPERO:
Yeah. Well, there's two resolutions, one is retirement --

LEG. TOWLE:
But let's --

MR. SPERO:
-- the other is the contingent account for salaries.

LEG. TOWLE:
Yeah. Let's use the 12190 resolution for the purpose of the conversation. Right? That's the 60,000 and change. That was out of the retirement account, right?

MR. SPERO:
Right.

LEG. TOWLE:
Is there $145,989 in that account? Can Budget Review check that, please? Obviously, that's the number the Police Commissioner is now presenting.

MR. SPERO:
Right. We can't say for certain until we get the estimated bill from the Retirement System. In July it usually comes.

LEG. TOWLE:
Okay. But what would be your opinion based on looking at the account? Obviously, you gave me that as the offset, so there was --

MR. SPERO:
Yeah, becaue we -- actually, we have a dearth of offsets right now.

LEG. TOWLE:
Okay.

MR. SPERO:
So we used the retirement, but we can't say with any certainty that there'll be extra money there until we get the estimated bill in July from the State.

LEG. TOWLE:
Okay. What would your opinion, though, on the 145,989?



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MR. SPERO:
Well, we didn't -- when we did our budget review, we did not identify extra money in that account.

LEG. TOWLE:
Okay. So what does that mean in English?

MR. SPERO:
That means --

LEG. TOWLE:
There is 145,000, there isn't?

MR. SPERO:
That means it's a -- that means using it as an offset is a crap shoot at this point in time.

LEG. TOWLE:
So why did we use the 69,000 out of that account for an offset?

MR. SPERO:
Because we don't have a lot of good offsets to -- places to go to in the budget that we could say, "Oh, yeah, there's extra money here," to take it.

[SUBSTITUTION OF STENOGRAPHER - ALISON MAHONEY]

LEG. TOWLE:
Go to the second offset for a second that you used the 285,000; you took that out of what?

MR. SPERO:
That was the contingent for salary increases.

LEG. TOWLE:
Okay.

MR. SPERO:
That's also a crapshoot insofar as if the SOA contract is not settled this year there'll be extra money, if the SOA contract is settled this year there won't be enough money.

LEG. TOWLE:
Okay.

MR. SPERO:
And what the out -- what the status is of the SOA contract settlement is at this point in time I can't say.

LEG. TOWLE:
Okay. So the bottom line is, Jim, based on the Commissioner's numbers, assuming that everything is righty -- and I'm not going to argue the numbers because this looks like a pretty thorough report -- you know, fuel and parts, I mean, I guess that's -- I'm not sure which breakdown on the $77,252 is parts or fuel, but excluding that point,

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we obviously need to come up with 145,989 -- I'm assuming you've seen this, what the Commissioner handed out?

MR. SPERO:
No, I haven't seen it.

LEG. TOWLE:
Maybe I'll pass my copy over to you.

LEG. CARACCIOLO:
Fred?

LEG. TOWLE:
Yeah, go right ahead, Mike; if the Chairman will recognize you, it's fine with me.

LEG. CARACCIOLO:
Mr. Chairman?

LEG. TOWLE:
He wanted to interrupt me.

P.O. TONNA:
Legislator Lindsay, then --

LEG. CARACCIOLO:
I understand, but I --

LEG. TOWLE:
He wanted to interrupt me.

LEG. CARACCIOLO:
Right.

P.O. TONNA:
Excuse me?

LEG. CARACCIOLO:
He's extending a courtesy to --

P.O. TONNA:
No, no. You're going to get a chance to talk.

LEG. CARACCIOLO:
You know --

P.O. TONNA:

Legislator Caracciolo, you're going to get a chance to ask questions.

LEG. CARACCIOLO:
Well, while people are focusing on the offsets, I think it's very important --

P.O. TONNA:
Michael, you're going to get a chance to talk.



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LEG. CARACCIOLO:
I'll wait, Paul.

P.O. TONNA:
Just wait your list for every single person.

LEG. CARACCIOLO:
I know, I know, I understand.

P.O. TONNA:
There's no grand scheme or plot, it's just a matter of common courtesy. You want to be recognized, come to me, I put your name on the list and you're recognized. Right now Legislator Lindsay is recognized when you're done. There's no buying time getting -- this isn't the halls of Congress, this is a very simple process.

LEG. CARACCIOLO:
That's for damn sure.

P.O. TONNA:
That's right, right. They got it really right.

LEG. GULDI:
Put me on the list, Paul.

P.O. TONNA:
Thank you. See how Legislator Guldi did it; "just put me on the list, Paul". It's very easy.

LEG. TOWLE:
Commissioner, if I can just --

P.O. TONNA:
Okay, Legislator Towle, when you're done then Legislator Lindsay.

LEG. TOWLE:
Okay, thanks. I wanted to just go over the number but I've done that. Commissioner, is there anything else that's in 1190, the first bill that we moved out on the floor today, that -- you know, is there

anything missing from your perspective as to what you need to administer this task? I mean, obviously the issue is the money, we understand that, it's 145,989, the bill called for 69,000 I think; I gave somebody my packet, I think one of you guys just took that. It called for $69,000 even, we've obviously got to change that amount, but is there anything else in the packet of concern to you that we've not addressed?

COMMISSIONER GALLAGHER:
No.

LEG. TOWLE:
Okay. I would ask the Chairman if he could have a representative of the County Executive's Office join us. Because if the only issue or problem the Commissioner has with the bill, then my thought would be to ask the County Executive's Office for a CN tonight so that we could



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address this and move this with the corrected amount in the bill, since I obviously cannot correct the bill on the floor at this point.

P.O. TONNA:
Isn't it so good that we've had time to let the Commissioner come and talk so that we could maybe even come up with a CN? It's a good idea.

LEG. TOWLE:
It's a great idea.

P.O. TONNA:
I would ask that somebody from the County Executive's Office, Todd, if you're around or anybody else, if you guys can come here. Maybe in the meantime, Fred, I can pass it on to somebody else and we'll get back to that issue when they come.

LEG. TOWLE:
That's fine.

P.O. TONNA:
Okay, Legislator Lindsay, then Crecca, then Caracciolo, then Guldi.

LEG. LINDSAY:
Yeah, Commissioner, does operating from two locations have any effect on the number of vessels that we have? In other words, will that --

will it necessitate the need for another helicopter somewheres down the line?

COMMISSIONER GALLAGHER:
You know, it's a tough question to speculate on. You know, in other

words, I think operating from two locations doesn't necessarily mean you're going to be doubling the amount of time you're going to be putting demands on the -- you know, the time demands on the helicopter will not double. It will increase the number of calls to I think for medical evacuation with the knowledge on the part of the chiefs and the EMS personnel out east that there is one available, they will make those, you know, protocol decisions more easily I think. I am very pleased to report from the medical review that's been done by the Health Department, those decisions have been outstanding in that they have by and large been correct. You know, for the vast majority of them the Health Department concurs on review that these were proper decisions, you know, that you did need a medevac.

So what I'm saying is that that decision, if you look at it from that context, in that minor, that decision would have had to be responded to by a helicopter anyway, whether we were coming from McArthur or coming from Gabreski; the type of call that came would have been a call that we would have to respond to because of the traumatic nature and the serious nature of the medical emergency. So I don't think that having it out there is going to dramatically increase the amount of flight time on to the helicopter. What it will do is by having two locations, I think just common sense would tell you that, you know, two locations mean you're trying to keep two craft going at the same time. And with the very stringent requirements for helicopter send down and actually every so many hundred hours there's a complete 30



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day out-of-service review of the helicopter, it has to be taken out of service for a full 30 days, literally taken down and rebuilt.

So with all of those conditions, it does mean that having -- you know, trying to juggle enough helicopters with three to make two locations always staffed, that does raise -- it raises some logistical call problems, yes.

LEG. LINDSAY:
But there's no plans at this point if we go ahead with this to request another helicopter.

COMMISSIONER GALLAGHER:
You mean a fourth helicopter for us?

LEG. LINDSAY:
Yeah.

COMMISSIONER GALLAGHER:
I never say never Mr. Lindsay.

LEG. LINDSAY:

All right. Just one other

COMMISSIONER GALLAGHER:
Life is, you know, one of those things --

LEG. LINDSAY:
One other question about your sheets here. So we need 145,989 to operate from Gabreski for the rest of 2002 of what we have already budgeted.

COMMISSIONER GALLAGHER:
That's our estimate, yes.

LEG. LINDSAY:
And for the full year 2003 we need $829,000?

COMMISSIONER GALLAGHER:
That's, again, an estimate based on some variables that could change such as hangar rental, but that's the best we can give you.

LEG. LINDSAY:
Okay, thank you. I just have one question for Budget Review, though.

COMMISSIONER GALLAGHER:
I'm sorry, another variable that can change. I said this in Public Safety, Legislator Carpenter's committee, that we do have another variable, that's personnel. Because of the military commitments of some our of pilots, you know, the variable there would be the availability of pilots, the amount of pilots that would have to be put on overtime to keep the operation going. It's something I can't predict based on military call-ups, but right now we think we're pretty certain as to the pilot availability that we will have for the coming year and we're actually in the process of training three



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additional pilots.

LEG. LINDSAY:
Thank you. Could I just ask Budget Review, and maybe it's something that Legislator Towle could, in his deliberations with the County Executive -- is it possible to combine 90 and 91 and come up with -- I mean, could you say with some certainty by combining the contingency fund and the retirement fund we could come up with the 145,000?

LEG. TOWLE:
Legislator Lindsay, would you suffer an interruption? Because I just had a conversation with Fred Pollert that I could share with you in that regard. Apparently he met this morning -- if the Chairman would

recognize me, I guess, I better ask that first.

P.O. TONNA:
Yes.

LEG. TOWLE:
Okay. Apparently he met with Ken Weiss this morning and there appears to be some --

LEG. CARACCIOLO:
Consistency, I love it.

LEG. TOWLE:
-- consensus that they prefer to use the contingency account as opposed to that account. As I just explained to Fred Pollert, I'd have no problem with using that account, and obviously Fred was going to join us to have that conversation but I imagine he walked back out to have that conversation with the County Executive's people. So maybe we can get him in here on that.

LEG. LINDSAY:
But we were told by Budget Review that we can't count on the 145,000 from the contingency fund; am I right?

LEG. TOWLE:
Yeah, I heard what Jim said and Fred also said very similar things but added a couple of other things that I think you ought to hear as well.

LEG. LINDSAY:
All I'm saying is maybe between the two funds you can come up with the offset.

LEG. TOWLE:
Yeah. There appears to be more of a consensus to go to the contingency.

P.O. TONNA:
Okay. Fred, Fred, we'll get you recognized. Okay, next is Legislator Crecca.

LEG. CRECCA:
My questions were pretty much answered, I'll just ask one quick question I think I know the answer to, Commissioner. The Aviation



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Unit is funded out of the General Fund, there's no place -- you don't have a source in there at this point as an offset of the 145,000 within your own budget.

COMMISSIONER GALLAGHER:
In the Aviation Unit?

LEG. CRECCA:
No, in the General Fund Police Budget.

COMMISSIONER GALLAGHER:
No, our budget --

LEG. CRECCA:
It's pretty tight.

COMMISSIONER GALLAGHER:
We follow budget, standard budget operating procedures as dictated by the Legislature. Our budget is accounted for to the last penny.

LEG. CRECCA:
Okay, that's all. Thank you, Commissioner.

COMMISSIONER GALLAGHER:
And I stick to that statement.

LEG. CRECCA:
Okay, thank you.

COMMISSIONER GALLAGHER:
I believe -- is the Aviation section funded from 01 or from 15?

LIEUTENANT BLOSSER:
01.

COMMISSIONER GALLAGHER:
01, the General Fund.

P.O. TONNA:
Okay. All right. You're done, Legislator Crecca?

LEG. CRECCA:
That's it.

P.O. TONNA:
Great. Now we go on to Legislator Caracciolo. See? Patience is a virtue.

LEG. CARACCIOLO:
First I would like to pick up on -- well, maybe I'll do the reverse order because I want to get back to the off. Because during the budget process additional monies were put into social security account. So while I'm going to come back to it, Jim, I'd like you to tell me how much was budgeted by the County Executive and how much was added to

the social security account by the Legislature? I'll give you a few minutes to look that up and I'll get back to that point.



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Commissioner, what is the current size of our fleet operations in terms of helicopters?

COMMISSIONER GALLAGHER:
We have three.

LEG. CARACCIOLO:
And historically how many have we maintained; what was our peak?

COMMISSIONER GALLAGHER:
Three, I don't think we've ever had more than three.

LEG. CARACCIOLO:
Three, okay. Several years ago we had an accident and one was severely damaged, had to be replaced, and the Legislature authorized the replacement with the two new helicopters, medevac helicopters. What are they --

COMMISSIONER GALLAGHER:
I believe we replaced the damaged craft also. The two were separate and discrete from the replacement of the damaged craft.

LEG. CARACCIOLO:
Okay. So the --

COMMISSIONER GALLAGHER:
That was replacement insurance reimbursement.

LEG. CARACCIOLO:
Okay. The current age of the fleet is how old?

COMMISSIONER GALLAGHER:
The present fleet? Two new helicopters --

LIEUTENANT BLOSSER:
The two MD's are just approaching a year in May and June respectively and the A-Star will be two years old in September of 2002.

COMMISSIONER GALLAGHER:
That's the A-Star that replaced the one that went down.

LEG. CARACCIOLO:
Lieutenant, rather than get up and down, I may have some more questions that you might feel that you can augment in terms of --

COMMISSIONER GALLAGHER:
Sure, we'll stand here together.

LEG. CARACCIOLO:
Okay. Given the geographical size of Suffolk County, over 900 square miles. How do we compare with other police/law enforcement jurisdictions that have the same duties and responsibilities as our police department in terms of providing medevac and air patrol.

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COMMISSIONER GALLAGHER:
That I don't know in terms of being able to make easy comparisons. You know, some -- police -- some other police jurisdictions with that many, 933 and so on square miles, are very rural, some are contained cities, urban centers. I don't know that there's an easy comparison, perhaps the aviation people would know, like if there's some place in --

LEG. CARACCIOLO:
Okay. For example, Nassau County.

COMMISSIONER GALLAGHER:
Nassau County?

LEG. CARACCIOLO:
Three hundred square miles, how many choppers do they fly?

LIEUTENANT BLOSSER:
Nassau, until last year, had four; they have some fiscal problems, they sold one, now they have three.

LEG. CARACCIOLO:
For 300 square miles.

LIEUTENANT BLOSSER:
That's correct.

LEG. CARACCIOLO:
Okay. I think that's an important matter for the record to reflect, that here we're servicing a population that's slightly larger than Nassau County but we're geographically three times the size of Nassau County. So from a policy perspective, and this is the policy making body, that's something to take up in the future and address because clearly we do not have an ample size fleet to address the needs of the people of Suffolk County. Let me go to the budget of the Police Department. What is total annual budget for the Police Department? It's in excess of 4300 million.

COMMISSIONER GALLAGHER:

Oh, easily, yeah. I'm trying to remember what it was this year. Jim --

LEG. GULDI:
It's in excess of 350.

LEG. CARACCIOLO:
I think it's closer to $350 million.

COMMISSIONER GALLAGHER:
Yeah, it's closer to 400 million.

LEG. CARACCIOLO:
Okay, 350 million, I hope the Chairman heard that, I hope my colleagues heard --

P.O. TONNA:
350 million, I heard it.

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LEG. CARACCIOLO:
Right, a lot of money. And that money is paid for, a portion of that money is paid for by residents of this entire County, not just the police district. In terms of we -- well, let me ask you this question, Commissioner. In your opinion, do you believe there is justification for a medevac helicopter in two, not one location, in Suffolk County?

COMMISSIONER GALLAGHER:
Yes. The pilot period that we just finished, you know, added on to the extension of the pilot that this Legislature provided for by a policy that they made, yeah, would indicate to me certainly that there's a justification for two locations, yes.

LEG. CARACCIOLO:
Let me take this opportunity to commend you and Chief Robilotto and others in the department who have made a difference in pairing down some of the excessive costs that historically your predecessors and others were unable to contain. I think when you look at some of the efficiencies you have been successful with, clearly we could locate some funding for year-round helicopter service at Gabreski.

I want to go back to Budget Review; are they still out of the room? Okay.

LEG. LINDSAY:
He's over here passing out paper.

LEG. CARACCIOLO:

Okay. Is Fred Pollert here, Jim?

MR. SPERO:
He's in the back.

LEG. CARACCIOLO:
Okay. Could Fred Pollert, if you could hear my voice, come into the horseshoe? I bring this up, Mr. Chairman, because what I'm about to discuss came up during the Budget Committee meeting and it's very relevant to the offsets.

Because contrary to the representations that some would like to make, money was padded, P-A-D-D-E-D, in that account so that there would be an excess appropriation to be used for other things. Well, I can't think of any better thing than to use that padded money in social security account, money that won't be needed. Contrary to all the gobbly gook, "Oh, we don't know if we'll make it to the end of the year," and all of that nonsense, it's padded; there's $2 million in excess put in that account. So let's find the hundred, $200,000 that we're talking about here and let's take care of this vital need for all the people of Suffolk County. Thank you.

Applause

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P.O. TONNA:
Okay. Legislator Guldi, you are next.

LEG. GULDI:
Commissioner, thank you for coming down. I've got -- I'm going to ask just some very specific questions because I'm looking at the cost estimates for operations and I'm having a little trouble with the math; maybe you can help me or you with the people who helped you prepare this.

Correct me if I'm wrong, I think I heard you say and I have statistics here that show for the mission period for the pilot period there were 195 medevacs flown out of Islip and 99 flown out of the east end, roughly.

COMMISSIONER GALLAGHER:
For the pilot period.

LEG. GULDI:
For the pilot period.

COMMISSIONER GALLAGHER:
Yeah, I believe that's correct.

LEG. GULDI:
And if I understood your testimony here correctly, it was your opinion, after reviewing the Health Department's work, that virtually every one of those missions required the use of the helicopter and the helicopter would have had to be flown anyway.

COMMISSIONER GALLAGHER:
On the east end, yes.

LEG. GULDI:
Well, as well as the west end I presume.

COMMISSIONER GALLAGHER:
The west end had some -- let's say a slightly higher level of questionable missions, but not significant.

LEG. GULDI:
Okay. But basically all -- let's call it 300 missions or thereabouts would have been flown anyway but for second-guessing some of the emergency judgment calls that might be made with the benefit of hindsight.

COMMISSIONER GALLAGHER:
Yes, that's correct.

LEG. GULDI:
The question I have is if you are flying a third of the missions, roughly, from the east end airport and you're flying shorter distances for the same missions, aren't you going to be flying fewer hours providing, therefore, less wear and tear, less fuel and less part demands than you would if you flew the same missions from the single location in the County?



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COMMISSIONER GALLAGHER:
I don't know, I don't have the answer to that.

LEG. GULDI:
See, that's the trouble I'm having. If you are flying from Gabreski to Montauk it's a 20 minute flight.

COMMISSIONER GALLAGHER:
I understand what you're saying.

LEG. GULDI:
If you're flying from McArthur --

COMMISSIONER GALLAGHER:
I don't know that the premise is a valid premise, but I'll ask

Lieutenant Blosser because he does fly the missions, so I'd ask him to --

LEG. GULDI:
Well, aren't you flying the missions -- Lieutenant, aren't you flying the missions from the closest airport subject to the availability of the chopper with the few exceptions of a dozen or so missions that were flown the opposite direction on an availability basis?

LIEUTENANT BLOSSER:
Yes, sir we are. The problem here in preparing these numbers, which mostly I did, is there's a dearth of statistics available to compare because we've only done it for a year. I can only hazard a guess just by examining prior years flight records and being there before this happened. I think there were some patients that would not have been medevaced but for the fact that their ETA was shorter, so --

LEG. GULDI:
Right, but they should have been medevaced obviously is the result demonstrated from our pilot program, but they weren't medevaced because of the unavailability or distance the helicopter was from where the medical need existed.

LIEUTENANT BLOSSER:
We can only presume that, I don't know if it's a valid presumption. But that's the presumption we make, that there are some people that we see now that we wouldn't have seen and the reason we're seeing them is because we're closer or there's a perception by the agencies that are involved in the five eastern towns that we're better able to provide them service.

LEG. GULDI:
So basically then, were the numbers that you used for aircraft operations, parts and those -- that category which consists of the lion's share of this additional cost, it's the largest number there, is it fair to say that you used conservative estimates from operations and not an actual detail on time flown for missions?

LIEUTENANT BLOSSER:
I took the times that we spent in 1999 and 2000 total aircraft hours



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and compared them to 2001. I also looked at the period from October through December what we actually flew in the whole east end and using those numbers as a basis for the best estimates I could make, I made the estimates. But I can definitely tell you flight time went from about 12 to 1,300 hours per year to over 1,500 hours this past year and that was when we only started in May.

LEG. GULDI:
Okay. So basically what you showed is overall time, you showed from -- projected on a pilot period at least 200, maybe as much as 400 additional hours of flight time and then you did a projection from that. Okay.

LIEUTENANT BLOSSER:
That's correct.

LEG. GULDI:
But it's -- the point I guess I want to get to, vis-a-vis the parts and service, the $300,000 that's in this operational figure, it's basically --

COMMISSIONER GALLAGHER:
That's for the year. That's for next year, yeah, total.

LEG. GULDI:
That's for next year, but that's rough -- it's rough estimation, we don't have the benefit of actual operations from year-to-year like we do in our general budgeting operation. We're looking at a new operation, we're engaging in a certain amount of call it educated guesswork.

COMMISSIONER GALLAGHER:
That's correct.

LEG. GULDI:
Okay, and we've been conservative in doing that.

COMMISSIONER GALLAGHER:
And I think -- yeah, another thing we're -- another gamesmanship that we're practicing here is on the general theory that if you have the service available it will be used.

LEG. GULDI:
Oh, yeah. I think that --

COMMISSIONER GALLAGHER:
So it will increase the number of uses.

LEG. GULDI:
I think that you're absolutely correct in that presumption. And I think that the September/October/December increases that we saw on the east end in the first year over the July and August figures will indicate that as east end emergency personnel realized how fast and how available the helicopter was --

COMMISSIONER GALLAGHER:
Yeah, I'm sure --

LEG. GULDI:
-- they used it and they used it appropriately.

COMMISSIONER GALLAGHER:
I'm sure that's correct.

LEG. GULDI:
The question I want to get to beyond the parts and operation maintenance question is I'm at a loss to understand the overtime calculation and how, by virtue of being -- by having two helicopters staffed at two locations, we're incurring overtime versus having the same helicopters at one location. I don't understand why having the same personnel in the same helicopters at more locations is incurring overtime; could you explain that to me?

LIEUTENANT BLOSSER:
Sure. Our minimum staffing doubles for 16 hours of the day. Today when we don't have the east end operation, the minimum staffing required is two police officer pilots per tour. When we go out at Gabreski, for two of the three tours now we need four police officer pilots, so we basically for two-thirds of the time we've double doubled our staffing requirement.

LEG. GULDI:
But would that overtime -- actually to reduce the overtime you're in the process of hiring more pilots?

COMMISSIONER GALLAGHER:
We are training three pilots which once they become the phase of certification that they reach where they could actually be involved, they could then be doing it on a straight time basis, you know, we'd reduce the overtime.

LEG. GULDI:
Okay. So what's the estimated training completion date, three months, six months or, you know, I don't know how long they've been in training; soon?

LIEUTENANT BLOSSER:
It takes about six years in the section to get fully capable, you need about 600 hours, the pilots fly about a hundred hours a year. It takes about six years from the time they walk in the door --

LEG. GULDI:
To be fully certificated.

LIEUTENANT BLOSSER:

-- to have them be fully functioning.

LEG. GULDI:
Yeah, but to fly second seat, how many hours?

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LIEUTENANT BLOSSER:
They can all do that now.

LEG. GULDI:
They can all do that now. So you're going to begin to see some overtime savings by using your new pilots at second seat almost immediately.

COMMISSIONER GALLAGHER:
Yes.

LEG. GULDI:
Okay. Given the overtime savings and the estimation, I mean, we're talking about the difference between $60,000 and $125,000 in the midst of a 300 or $400 million budget. Obviously, we're not talking about in terms of the overall budget or even that budget, the 01 account and the 15 account, the General Fund portions of that budget, we're not talking about an amount that you could call, in comparison to the whole budget, a material amount.

COMMISSIONER GALLAGHER:
That's correct. I mean, within the O1 budget there's less pool of money to reach into, but there's still a substantial --

LEG. GULDI:
I understand that. But, I mean, in the event that we -- in the event that -- regardless of the figure -- and Budget Review, Fred Pollert, as soon as you're done, this question I want you to be able to address as well. In the event whether we use the $60,000 figure or the $160,000 figure, if our actual experience of operation indicated that we were wrong by $100,000, don't we have both in the department and -- within the department itself and here at the Legislature the ability to back to this issue and address it when we find out what the actual operating numbers are? And I would like Fred Pollert and you, Commissioner, to both feel free to address that question.

MR. POLLERT:
Yes, you absolutely have the ability to come back to revisit the issue. In addition to that, the Police Commissioner can put in a budget modification administratively to move funds within his operating budget. At the end of the year we always pass housekeeping resolutions which reconcile all the accounts.

LEG. GULDI:
So the difference between the $60,000 bill and the $120,000 is not material and when we have the reality of what it would actually cost us by the end of the year, we can always address it as part of our housekeeping at that time.

COMMISSIONER GALLAGHER:
Yeah. The only thing is I'm not sure, Legislator Guldi, what the 120,000 figure, is that --

LEG. GULDI:
I'm just looking at the two bills before us. What did your figure estimate, that the --



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COMMISSIONER GALLAGHER:
A hundred and forty-five thousand.

LEG. GULDI:
A hundred and forty-five, I stand corrected, 145 versus 88,000 I think is the --

LEG. TOWLE:
Sixty-nine.

LEG. GULDI:
Sixty-nine thousand. All right, so but still, it's 80,000 --

COMMISSIONER GALLAGHER:
It's still a difference that -- Mr. Pollert, I would concur with his people.

LEG. GULDI:
So even if there -- so there's really no necessity to address the specific number we're guessing at in the bill today. The policy issue can be determined today any adjustments in the expense can be dealt with in the ordinary course of our housekeeping throughout the year; isn't that correct?

COMMISSIONER GALLAGHER:
I would defer to Budget Review.

MR. POLLERT:
Yes, that is correct.

LEG. GULDI:
Thank you. I don't have any further questions. And thank you for being here today, Commissioner.

Applause

P.O. TONNA:
Could I just make a suggestion? All right. Could I just -- I'm next on the list and we still have four speakers. Can I make a suggestion? There's not a person here, I don't think, who's not going to vote for this. We have asked the questions, we know that we'll find the money, there needs to be a CN if we want to get the proper appropriation which is not a problem. I think, Fred, that's what you'd like to do, it's something that Legislator Carpenter suggested and Legislator Bishop. So why are we spending more time than necessary? Do we have any really more questions? Let's get the County Executive people up here, let's get this thing done and let's --

Applause

Can we just get this done?

LEG. FIELDS:
Who's next, Paul?

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P.O. TONNA:
I got Legislator Tonna, I was next. Okay, you, go ahead, legislator Fields.

LEG. FIELDS:
Commissioner, I just --

P.O. TONNA:
Then Legislator Caracciolo, then Legislator Towle.

LEG. FIELDS:
I just wanted to know how many actual pilots do we have in the Suffolk County Police Department?

COMMISSIONER GALLAGHER:
Now, as of right now? Seventeen Police Officer Pilots and three supervisor pilots, so that's 20.

LEG. FIELDS:
And -- well, I'm a little confused then. If you have 17 pilots, why would there be any requirement that you might have to use overtime to --

COMMISSIONER GALLAGHER:
Because all 17 of them are not available at the same -- you know, at any given time a number of them may be on military leave, they may be on down time for their flight, you know, they're not -- they're at a

down time because they can only fly so many hours a month, they're on the normal things that police are off on anyway.

LEG. CARACAPPA:
Two per vessel, too

LEG. FIELDS:
Okay. Then the second question --

COMMISSIONER GALLAGHER:
Vacations, X days, etcetera.

LEG. FIELDS:
Okay. And the second question I have you may not be able to answer, but perhaps the gentleman with you; what is the life of the helicopter usually?

LEG. GULDI:
Two thousand or 1,500, which is it?

LIEUTENANT BLOSSER:
Are you talking about its whole entire service life or between the major overhaul and engine?

LEG. FIELDS:
No, its whole entire service life.



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LIEUTENANT BLOSSER:
That's a hard question. There are some helicopters in service today that were built in the 1940's and 50's, some are traded in after 10 to 15 years. It seems historically in Suffolk County we have kept them 15 to 20 years.

LEG. FIELDS:
Okay, thank you.

P.O. TONNA:
Is {Sinsdocken and Fendola} still in Aviation?

LIEUTENANT BLOSSER:
Yes, they are.

P.O. TONNA:
Just tell them I was asking for them.

LIEUTENANT BLOSSER:
I will.

P.O. TONNA:
All right, thank you. Legislator Caracciolo.

LEG. CARACCIOLO:
Commissioner, when one looks at the report for the east end helicopter operation, and particularly the period October 1 to December 31 of last year, there seems to be --

COMMISSIONER GALLAGHER:
Last year or this year?

LEG. GULDI:
Last year.

LEG. CARACCIOLO:
Oh, I'm sorry. This is a proposed budget --

COMMISSIONER GALLAGHER:
Yeah, that's the proposal --

LEG. CARACCIOLO:
-- based on last year's experience?

COMMISSIONER GALLAGHER:
Yeah, based on our estimates from the prior period, this is what we proposed.

LEG. CARACCIOLO:
Okay, I appreciate that clarification. When we look at last year's air operations, how many missions were flown by aviation in assist of New York City and the 9/11 situation?

COMMISSIONER GALLAGHER:
That I don't know about number of missions flown. We had craft out of service, you know, at New York City's request we were craft out of



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service at Floyd Bennet Field. I don't have the -- I'm going to guess because I remember that it went in on 9/11 and I believe we recalled -- there were three -- I believe at that time we had four craft.

LIEUTENANT BLOSSER:
We had three.

COMMISSIONER GALLAGHER:
You had three? We had three, okay. All three at one time were called in. We took one back very quickly, the other two I think were in there

approximately a week, roughly five days, seven days.

LEG. CARACCIOLO:
Okay. So do these reports reflect the air missions that were flown during that period of time in assist of New York City?

COMMISSIONER GALLAGHER:
Yes, yes, with the caveat that once New York City's operation, once the enormity of what had happened there settled in, it became less requirement for air missions on --

LEG. CARACCIOLO:
Okay. But in terms of the overtime cost --

COMMISSIONER GALLAGHER:
Because it was a recovery effort.

LEG. CARACCIOLO:
In terms of the overtime costs associated with the mutual aid to NYPD, what percentage of the total is reflected in these reports?

LIEUTENANT BLOSSER:
Very small.

COMMISSIONER GALLAGHER:
Very small Lieutenant Blosser says, a small percentage.

LEG. CARACCIOLO:
Very small. So that when we had a crisis we were able to muster and mobilize our Aviation Unit and maximize the use of personnel without any overtime, but on a routine basis it requires the use of overtime personnel?

COMMISSIONER GALLAGHER:
Yes.

LEG. CARACCIOLO:
Something doesn't make sense there.

COMMISSIONER GALLAGHER:
Well, because New York City was not a crisis that required a constant use of overtime for pilot time, they were stand down most of the time, they were really on the non -- you know, they were there only on a stand-by basis. And then, again, very little amount of our overtime was concurred in actually having those pilots available in New York



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City. But this is more or less a realistic picture of the amount of overtime it's going to require to put a pilot out -- you know, to

take -- as Lieutenant Blosser said, you've doubled the need for personnel on 16 hour a day, on a 24 hour day, 16 hours of those days you're going to be doubling the need for personnel.

LEG. CARACCIOLO:
On the internal correspondence that's part of the resolution, it appears to be like a monthly report on aviation operations, and it has different categories and I just want to make sure I'm interpreting the information correctly. It says "Mission totals, total missions originating west, 167," this is on the 8/27/01 report. "Total missions originating east, 79." Could you explain to me what that correlates with?

COMMISSIONER GALLAGHER:
When you have a craft at Gabreski and you call for a need for a helicopter out of the east end, it originates east meaning originates out of Gabreski. Oh, I'm sorry, the call originated out of the east end; outside of the police district, let's put it that way, I think that's the easiest way.

LEG. CARACCIOLO:
Did we keep any stats as to the deployment of the Gabreski chopper west? In other words. If you look at the total for this pilot period, on a percentage basis how often was that Gabreski craft deployed west?

COMMISSIONER GALLAGHER:
I don't know if I can give you a percentage, but we do have numbers, we have by actual count the number of times that the -- if a helicopter was stationed at Gabreski and there was a need for and no helicopter available at the west, it's a cross-hatching that goes on constantly.

LEG. CARACCIOLO:
Exactly, and I think that's a very important point.

COMMISSIONER GALLAGHER:
We would go west and the west would go east, you know.

LEG. CARACCIOLO:
That's a very important point that my colleague and I need to understand a little bit better. Because in effect, when we deploy two choppers rather than one, we are doubling the opportunity for EMS and fire service personnel calling on the Suffolk County police Medevac to assist a resident or a visitor anywhere in this County.

COMMISSIONER GALLAGHER:
That's correct.

LEG. CARACCIOLO:

That is not to be minimized and that is not to be lost on $166,000 or whatever that -- $45,000. I mean, when we looked at the tragedy at the Trade Center and elsewhere on 9/11, we saw a commission formed by the President of the United States to try to come up and put together a

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compensation package for the survivor's and widows of victims and there are going to be settlements into the hundreds of thousands of dollars, whether people had insurance or they didn't have insurance. Why? Because it was the right think to do. Continuing this year-round service is the right thing to do, I urge your support.

Applause

D.P.O. POSTAL:
Are you finished, Legislator Caracciolo? Legislator Towle is not in the room.

LEG. TOWLE:
Right here.

LEG. HALEY:
Roll call.

LEG. BISHOP:
Roll call. Call the vote.

LEG. HALEY:
Roll call.

P.O. TONNA:
Okay let me just --

LEG. TOWLE:
Are you going to recognize me?

P.O. TONNA:
I recognize Legislator Towle. Fred, let's summarize and --

LEG. TOWLE:
Yeah, I just spoke to the County Executive staff, Commissioner and the other members of the Legislature and the general public. There are two technical changes that we're going to make to Resolution 1190 in which they're going to give a CN to. One is the offset, I know Budget Review has spoken to Ken Weiss and they're on the phone with Ken Weiss right now, they told me that it would take probably 20 minutes to a half hour to have the CN ready for us to consider. There are obviously numerous cards for people that wanted to speak on this issue, we can either hold those cards in abeyance or you can address

any of those people that may still be here, that's up to the --

P.O. TONNA:
Well, at six o'clock we start voting on the budget, that's our rules. So cards or no cards, we start voting at six o'clock. I think it's probably -- it probably behooves us while we're working for your -- that's the rules, six o'clock we start voting.

LEG. CARACCIOLO:
On the agenda, you said budget.

LEG. GULDI:
Agenda.

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P.O. TONNA:
Okay, on the agenda. Anyway, so it probably behooves us to have that CN working and we'll consider it as soon as they have it, we'll interrupt wherever we are on the agenda and we'll --

LEG. TOWLE:
So I will withdraw my motion to approve 1190 for now pending the CN obviously.

P.O. TONNA:
Okay, great.

LEG. BISHOP:
Let's do the hangar question.

LEG. TOWLE:
Commissioner, you might want to hang around, though, just in case there's any questions when we get to the CN.

P.O. TONNA:
Okay, I just -- I want to recognize Legislator Carpenter for a second. Legislator Carpenter?

LEG. CARPENTER:
Thank you. I think I can speak on behalf of the Public Safety Committee, I would like to thank the Commissioner for his cooperation throughout this whole process, and the County Exec's Office.

P.O. TONNA:
And the Health Department.

LEG. CARPENTER:
And the Health Department, and the Health Department.

P.O. TONNA:
Dr. Alicondro, thank you.

Applause

All right. It must be great walking around with a piece like that, just out like that; no, I'm joking. Okay. Anyway, anything -- anything else -- John, it's nice to have somebody behind you like that, though, you know?

COMMISSIONER GALLAGHER:
They're always behind me.

P.O. TONNA:
Yeah, right, I know.

LEG. TOWLE:
I just hope they're not behind me on the way home tonight, for the record.

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P.O. TONNA:
That's fine. I'm sure you'll be flying home, Fred.

COMMISSIONER GALLAGHER:
We did make note of Legislator Towle's license plate, so.

LEG. TOWLE:
Commissioner, hang around, you can give me a ride home.

LEG. CARACAPPA:
Great job, Commissioner.

P.O. TONNA:
I have my list for who gets pistol-whipped first, but go ahead.

COMMISSIONER GALLAGHER:
The only thing I would conclude, Mr. Chairman, if that -- hopefully we are concluding.

P.O. TONNA:
Are we concluded; does anybody else have a question of the Commissioner?

LEG. HALEY:
Please don't.

LEG. TOWLE:

Mr. Chairman, I don't have any questions but I've been here before, I don't want to be here in a half hour with the CN and all of a sudden somebody thought of something and the Commissioner has gone home.

COMMISSIONER GALLAGHER:
No, I will wait. I will wait until the CN arrives. Just that Legislator Carpenter and I believe you too had requested a State of the County Public Safety -- in effect, a State of the County/Police Department meeting, message report to the Public Safety Committee; that is going to be -- I have it scheduled for the 24th, Legislator Carpenter, so you're all invited to see what's happening to all that money that we're getting in your budget.

P.O. TONNA:
I think that will be very beneficial. Thank you.

COMMISSIONER GALLAGHER:
Thank you.

P.O. TONNA:
Okay, let's -- well, we have another minute, we have time for one card.

LEG. CARACAPPA:
Does anybody else want to speak on any other issues?

LEG. BISHOP:
No, let's go to the agenda.

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P.O. TONNA:
No, our rules have one more minute left.

LEG. CARACAPPA:
Does anybody else want to speak on any other issue?

P.O. TONNA:
I can start going through the -- does anybody who is number -- you know the number of your card, 18 to 23, anybody from 18 to 23 want to speak on the medevac issue, knowing that we're going to have this? All right, it is six, okay. One other thing -- we'll have time after our agenda is complete.

One other thing, I notice that there were a number of cards that were typed and I just want to suggest -- you know, these cards are supposed to be personally handed in, not have a list of cards, you know, hand them out. I would ask -- it would be very hard to figure out how they typed them, you know, right at the place

LEG. CARACAPPA:
I want a committee formed; I want a committee formed and subpoena power.

P.O. TONNA:
All I would say is this, with the fact that -- no, I understand that, none of those cards went. But I would just say from now on in so we don't have a cardgate, okay, just the general way to fill these things out is you have to show up, you have to fill them out; it's amazing how so many people in a row have the same exact handwriting also. So I would ask that the Clerk's Office be a little more vigilant. I'm not saying you have to ID them, but one person hands in one card at a time, they don't fill them out and get it, okay? Henry, can you tell me how so many people got these cards typed and brought them back in time; no?

MR. BARTON:
We don't keep track of the stationary. The yellow cards are used in committees during committee week.

P.O. TONNA:
I'm not saying that, but if somebody comes to somebody who is collecting the cards and hands them 40 cards --

MR. BARTON:
When they handed them in it was one person.

LEG. FIELDS:
They're typewritten.

MR. BARTON:
What I'm saying is that they got the cards prior to the meeting.

LEG. BISHOP:
All right, let's vote.



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MR. BARTON:
When they turned them in, one person turned in each card.

P.O. TONNA:
Okay. We just need to be a little more vigilant of that, that's all. All right? Thank you.

LEG. FOLEY:
Let's go.

P.O. TONNA:

Okay, we go to the consent calendar. I make a motion to approve --

LEG. CARACAPPA:
Second.

LEG. GULDI:
Second.

P.O. TONNA:
-- seconded by Legislator Postal. All in favor? Opposed? Approved.

MR. BARTON:
18.

P.O. TONNA:
Okay, TABLED RESOLUTIONS:

No. 1957 - Dedicating certain lands owned by the County of Suffolk to the County Nature Preserve pursuant to Article I of the Suffolk County Charter and Section 406 of the New York Real Property Tax Law at Bergen Point (West Babylon) (Bishop). Motion by Legislator Bishop --

LEG. BISHOP:
Motion to table.

P.O. TONNA:
-- to table, seconded by myself. All in favor? Opposed? Tabled.

MR. BARTON:
18.

P.O. TONNA:
2019 - Approving an amendment to the existing connection contract between Suffolk County Sewer District No. 3 - Southwest and 110 Sand & Gravel Clean Fill Disposal Site (County Executive). Motion --

LEG. POSTAL:
Motion to table.

LEG. ALDEN:
Table.

P.O. TONNA:
Motion to table by Legislator Alden, seconded by Legislator Postal. All in favor? Opposed?

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MR. BARTON:
Mr. Chairman, please use the microphone, we can't hear you.

LEG. POSTAL:
He can't hear you, use the microphone.

P.O. TONNA:
I am using the microphone.

MR. BARTON:
We got too many people.

P.O. TONNA:
Okay, how is that?

MR. BARTON:
Much better, thank you.

P.O. TONNA:
Okay. 1957 was a motion to table, what is the count?

MR. BARTON:
18.

P.O. TONNA:
Thank you. 2019, a motion by Legislator Alden, seconded by Legislator Postal to table. All in favor? Opposed?

MR. BARTON:
18.

P.O. TONNA:
Thank you. 1000 - Imposing reverter clause on non-Brookhaven Town PILOT payments pending appeal of Gowan decision (Haley). Motion by Legislator Haley.

LEG. BISHOP:
Motion to table.

LEG. POSTAL:
Second.

P.O. TONNA:
Motion to table by Legislator Bishop, second by Legislator Postal. All in favor? Opposed? Opposed, Legislator Caracappa and Legislator Haley and Legislator Towle. Okay, thank you.

LEG. BINDER:
And Binder.

P.O. TONNA:

And Legislator Binder; there we go, back to the old times.



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MR. BARTON:
14-4 (Opposed: Legislators Caracappa, Haley, Towle & Binder).

P.O. TONNA:
Okay, here we go. Now --

MR. BARTON:
14-4, it's tabled.

P.O. TONNA:
-- No. 1012 - Authorizing the sale of County-owned real estate pursuant to Section 215 New York State County Law to Sandra Tedesco (Towle). Motion by Legislator Towle.

LEG. TOWLE:
I have 200 people to speak on this resolution.

P.O. TONNA:
Yeah. Thank you, Fred.

LEG. TOWLE:
Motion to approve.

P.O. TONNA:
Seconded by?

LEG. CARACAPPA:
Second.

MR. SABATINO:
That was tabled, we're waiting for a new calculation on the dot, we haven't gotten the new calculation yet.

P.O. TONNA:
Okay, I'll make a motion to table.

LEG. CARACAPPA:
Second the motion to table.

MR. SABATINO:
The bill was accruing interest and penalties.

LEG. TOWLE:
Yeah, my understanding was they had resolved that; I asked that question this morning, not of you but of my staff. But okay, I guess

it wasn't resolved.

MR. SABATINO:
Well, let me look. I don't see it.

LEG. HALEY:
Pass over it.

LEG. TOWLE:
Just table it and move on.

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LEG. CARACAPPA:
Second.

P.O. TONNA:
All right, there's a motion to table by Legislator Towle, second by Legislator Caracappa. All in favor? Opposed? Tabled.

MR. BARTON:
18.

P.O. TONNA:
No. 1025 - Authorizing planning steps for implementing Greenways Program in connection with acquisition of active parklands on Wellwood avenue in Lindenhurst (Town of Babylon)(Bishop). Motion by Legislator Bishop.

LEG. BISHOP:
Motion to approve.

LEG. POSTAL:
Second.

P.O. TONNA:
Motion to approve, seconded by Legislator Postal. On the motion, Legislator --

LEG. BISHOP:
This was tabled last time because the Parks Trustees had not acted upon it, they acted upon it the last time and recommended approval.

LEG. HALEY:
Second.

P.O. TONNA:
Okay, there is already a second, Marty, but that was good.

LEG. FOLEY:

Hey, Todd?

P.O. TONNA:
Legislator Alden has the floor.

LEG. ALDEN:
And I guess I'll address this to Legislator Bishop. The problems that they brought up at the Parks Trustee, the original meeting, were they all addressed? And I'll give you a few of them; the idea that it was a privately operated marina and there could be some contamination. And I know we looked at Phase I/Phase II.

LEG. BISHOP:
It's not a privately operated marina, it was a -- what they were looking at is storage of boats but it's not a privately operated marina.



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LEG. ALDEN:
Okay. Because the overhead photo of it showed a marina.

LEG. BISHOP:
It's not a privately operated marina, that was a storage of boat by boat repair.

LEG. ALDEN:
Was there a marina there, though, docks and things like that, bulkhead?

LEG. BISHOP:
There's no active dock. It may be bulkhead, I'm not sure about that.

LEG. ALDEN:
Well, the overhead that I saw showed a number of slips and that was the testimony, that there's X number of slips in there. I don't know how many --

LEG. BISHOP:
The Village of Lindenhurst went to the Parks Trustees meeting and they -- the Village Administrator told me that it's not an active private marina and that's what he told to the --

LEG. ALDEN:
Is it going to be operated as a marina?

LEG. HALEY:
It sounds fishy.

LEG. BISHOP:

It's planning steps only. And frankly, it's unlikely that we would be able to acquire it.

LEG. ALDEN:
This is planning steps?

LEG. BISHOP:
Yeah.

LEG. ALDEN:
Sorry.

D.P.O. POSTAL:
Okay, there's a motion to approve and a second. All in favor? Any opposed?

LEG. CARACCIOLO:
I abstain.

D.P.O. POSTAL:
One abstention, Legislator Caracciolo.

MR. BARTON:
16, one abstention, one not present (Abstained: Legislator Caracciolo



- Not Present: Presiding Officer Tonna).

D.P.O. POSTAL:
1025 is approved.

1120 - Approving the appointment of Barbara L. Townsend as a member of the Suffolk County Community Mental health, Mental Retardation & Developmental Disabilities & Alcohol & Substance Abuse Planning & Advisory Board (County Executive).

1120 and the subsequent resolutions. Mr. Counsel, I was under the impression that we were going to table these because there was going to be a staggered term worked out.

MR. SABATINO:
Correct. Right, we're still -- they're going to be creating a whole new system with numbering and staggered terms, it's not been done yet.

D.P.O. POSTAL:
Okay. Motion --

LEG. FOLEY:

Madam Chair, if we could hear from the County Exec's Office on this, if they have any latest word. On 1121 through eleven --

D.P.O. POSTAL:
1120.

LEG. FOLEY:
1120 through 1133. These resolutions have been tabled, as was mentioned by Legislator Postal, for a couple of meetings now and I know that the department is -- would like to move these along so that they can par -- these board members can participate in some important mental health/substance abuse issues facing counties throughout the State of New York. So do you know, Todd, or is there someone from the Executive's side, or perhaps you Counsel, as to when we can receive some assurance that when will these resolutions be ready to be voted on with the staggered terms?

MR. JOHNSON:
We're working on those resolutions right now, the County Attorney's Office is working those resolutions. At your request, I think you did point out and we did confirm that these terms should be staggered.

LEG. FOLEY:
Right.

MR. JOHNSON:
And so we're going to reconstitute the board according to that request.

LEG. FOLEY:
Right.

MR. JOHNSON:
And the County Attorney's Office assures me that they are working at



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it and --

LEG. FOLEY:
Do you think by the next meeting we'll have it by the end of the month?

MR. JOHNSON:
I'll check with them as far as the time table goes.

LEG. FOLEY:
Because it's been how long -- I don't mean to interrupt. How long has it been, Counsel, that we have notified the County Attorney's Office of the need to stagger these terms; it's been a good month, has it

not?

MR. SABATINO:
Well, it was in the middle of February.

LEG. FOLEY:
Okay.

MR. SABATINO:
So we're talking it's been one month.

LEG. FOLEY:
It's almost two months.

MR. JOHNSON:
Now, I would like to just mentioned that the board is in place, it is filled right now by holdovers who are able to act with the full effect and authority of the board.

LEG. FOLEY:
Until they're replaced, right.

MR. JOHNSON:
Nothing is being held up, okay?

LEG. FOLEY:
Okay. All right.

D.P.O. POSTAL:
Okay, IR 1120, there's a motion to table by Legislator Fields, seconded by Legislator Foley.

LEG. FOLEY:
Thank you, Todd.

D.P.O. POSTAL:
All in favor? Any opposed?

MR. BARTON:
17, one not present (Not Present: Legislator Towle).

D.P.O. POSTAL:
1120 is tabled.



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1121 - Approving the appointment of Jacqueline Vidal as a member of the Suffolk County Community Mental health, Mental Retardation & Developmental Disabilities & Alcohol & Substance Abuse Planning & Advisory Board (County Executive), same motion, same second, same

vote.

MR. BARTON:
17, 1 not present (Not Present: Legislator Towle).

LEG. GULDI:
You can do it all at once.

D.P.O. POSTAL:
That's what I was told I've got to do.

1122 - Approving the appointment of Doris S. Wagner as a member of the Suffolk County Community Mental health, Mental Retardation & Developmental Disabilities & Alcohol & Substance Abuse Planning & Advisory Board (County Executive), same motion, same second, same vote.

MR. BARTON:
17, 1 not present (Not present: Legislator Towle).

D.P.O. POSTAL:
1123 - Approving the appointment of Kathleen A. Herz as a member of the Suffolk County Community Mental health, Mental Retardation & Developmental Disabilities & Alcohol & Substance Abuse Planning & Advisory Board (County Executive), same motion, same second, same vote.

MR. BARTON:
17, 1 not present (Not Present: Legislator Towle).

D.P.O. POSTAL:
1124 - Approving the appointment of Kathleen A. Riddle as a member of the Suffolk County Community Mental health, Mental Retardation & Developmental Disabilities & Alcohol & Substance Abuse Planning & Advisory Board (County Executive), same motion, same second, same vote.

MR. BARTON:
17, 1 not present (Not Present: Legislator Towle).

D.P.O. POSTAL:
1126 - Approving the appointment of Marcia Miskell as a member of the Suffolk County Community Mental health, Mental Retardation & Developmental Disabilities & Alcohol & Substance Abuse Planning & Advisory Board (County Executive), same motion, same second, same vote.

MR. BARTON:
17, 1 not present (Not Present: Legislator Towle).

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D.P.O. POSTAL:
1127 - Approving the appointment of Alice R. Mills as a member of the Suffolk County Community Mental health, Mental Retardation & Developmental Disabilities & Alcohol & Substance Abuse Planning & Advisory Board (County Executive), same motion, same second, same vote.

MR. BARTON:
17, 1 not present (Not Present: Legislator Towle).

D.P.O. POSTAL:
1128 - Approving the appointment of Harold B. Luke as a member of the Suffolk County Community Mental health, Mental Retardation & Developmental Disabilities & Alcohol & Substance Abuse Planning & Advisory Board (County Executive), same motion, same second, same vote.

MR. BARTON:
17, 1 not present (Not Present: Legislator Towle).

D.P.O. POSTAL:
1129 - Approving the appointment of Kathleen O. Maul as a member of the Suffolk County Community Mental health, Mental Retardation & Developmental Disabilities & Alcohol & Substance Abuse Planning & Advisory Board (County Executive), same motion, same second, same vote.

MR. BARTON:
18.

D.P.O. POSTAL:
1130 - Approving the appointment of John C. Haley as a member of the Suffolk County Community Mental health, Mental Retardation & Developmental Disabilities & Alcohol & Substance Abuse Planning & Advisory Board (County Executive), same motion, same second, same vote.
MR. BARTON:
18.

D.P.O. POSTAL:
1132 - Approving the appointment of Miriam Garcia as a member of the Suffolk County Community Mental health, Mental Retardation & Developmental Disabilities & Alcohol & Substance Abuse Planning & Advisory Board (County Executive), same motion, same second, same vote.

MR. BARTON:
18.

D.P.O. POSTAL:
1133 - Approving the appointment of Elaine Economopoulos as a member of the Suffolk County Community Mental health, Mental Retardation & Developmental Disabilities & Alcohol & Substance Abuse Planning & Advisory Board (County Executive), same motion, same second, same vote.

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MR. BARTON:
18.

D.P.O. POSTAL:
1139 - Approving the appointment of Michele T. DelMonte of the Suffolk County Human Rights Commission (County Executive).

LEG. BINDER:
Motion.

LEG. CARPENTER:
Motion.

D.P.O. POSTAL:
Motion by Legislator Binder, seconded by I believe Legislator Carpenter, did I hear you? All in favor? Any opposed?

MR. BARTON:
18.

D.P.O. POSTAL:
1140 - Approving the appointment of Mary C. Abad as a member of the Suffolk County Human Rights Commission (County Executive).

LEG. BISHOP:
39? I'm an abstention on 1139.

LEG. CARPENTER:
Madam Chair, on 1140, there was a change --

D.P.O. POSTAL:
All right, wait, wait, hold on.

LEG. BISHOP:
I was an abstention on 39.

D.P.O. POSTAL:
Let me just -- we had a motion to approve and a second. I believe that there was one abstention by Legislator Bishop, everyone else was in favor.

MR. BARTON:
On which one?

LEG. CRECCA:
1139, did you get to it?

MR. BARTON:
No, I didn't get the abstention.

LEG. CRECCA:
Motion to -- should we reconsider?

LEG. CARPENTER:
No.



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LEG. CARACAPPA:
Abstain.

MR. BARTON:
Okay, Caracappa. And Legislator Bishop?

LEG. BISHOP:
I'm on the prevailing side, so I'd make a motion to reconsider.

LEG. ALDEN:
No, it doesn't matter, he's right there.

MR. BARTON:
I now have the correct vote, it's 15, two abstentions, one not present. Thank you.

LEG. CARPENTER:
Okay, great.

LEG. BISHOP:
Thank you.

LEG. CARACAPPA:
Henry, do you have me?

MR. BARTON:
Yes, I have two abstentions.

D.P.O. POSTAL:
Okay? 1140.

LEG. CARPENTER:

Madam chair?

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

LEG. CARPENTER:
On that resolution, there was a corrected copy, Sylvia Diaz withdrew her name and Mary Abad was replacing her. She came before the committee and it was approved out of committee, or she came and appeared before the committee, we asked questions and generally we were supportive.

D.P.O. POSTAL:
Are you making a motion to approve 1140?

LEG. CARPENTER:
Motion to approve.

D.P.O. POSTAL:
Second by Legislator Fisher. All in favor? Any opposed? Abstentions?

LEG. CARACAPPA:
Abstained.



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MR. BARTON:
16, one abstention, one not present (Not Present: Legislator Towle).

D.P.O. POSTAL:
1264 - Sale of County-owned real estate pursuant to Section 72-h of the General Municipal Law (Town of Riverhead) (0600-060.00-01.00-005.007) (0600-090.00-01.00-035.000) (0600-095.00-02.00-012.000) (County Executive).

LEG. CARACCIOLO:
Motion to approve.

LEG. GULDI:
Second.

D.P.O. POSTAL:
Motion to approve by Legislator Caracciolo, seconded by Legislator Guldi. All in favor? Any opposed?

MR. BARTON:
17, one not present (Not Present: Legislator Towle).

D.P.O. POSTAL:
1264 is approved.

INTRODUCTORY RESOLUTIONS

HUMAN RESOURCES:
1313 - Modifying Child Care Facility Policy in Suffolk County (Postal). Motion to approve.

P.O. TONNA:
Second.

D.P.O. POSTAL:
Second by Legislator Tonna. All in favor? Any opposed?

MR. BARTON:
17, one not present (Not Present: Legislator Towle).

LEG. CARACAPPA:
Add me as a cosponsor.

LEG. FOLEY:
Cosponsor, please.

LEG. CRECCA:
Cosponsor.

LEG. CARPENTER:
Cosponsor.

LEG. FIELDS:
Cosponsor.

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D.P.O. POSTAL:
1353A, 1353 - Amending the 2002 Capital Budget and Program and appropriating funds in connection with the acquisition of Fiber Cabling Network and Systems Upgrades (CP 1726) (County Executive). Motion by Legislator Caracappa, seconded by Legislator Crecca. Roll call on the bond.

(*Roll Called by Mr. Barton*0

LEG. CARACAPPA:
Yes.

LEG. CRECCA:
Yep.

LEG. COOPER:
Yes.

LEG. BINDER:
Yes.

LEG. BISHOP:
Yes.

LEG. NOWICK:
Yes.

LEG. CARPENTER:
Yes.

LEG. ALDEN:
Yes.

LEG. FIELDS:
Yes.

LEG. LINDSAY:
Yes.

LEG. FOLEY:
Yes.

LEG. HALEY:
Yes.

LEG. FISHER:
Yes.

LEG. TOWLE:
(Not present)

LEG. GULDI:
Yes.

LEG. CARACCIOLO:
Yes.



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LEG. POSTAL:
Yes.

P.O. TONNA:
Yep.

MR. BARTON:
17, one -- Legislator Towle?

LEG. TOWLE:
Yes.

MR. BARTON:
18 on the bond.

D.P.O. POSTAL:
Same motion, same second, same vote on the resolution.

ECONOMIC DEVELOPMENT & ENERGY:
1257 - Approving the reappointment of Fred Lee as a member of the Long Island Market Authority (County Executive). Motion by Legislator Caracciolo --

LEG. GULDI:
Motion.

LEG. POSTAL:
-- Legislator Guldi, seconded by Legislator Caracciolo. All in favor? Any opposed? 1257 is approved.

MR. BARTON:
18.

D.P.O. POSTAL:
1258 - Approving the reappointment of John Ross as a member of the Long Island Market Authority (County Executive). Motion to approve by Legislator Cooper, seconded by Legislator Guldi. All in favor? Any opposed?

MR. BARTON:
18.

D.P.O. POSTAL:
1259 - Approving the reappointment of John German as a member of the Long Island Market Authority (County Executive).

LEG. GULDI:
Motion.

D.P.O. POSTAL:
Motion by Legislator Guldi --

LEG. FISHER:
Second.



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D.P.O. POSTAL:

Seconded by Legislator Fisher. All in favor? Any opposed?

MR. BARTON:
18.

D.P.O. POSTAL:
1259 is approved.

1260 - Approving the reappointment of James Stark as a member of the Long Island Market Authority (County Executive).

LEG. FISHER:
Motion.

D.P.O. POSTAL:
Motion by Legislator Fisher, seconded by Legislator Cooper. All in favor? Any opposed?

MR. BARTON:
18.

D.P.O. POSTAL:
1260 is approved.

1273 - Extending deadline for Legislative Office of Budget Review to conduct an economic analysis of benefit to Suffolk County from Atlantic Ocean Beaches (Carpenter). Legislator Carpenter?

LEG. CARPENTER:
Motion.

LEG. GULDI:
Second.

LEG. FOLEY:
Second.

D.P.O. POSTAL:
Motion to approve, seconded by Legislator Foley. All in favor? Any opposed?

MR. BARTON:
18.

D.P.O. POSTAL:
1273 is approved.

1295 - To extend deadline for Eco-Tourism Task Force Report (Tonna).

Motion to approve by Presiding Officer Tonna, seconded by Legislator Cooper. All in favor? Any opposed?

MR. BARTON:
18.



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LEG. GULDI:
Abstention.

MR. BARTON:
Okay, I'm sorry. 17, 1 abstention (Abstained: Legislator Guldi).

D.P.O. POSTAL:
One abstention, Legislator Guldi. 1295 is approved.

1315 - To amend Resolution No. 854-2001, authorizing Economic Development Grant to the Village of Greenport (Caracciolo).

LEG. CARACCIOLO:
Motion.

LEG. FOLEY:
Second.

D.P.O. POSTAL:
Motion by Legislator Caracciolo, seconded by Legislator Foley.

LEG. CARPENTER:
Explanation.

LEG. BISHOP:
On the motion.

LEG. ALDEN:
On the motion.

LEG. POSTAL:
Well, it's seconded by Legislator Foley. Legislator Alden and then Legislator Bishop.

LEG. ALDEN:
Can I get an explanation from Paul?

MR. SABATINO:
This will give the Village of Greenport an additional month beginning this year which would be the month of June to make the annual installment payment on the five year agreement that was worked out by legislation last year. So basically it just gives them -- it gives

them a starting point of June as opposed to May to make the payments.

LEG. ALDEN:
For what, though?

LEG. FOLEY:
They need an extra month.

MR. SABATINO:
Apparently when the Village put its budget together, their budget runs in a different fiscal year than ours; their fiscal year runs from July 1st -- I'm sorry, it runs from June 1st to May 31st, so they didn't budget for the first year's payment. And the original agreement said



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make the payment May 31st, so this will allow them to make it during the month of June instead.

LEG. ALDEN:
This is the payment then that goes to every -- this is a normal economic development grant that goes to towns and villages?

[RETURN OF COURT STENOGRAPHER-LUCIA BRAATEN]

MR. SABATINO:
No. This is -- this was an unusual, you know, arrangement that was worked out by legislation last year whereby the Village of Greenport is going to pay back to the County $104,000 on the principal portion of the tax arrears on that property that --

LEG. ALDEN:
Hold on just one second, Paul, I can't hear you. Okay, thanks.

MR. SABATINO:
Okay. On the principal portion of the tax arrears for that portion of property that was used out of Greenport for the economic development initiative with the carousel and {Mitchell Stock}, and whatever else was out there, and there'll be -- you know, there'll be a waiver of the interest and penalties, which was, I think, 31 or 32,000. But their payments were to begin May 31st of this year. But, as I said, the Village didn't budget in time for their budget cycle.

LEG. ALDEN:
So this just -- it doesn't change the payment, it just kicks it back one month.

MR. SABATINO:
No. The payment remains the same they just -- they have 30 days longer to make the payment.

D.P.O. POSTAL:
Legislator Bishop, you had a question?

LEG. BISHOP:
No.

D.P.O. POSTAL:
Okay. I think we have a motion and a second --

LEG. BINDER:
Madam --

LEG. BISHOP:
Legislator Binder has a question.

LEG. BINDER:
Madam Chair.

D.P.O. POSTAL:
Oh, was it Legislator -- I'm sorry.



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LEG. BINDER:
No, that's okay.

D.P.O. POSTAL:
Legislator Binder.

LEG. BINDER:
Yeah. I guess -- I don't specifically remember the bill from last year, but this was in committee and I had a real question about this whole -- this whole arrangement. I don't know what the tax base is of the Village of Greenport. We're talking about $100,000 interest-free that we're giving them in a loan, because they owe the County. We spread out their payments over, what is it, five years. So we spread out their payments over five years interest-free, and I don't know what it benefits the County to even make the deal and why we've made this deal. Alice Amrhein was before the committee, if I remember correctly, and she didn't have an answer. So maybe there's more information forthcoming, but it didn't seem --

LEG. GULDI:
I have an answer.

LEG. BINDER:
Well, good. I'd love to hear that.

LEG. GULDI:

I have an answer. It's because the --

LEG. BINDER:
I would yield for that.

LEG. GULDI:
The Village of Greenport's budget -- by comparison, ours to them, $104,000 is a material amount, and instead of not getting $104,000 --

LEG. BINDER:
What is -- wait. What does that mean. What does "material amount" mean?

LEG. GULDI:
Material amount of their budget. It's a substantial payment for them. This is a Village without a police department, without -- you know, it's very, very small tax base Village with a tiny, tiny budget. And from our perspective, it's better for us to get $104,000 over five years than to get nothing all at once.

LEG. BINDER:
Well, why haven't we charged them interest if we're giving them a loan over five years? Why -- I don't understand why we wouldn't --

LEG. GULDI:
So we get paid.

LEG. BINDER:
Oh, so if we charge them interest, because we're doing them the favor of stretching out payments when they owe us money --



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LEG. GULDI:
Well, I don't know that it's necessarily -- I don't --

LEG. BINDER:
You're telling us that they're not going to pay us the amount that they owe us if we charge them interest?

LEG. GULDI:
See, the reason that I'm supporting this resolution, not that I represent Greenport --

LEG. BINDER:
It sounds like you do.

LEG. GULDI:
-- is because I don't believe necessarily believe that the answer to the question, is it absolutely clear that they owe us the money, is

could certainly be determined by a court to be yes. So we're getting paid, we're getting --

LEG. BINDER:
All right.

LEG. GULDI:
We're getting 100% of our principal, we're getting it over five years, we're not getting interest, and we're not -- and we're not -- and we're getting paid instead of having a disputed case to go to court.

LEG. BINDER:
So let me ask Counsel. Could you tell me what the dispute would be? Because now I'm hearing there's a legal dispute as to whether they owe us the money, and for some reason, they're willing to give us a substantial -- this is not just small, this is so substantial that we're spreading it out over five years. Why would -- why would they settle for a substantial amount?

P.O. TONNA:
Guys.

MR. SABATINO:
What actually --

P.O. TONNA:
Hold it. Hold it a second. There's entirey too much talking in the background, entirely too much. I would ask that everyone, please, keep it to a whisper. Legislator Binder has the floor. He's asked a question of Legal Counsel. As much as, you kow, maybe we don't want to listen to what Legislator Binder has to say, we have to. Thank you.

MR. SABATINO:
What actually took place was about three or four ours years ago, I think it was 1998, the Village had approached the County looking for, basically, a contribution to this economic development project in the Village of Greenport. They used I think it was the Mitchell Property,



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if I remember correctly, which is an old restaurant that had some historical significant and was going to be made part of this overall package, and asked the -- asked the County, actually, to deal with the issue in the context of that property. So the choices that the Legislature and the County Executive had were to grant the direct economic benefit. We could have written the check to the Village of Greenport in some dollar amount as support for that particular project, and then, simultaneously, have asked them to pay back the money with the interest and penalties on the property that was lost

for nonpayment of taxes. So what we did demand from the Village, which took two years to generate, was a specific report that was generated by Conoscenti, the -- and Associates, the economists, showing what the benefit to the County was. The benefit, if I recall, in the document was something in the order of 8 million dollars. So what the County did was we basically gave them a grant of $31,000 and some change, plus the benefit, whatever it is, of the installment payment plan over five years as an economic grant to help that project go forward and be completed in exchange for the benefit of the 8 million dollars that was supported by the Conoscenti report that was submitted and I believe it was presented to the Economic Development Committee at the time.

LEG. BINDER:
So there's no question that they owe us the money? Is this -- I mean, it was represented, at least, that there's a legal question whether they owe us the money.

MR. SABATINO:
Well, no. I think what Legislator Guldi is referring to is that what would have happened is the County would have -- the County would have potentially wound up owning property, but they would have been owning a piece of property on which this economic development project was taking place with the carousel and the waterfront improvements, in which case we would have then had the responsibility for maintaining somebody else's project, in which case we might have done a 72-h transfer of the property back to the Village of Greenport for one dollar, in which case we wouldn't have gotten the $104,000. So it was a combination of all of these factors, where at least the County is getting the $104,000, is theoretically getting the benefit of the economic development project itself, not the responsibility of owning and maintaining the property. And the Village is -- I mean, granted the Village is clearly getting the 31 or $32,000.

LEG. BINDER:
Okay. That was a much fuller explanation than we got in committee, and I -- there was none of this explanation in committee, so I'm much more comfortable with it now than I was then.

D.P.O. POSTAL:
Okay.

LEG. FISHER:
So, are we voting?

D.P.O. POSTAL:
Legislator Fisher, did you want the floor?

LEG. FISHER:
No, I just --

D.P.O. POSTAL:
Oh, okay.

LEG. FISHER:
No. Well, we have to vote on this.

D.P.O. POSTAL:
Yeah.

LEG. FISHER:
There's a motion on the floor.

D.P.O. POSTAL:
We have a motion and a second, I believe, on this resolution.

LEG. GULDI:
Yeah, over here.

D.P.O. POSTAL:
All in favor?

LEG. BISHOP:
The Greenport one?

LEG. GULDI:
Yeah.

D.P.O. POSTAL:
Yeah. Opposed?

MR. BARTON:
18.

D.P.O. POSTAL:
1315 is approved.

LEG. FISHER:
Madam Chair.

P.O. TONNA:
Legislator Fisher.

LEG. FISHER:
I'd like to make a motion to discharge a motion to nominate Jim Morgo to the Community College Board of Trustees.

LEG. GULDI:

Second.

LEG. FIELDS:
Second.

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D.P.O. POSTAL:
Is that a motion to --

LEG. FOLEY:
Discharge.

LEG. FISHER:
To discharge.

D.P.O. POSTAL:
Discharge.

LEG. FOLEY:
Second the motion.

LEG. CARACAPPA:
What's the bill number?

D.P.O. POSTAL:
This doesn't have a number.

LEG. FISHER:
The bill number is 1283.

LEG. ALDEN:
Has the bill been filed?

LEG. GULDI:
Yeah.

D.P.O. POSTAL:
When was it laid on the table.

LEG. FISHER:
Sure. It was laid on the -- it was in committee -- I'm sorry, the copy that Nanette handed out wasn't the one that was in committee. It's 1283.

D.P.O. POSTAL:
And can you tell us when it was laid on the table?

LEG. FOLEY:
It's in committee. It was a discharge.

LEG. FISHER:
It was laid on the table at the last meeting.

P.O. TONNA:
It's in committee.

LEG. FISHER:
It was in Education Committee.

D.P.O. POSTAL:
Okay. If our -- I know. Yeah, I know it's discharged --



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LEG. FOLEY:
It's a discharge.

D.P.O. POSTAL:
-- but it's just a copy, but it's March 19th.

LEG. FISHER:
She gave out the wrong copy. I'm sorry. It was March 19th.

D.P.O. POSTAL:
2002.

P.O. TONNA:
I would ask this, please. Vivian, let's get through the agenda. Why do we have to -- we're rolling.

LEG. FISHER:
Because it has to age for an hour, Mr. Chairman.

LEG. GULDI:
That's why --

P.O. TONNA:
We're going to -- we're going to be here for six hours.

LEG. FISHER:
Well it -- well, I want to make sure that we have time for it to age.

LEG. FIELDS:
Second the motion.

LEG. FOLEY:
I had seconded the motion already.

P.O. TONNA:

Okay, fine. There's a motion by Legislator Fisher, a second by Legislator Fields.

LEG. ALDEN:
On the motion.

LEG. CARACAPPA:
Roll call.

P.O. TONNA:
Okay.

LEG. ALDEN:
On the motion.

P.O. TONNA:
Wait. On the motion, Legislator Alden.

LEG. ALDEN:
Paul Sabatino, when was this filed?



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LEG. FISHER:
March 19th.

MR. SABATINO:
The bill was tabled -- it was tabled in committee, so it was filed in the last -- it was laid on the table March 19th.

P.O. TONNA:
It went through the normal process, it was tabled in committee. That's -- now the Committee Chairperson is asking to discharge it.

LEG. FISHER:
As Chair of the Education Committee, I'm using the prerogative to discharge it.

P.O. TONNA:
No. The prerogative is to hold one. There's no prerogative to discharge it, there's a prerogative to hold it, but good try.

LEG. FISHER:
But you have said that if the --

P.O. TONNA:
Right.

LEG. FISHER:
-- Chair is in support, that you --

P.O. TONNA:
Right. Well, I know that, that's why I didn't raise the issue.

LEG. FISHER:
Okay.

P.O. TONNA:
But that's --

LEG. CARACAPPA:
Roll call.

P.O. TONNA:
The prerogative is to block something that I try to respect. Anyway, go ahead.

LEG. CARACAPPA:
Roll call.

LEG. FISHER:
Okay. And on the motion.

P.O. TONNA:
Okay. On the motion.

LEG. CRECCA:
This is to discharge?

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LEG. BISHOP:
It's just to discharge.

LEG. FISHER:
I was asked --

LEG. CRECCA:
This is to discharge.

P.O. TONNA:
This is just to discharge.

LEG. BISHOP:
It's not on the merit.

LEG. FISHER:
Okay. But before we have the vote, we did have one person who was absent from the committee on the regular Education Committee, and so it was very difficult to have a clear vote on this issue. And so I

ask that you vote for the discharge, so that we can vote on the merits of the -- of the resolution.

P.O. TONNA:
Okay. Can I just ask a question? In committee, did you interview --

LEG. FOLEY:
Yes.

P.O. TONNA:
-- Mr. Morgo?

LEG. FISHER:
Yes, we interviewed Mr. Morgo. He was very impressive. His resume is attached to the resolution. He is -- he was an educator. He is very well respected as a Director of the Long Island Housing Authority. He's a -- he's a former Legislator. He is a very highly qualified person. And you could see, he has quite an impressive resume that's attached here. Among his awards and honors, it takes almost a full page of awards and honors.

LEG. FOLEY:
Just on the point, Mr. Chairman.

P.O. TONNA:
Yes.

LEG. FOLEY:
When one reviews his credentials, he's one of the most highly credentialed appointees that we have reviewed for this particular board. I would hasten to add that in the past, that there has been rather a rush to approve some other appointments who pale in comparison to what he brings to the table. So I'd hope that we could move this out of committee, discharge it today, vote on it today, in order to have this man fulfill the final three years of Mr. Dick Zumo's --



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LEG. FISHER:
Since I had not conceded the floor, may I speak further to Mr. Morgo's credentials?

LEG. FOLEY:
Okay. I was trying to help you, Vivian --

LEG. FISHER:
I know.

LEG. FOLEY:

-- but there you go, fine.

LEG. FISHER:
Okay. Mr. --

P.O. TONNA:
Okay, hold it. Okay, hold it. I am going to call a recess if I don't have just a little concentration and a little order. Okay?

LEG. BISHOP:
I don't think you can speak to the credentials at this time.

LEG. BINDER:
Right.

P.O. TONNA:
I'm speaking in the mike.

LEG. BINDER:
No. He's saying --

P.O. TONNA:
I'm asking, please --

LEG. FISHER:
Okay. I still have the floor, Mr. Chairman.

P.O. TONNA:
Yes, I understand that. I would ask that people listen to Legislator Fisher.

LEG. FISHER:
Thank you.

P.O. TONNA:
Okay. Let's finish that up. I'd ask that the staff behind us and everybody else, please, just keep quiet and let's listen to one person at a time. Thank you.

LEG. FISHER:
As I was saying, Mr.Morgo has a background in education. We all know very well the Long Island Housing Partnership experience that he has had. He further indicated, when he was speaking to the Committee, that he has extensive experience in working with Albany, working with the Assembly and the Senate, and this would be a very important



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experience to bring to the College and to the Board of Trustees. It's very important that we look at the merits of the candidate, that we

look at the respect with which he has held in Suffolk County, we look at the level of professionalism that he has brought to the position that he holds with the Long Island Housing Partnership, and that we discharge this, so that we can have a fair discussion here at -- in the full Legislative session.

P.O. TONNA:
Yes. The next person to go was Legislator Foley.

LEG. FOLEY:
Thank you. I had thought that you acknowledged me before, that's the only reason why I had spoken out of turn, thinking that you had acknowledged me, Mr. Chairman. To continue on the point, it's only a discharge motion. However, the concern here is that there are those who are going to oppose the discharge motion and keep it in committee, and then what's going to happen is just what we had spoken about at the committee meeting, there will, therefore, be dueling resolutions at the next Education Committee meeting. And the competition is fine in certain respects, but then at other times, when we've attempted to put in other resolutions that have been summarily defeated. The fact of the -- the fact of the matter is Mr. Morgo is highly credentialed, highly qualified. We've seen him in many walks of life. As said just a few moments ago, we have -- this Legislature has approve far less qualified appointees, whether to this board or some other boards.

So, when you consider the Board of Trustees, it's one of the most important appointments that we can make, along with the Planning Board and the Board of Health. And I would hope that we would set a very high bar by which we would expect potential appointees to meet. And I would submit that Mr. Morgo exceeds that bar, in fact, meets a new standard of excellence of a person's -- as a former educator, as a person who has worked well with the private sector. And as we've seen, particularly in the field of community colleges, there's a growing linkage between the community colleges throughout the State, and the State government and the federal government. Who better to have on the Board a person who possesses those qualities, who knows how to work with our State government, and who has -- knows how to also work with the federal government he as well in his capacity in the Long Island Housing Partnership. He's had broad support from a whole host of folks from across the aisle in the bi-county region, and a guy -- the person who will be highly, highly valuable on that particular board. And I would urge that we would discharge this from committee today, so that we can move on it today as well.

LEG. BINDER:
Mr. Chairman.

P.O. TONNA:
Wait. Hold it a second. You had a point of order, then Legislator Fisher.

LEG. BINDER:
No, that's not it. Forget the point of order.

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P.O. TONNA:
You don't want the point of order anymore?

LEG. BINDER:
No. Just on the motion.

P.O. TONNA:
I waived you off?

LEG. BINDER:
On the motion.

P.O. TONNA:
I went --

LEG. BINDER:
You waived me off, you did.

P.O. TONNA:
Okay.

LEG. BINDER:
Yes, you did.

P.O. TONNA:
Legislator Binder, then back to Legislator Fisher. There are more --

LEG. BINDER:
Yeah. Legislator Foley had just said something about we had resolutions defeated, he was giving the process.

P.O. TONNA:
Right. Who's the "we"?

LEG. BINDER:
I'm just sure -- not sure who "we" is, right.

P.O. TONNA:
Is it the plural sense, like, you know, how the church talks, "we"?

LEG. GULDI:
Paul and his shadow?

P.O. TONNA:

Pardon?

LEG. BINDER:
No. I'd like to know who "we"? We were talking about --

LEG. FOLEY:
"We," the People of the County of Suffolk. No. For what resolution, Allan?

LEG. BINDER:
It was your statement that --



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P.O. TONNA:
Statement on "we," "we".

LEG. BINDER:
That the discharge, we'll have dueling resolutions.

LEG. FOLEY:
No. The concern --

LEG. BINDER:
And then there'll be another one, and then --

LEG. FOLEY:
The concern is, is that a resolution was put forward of a highly qualified person. Now here's the main point. I know somtimes you like to focus on secondary or tertiary points that I was raising, but let me get back to the main point. The main point --

LEG. BINDER:
No, no, I didn't ask the question. No, no.

LEG. FOLEY:
The main point --

LEG. BINDER:
No, no. This my floor.

LEG. FOLEY:
-- is how highly qualified the person is.

LEG. BINDER:
No, no. I've got the floor. I've got the floor. I mean, if you want to answer the question, that's --

LEG. FOLEY:
If you want to engage in a debate about a tertiary point that I

raised --

LEG. BINDER:
I didn't debate anything.

LEG. FOLEY:
-- well, that's up to you.

LEG. BINDER:
I just asked a question, who's "we"?

P.O. TONNA:
You can't make this stuff up.

LEG. BINDER:
This is amazing.

P.O. TONNA:
I'm telling you right now.



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LEG. BINDER:
I didn't ask --

P.O. TONNA:
You can't.

LEG. BINDER:
I asked a question --

P.O. TONNA:
You guys, you know, you think -- you think this is bad from your standpoint?

LEG. GULDI:
He's got a mouse in his pocket.

P.O. TONNA:
I'm making a broad appeal to -- anybody have a gun? You do. You do.

LEG. FOLEY:
Legislator Tonna.

P.O. TONNA:
I want you to pull it out.

LEG. FOLEY:
Legislator Tonna.

P.O. TONNA:
Okay. No. Legislator Binder has the floor.

LEG. FOLEY:
Right.

LEG. BINDER:
I asked.

P.O. TONNA:
Then Legislator Fisher has the floor.

LEG. BINDER:
I asked a question.

P.O. TONNA:
Then Legislator Foley can go back to having --

LEG. FOLEY:
No. He's asking me a question and the point raised was --

P.O. TONNA:
All right. So now he doesn't want to. He withdrew his question.

LEG. FOLEY:
But the point --



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LEG. BINDER:
I didn't make any -- I have --

LEG. FOLEY:
It was a minor point, Allan. It was a minor point that you --

P.O. TONNA:
All right. We're going to take -- we're going to take a ten-minute recess.

LEG. BINDER:
There you go.

[THE MEETING WAS RECESSED AT 6:30 P.M. AND RESUMED AT 6:37 P.M.]

P.O. TONNA:
Roll call. Roll call. Henry, roll call.

LEG. ALDEN:
Henry Barton.

P.O. TONNA:
Roll call.

LEG. ALDEN:
Henry, absent.

(Roll Called by Mr. Barton)

LEG. CARACCIOLO:
Here.

LEG. GULDI:
(Not Present)

LEG. TOWLE:
Here

LEG. CARACAPPA:
Here.

LEG. FISHER:
Here.

LEG. HALEY:
(Not Present)

LEG. FOLEY:
Present.

LEG. LINDSAY:
Here.

LEG. FIELDS:
Here.



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LEG. ALDEN:
Here.

LEG. CARPENTER:
Here.

LEG. CRECCA:
Yes.

LEG. NOWICK:
Here.

LEG. BISHOP:

(Not Present)

LEG. BINDER:
Here.

LEG. COOPER:
Here.

LEG. POSTAL:
(Not Present)

P.O. TONNA:
Yes, here. Okay.

MR. BARTON:
Fifteen present.

P.O. TONNA:
This is how it's going to work. Any staff that wants to talk, go outside. Do you understand? Anybody who wants to talk and behind us, go outside. If you're a Legislator and you want to make loud conversation, go outside. All right? Okay.

One more thing. Legislator Foley, I apologize for any way it looked like I was saying anything about you or anybody else in this Legislature. I'm just talking to you as a body of the whole. Thank you.

LEG. BINDER:
I think you were --

P.O. TONNA:
Now, Legislator Binder --

LEG. BINDER:
I think you were trying to --

P.O. TONNA:
-- you have the floor. After you goes Legislator Fisher, and after that, if Legislator Foley would like to speak, he's next on the list. Legislator Binder.



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LEG. BINDER:
I think it was me you were trying to make fun of, Mr. Chairman.

P.O. TONNA:
And I constantly try to do that.

LEG. BINDER:
Right.

P.O. TONNA:
It's the only way, you know, to deal with my passive/aggressive nature. Okay.

LEG. BINDER:
I know, it makes you feel better and I want to help you do that.

P.O. TONNA:
There we go. All right. Legislator Binder. Thank you.

LEG. BINDER:
The question I asked, because the comment was about the process that goes on here, dueling resolutions, then the comment was, well, then our, or our resolution, whoever "our" was, gets defeated. And the answer to the question, so I'll answer it myself so we can make it nice and short, was that "we" means the Democrats, that they get the short end of the stick. And my comment would really be that this is one body where I think that the minority Democrats can't cry poverty that they don't have enough power and enough influence in the body, so I'm really not concerned.

P.O. TONNA:
And spoken by somebody who doesn't have a committee chairmanship.

LEG. BINDER:
There you go.

P.O. TONNA:
Okay. Legislator Fisher. Okay, Legislator Fisher.

LEG. FISHER:
Thank you, Mr. Chair. This is an important resolution, because it's -- I think it crystalizes how we see the Board of Trustees of Suffolk Community College. Do we see it as a board of individuals who are community minded individuals with a background that affords them the type of judgment that we would hope to have on a Board of Trustees for a college, or is it, in fact, just a partisan group? The reason I say that is not only because of Legislators -- Legislator Binder's comments just now regarding how he interpreted the word "we," but by the fact that at least five Legislators sitting in this horseshoe have said to me, "I cannot vote for him." And these are people who have told me that they respect Mr. Morgo, who have told me that they think he would be wonderful. But, unfortunately, it is not the people around this horseshoe who are voting on this resolution, it is Tony Apollaro who is voting on this resolution.

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LEG. BINDER:
You know what --

LEG. FISHER:
Don't say "oh" and "ah," because you have told me this behind closed doors.

LEG. BINDER:
So no one's to talk to you behind closed doors anymore.

LEG. FISHER:
That's fine. I will be happy to just talk to you around the horseshoe. I

P.O. TONNA:
Legislator Fisher has the floor. Legislator Fisher has the floor.

LEG. FISHER:
I will be happy to just talk to you here.

LEG. BINDER:
Don't say I said something or anything --

P.O. TONNA:
Legislator Fisher has the floor.

LEG. FISHER:
If the shoe fits.

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

LEG. BINDER:
Mr. Chairman.

P.O. TONNA:
No.

LEG. FISHER:
This is --

P.O. TONNA:
Legislator Fisher has the floor.

LEG. FISHER:
Excuse me.

LEG. BINDER:
I'll move to censure. I'll move to censure.

P.O. TONNA:
All right. We're going to -- we're going to --

LEG. FISHER:
I am telling you that there are five people who have said that to me. And I'm going to tell you that I don't think that the Suffolk



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Community College Board of Trustees should be used for partisan power plays. It's very important that we have people who are quality people, who are -- who are professionals, who have the background that they need for that type of position, and I think that we should vote for people on the merits.

LEG. BINDER:
Absolutely.

P.O. TONNA:
Okay. There we go.

LEG. FOLEY:
Bravo.

P.O. TONNA:
Legislator -- oh, wait. Are you done, Legislator Fisher?

LEG. FISHER:
Yes, I am.

P.O. TONNA:
Legislator Foley. Legislator Guldi, just keep that hand down. Go ahead. Okay. Legislator Foley.

LEG. FOLEY:
No, thank you.

P.O. TONNA:
Oh, you don't -- okay.

LEG. CARACAPPA:
Roll call.

P.O. TONNA:
Roll call on --

LEG. ALDEN:
On the motion.

P.O. TONNA:
Oh, on the motion, Legislator Alden.

LEG. ALDEN:
Just to let the record reflect that I didn't have a back room conversation or a private conversation with Legislator Fisher.

P.O. TONNA:
Okay.

LEG. GULDI:
I'm sure she appreciates that.

P.O. TONNA:
All right. Let's --



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LEG. CARACAPPA:
Roll call.

P.O. TONNA:
I think I've talked to every Legislator in the back room, or closed doors, or open doors. I think that's half my job. Okay. So let's vote. You have a motion to approve by Legislator --

MR. BARTON:
Fisher.

P.O. TONNA:
Fisher.

LEG. ALDEN:
No, discharge.

P.O. TONNA:
To discharge. Sorry, to discharge. Seconded by?

MR. BARTON:
Legislator Foley.

P.O. TONNA:
Legislator Foley. Roll call.

(Roll Called by Mr. Barton)

LEG. FISHER:
Yes.

LEG. FOLEY:

Yes.

LEG. COOPER:
Yes.

LEG. BINDER:
No.

LEG. BISHOP:
Yes.

LEG. NOWICK:
No.

LEG. CRECCA:
No.

LEG. CARPENTER:
No.

LEG. ALDEN:
Abstain.



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LEG. FIELDS:
Yes.

LEG. LINDSAY:
Yes.

LEG. HALEY:
No.

LEG. CARACAPPA:
No.

LEG. TOWLE:
No.

LEG. GULDI:
Yes.

LEG. CARACCIOLO:
(Not Present)

LEG. POSTAL:
Yes.

P.O. TONNA:
No.

MR. BARTON:
Eight.

LEG. GULDI:
What do you know.

LEG. FISHER:
What a surprise.

P.O. TONNA:
Right. There you go. It's in committee. It will get out of committee and then it will be voted on next meeting.

LEG. TOWLE:
Mr. Chairman.

P.O. TONNA:
Yes, Fred, just -- where's Fred's?

MS. BURKHARDT:
First one.

P.O. TONNA:
All right. We have a resolution -- we have some CN's. We'll do the CN's right now, okay. Our first resolution, CN, is 19 -- 1190 (Amending the adopted 2002 Operating Budget and appropriating funds in connection with the extension of Medevac Helicopter Services from Suffolk County Gabreski Airport on a permanent year-round basis), with Legislator Towle, Caracciolo, Guldi, Fisher, Foley and Carpenter on



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this bill.

LEG. TOWLE:
Motion.

P.O. TONNA:
There's a motion by Legislator Towle for approval.

LEG. GULDI:
Second.

P.O. TONNA:
Seconded by Legislator Carpenter.

LEG. HALEY:

Roll call.

LEG. ALDEN:
On the motion.

P.O. TONNA:
Roll call.

LEG. ALDEN:
On the motion.

P.O. TONNA:
Oh, on the motion, Legislator Alden.

LEG. CRECCA:
Henry, would you list me as a cosponsor on this?

LEG. ALDEN:
If Paul could explain just the changes that were made that created this legislation. In other words, where's the money coming from and what other -- what, if any other, changes?

MR. SABATINO:
The change is in the third "resolved" clause with regard to funding, and the offset now is coming from a -- it's not coming from the contingency account, it's coming from the 5-25-5 account in the amount of $145,989.

P.O. TONNA:
Okay, great.

LEG. ALDEN:
That's the only other change, right?

MR. SABATINO:
That's the only substantive change, yes.

P.O. TONNA:
Okay. All right. Legislator Foley, and then --



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LEG. FOLEY:
Mr. Chairman, many this morning, many Legislators spoke in favor of the resolution this morning. I had waited until this time to speak on it, since I didn't have any questions to any of the speakers. And I'll be very brief with my comments. The fact of the matter is this is very important to the Twin Forks of Eastern Suffolk County. Speaking as the Chair of the Health Committee, this is important both from a perspective of public safety, as well as in public health. We

heard how important that minutes can make, especially picking up the -- those who have been hurt and flying them to Stony Brook Hospital.

So, as Chair of the Health Committee, and also as a Legislator who, whether it's constituents who spend time out in the eastern portion of the County, or speaking with representatives from the eastern portions of the County, it is very, very important that this Medevac Helicopter be placed in Gabreski, so that that portion of the County will be treated equally as other parts of the County are and when it comes to --

(Applause)

When it comes to issues of public health and public safety. So thank you for the time.

P.O. TONNA:
All right. Legislator Fisher.

LEG. FISHER:
Mr. Chairman.

P.O. TONNA:
Yes.

LEG. FISHER:
I have a very short statement.

P.O. TONNA:
Okay.

LEG. FISHER:
Because I was speaking to Doctors Henry and Alicandro earlier. And as I said earlier today, it was Doctors Henry and Alicandro from Stony Brook University who came to my office and encouraged that we have the pilot program at Gabreski. And I don't believe that Stony Brook University gets enough recognition. They are a partner in the Medevac Rescue Team. They do the training. They incur a great deal of expense in running this. And I believe that we should give Stony Brook University and the fine staff of doctors, and medical technicians, and emergency personnel that they provide for this operation. So I thank Stony Brook University on behalf of everyone who is supported and helped by the Medevac Program.

(Applause)



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P.O. TONNA:

Okay. Legislator Towle.

LEG. TOWLE:
Mr. Chairman, I just want to thank a few people this evening. First and foremost Janet DeMarzo and Todd Johnson from the County Executive's Office for their assistance, along with our Legal Counsel and the Clerk's staff in preparing the CN.

LEG. GULDI:
What is this, the Academy Awards?

LEG. TOWLE:
No, it's not, but it does pay to recognize people, particularly all the volunteers, Fire Department and EMS people that have been here throughout the day and those who have had to leave.

(Applause)

And last, but not least, our Police Department and our Health Department, particularly Dr. Alicandro, as Legislator Fisher pointed out, and Commissioner Gallagher and the staff at the Aviation Unit for appearing today and resolving this issue, so that the residents are served. And last, but not least, my colleagues who have been cosponsors on this bill from day one, and for all of you that are supporting it this evening. Thank you.

P.O. TONNA:
Thank you. Okay roll call.

(Applause)

(Roll Called by Mr. Barton)

LEG. TOWLE:
Yes.

LEG. CARPENTER:
Yes.

LEG. COOPER:
Yes.

LEG. BINDER:
Pass.

LEG. BISHOP:
Yes.

LEG. NOWICK:
Yes.

LEG. CRECCA:
Yes.

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LEG. ALDEN:
Yes.

LEG. FIELDS:
Yes.

LEG. LINDSAY:
Yes.

LEG. FOLEY:
Yes.

LEG. HALEY:
Yes.

LEG. FISHER:
Yes.

LEG. CARACAPPA:
Yes.

LEG. GULDI:
Yes.

LEG. CARACCIOLO:
Yes.

LEG. POSTAL:
Yes.

P.O. TONNA:
Yes.

LEG. BINDER:
Yes.

MR. BARTON:
18.

(Applause)

P.O. TONNA:
All right. Good luck. Do a good job now out there, all right. Good job. All right. As I said at the beginning of the day, I could feel

the love. All right. Let's go on with the agenda.

MS. BURKHARDT:
Next -- now, you want to do the next CN or are you --

LEG. LINDSAY:
Are you going to do the rest of the CN's?

P.O. TONNA:
Yeah, let's do the CN's. Okay. 1491 (Authorizing use of Indian Island County Park by March of Dimes, Walk America). There's a motion by myself, seconded by Legislator Postal.

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LEG. BINDER:
Whoa, whoa, whao. Wait a second.

LEG. FIELDS:
Where are we?

LEG. POSTAL:
CN's.

P.O. TONNA:
1491.

LEG. BINDER:
What about 1190?

LEG. LINDSAY:
We're finishing the CN's.

MS. BURKHARDT:
We just did that.

P.O. TONNA:
We're finishing the CN's. All in favor? Opposed?

MR. BARTON:
18.

P.O. TONNA:
Great. Number 1492 (Authorizing use of Smith Point County park by Blue Knights Law Enforcement Motorcycle Club). Motion by Legislator Foley.

LEG. TOWLE:
Second.

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

LEG. TOWLE:
Cosponsor as well.

LEG. ALDEN:
On the motion.

MR. BARTON:
18.

LEG. ALDEN:
On the motion.

P.O. TONNA:
On which one? You're killing me.

LEG. FIELDS:
1492.



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LEG. ALDEN:
The Blue Knights?

P.O. TONNA:
Yeah.

LEG. ALDEN:
Just to point out that the last time that there was a motorcycle anything in --

LEG. LINDSAY:
No. This is the cops.

LEG. ALDEN:
-- in the Bi-County area --

LEG. LINDSAY:
This is cops.

P.O. TONNA:
This is cops. This is cops.

LEG. FOLEY:
It's very different.

P.O. TONNA:
These are police officers.

LEG. FOLEY:
It's very different.

P.O. TONNA:
Okay.

LEG. FOLEY:
This isn't Vanderbilt.

P.O. TONNA:
This isn't the Pagans, this is the police officers.

MR. BARTON:
The CN is adopted 18.

P.O. TONNA:
But you never know. All right. Okay, here we go, talking about Pagans. 1493 (Authorizing New York State Clean Water Revolving Fund application and agreement for project financing under the Greenways, Open Space Preservation Program, and Land Preservation Partnership Program and Similar Land Acquisitions). Motion by myself, seconded by Legislator Postal. All in favor? Opposed?

LEG. TOWLE:
Explanation.



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LEG. LINDSAY:
Explanation.

P.O. TONNA:
This is authorizing a New York State Clean Water Resolving Fund application. We're saying, "Give us the money."

LEG. FIELDS:
You said "resolving."

LEG. CRECCA:
Is this -- this is the one where they're going to help --

LEG. POSTAL:
You said resolving.

LEG. TOWLE:
Thank you, Legal Counsel, Paul Tonna.

P.O. TONNA:
I said revolving or --

LEG. CRECCA:
They're going to pick up the financing through them and save us about 3.9 million dollars --

P.O. TONNA:
I said resolving?

LEG. CRECCA:
-- in debt service, that's this bill?

P.O. TONNA:
No. They're laughing at me. Once again, I've miss -- we've got money.

MR. SABATINO:
All I know is what I read in the backup, which is that there's an assertion that previous Greenways projects are eligible for refinancing under the State Clean Water Revolving Fund, and that this would basically substitute 3.9 million dollars out of I think 16 million dollars in previous appropriations, but I have no idea as to what projects, and, you know, what --

LEG. CRECCA:
Mr. Chairman, if I could ask that --

MR. SABATINO:
-- the analysis is.

LEG. CRECCA:
Mr. Poerio is very familiar with the bill and I think he can give a brief explanation.

MR. POERIO:
I don't know if I can absolutely, with certainty, delineate what those



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particular projects are, because I don't have this on the financial impact statement.

P.O. TONNA:
Joe, is this a good thing or a bad thing?

MR. POERIO:
It's 3.9 million in savings. They're paying 50% of our --

P.O. TONNA:
All right. That's a good thing.

MR. POERIO:
They're paying 50% of our debt service, Mr. Chairman.

P.O. TONNA:
All right. Anybody have a question? Great.

LEG. BISHOP:
Yes. Time contingent? Why isn't this going to committee?

P.O. TONNA:
Dave.

LEG. BISHOP:
We're in a two-week cycle. Paul.

P.O. TONNA:
Okay.

MR. POERIO:
Because the borrowing, the capital borrowing is coming up and we have to include this in the capital borrowing.

LEG. BISHOP:
Nobody knew this was coming down?

MR. POERIO:
No, they did not, because the -- they just approved this, EFC just approved this in the process, so --

LEG. BISHOP:
All right.

P.O. TONNA:
Oh, that's right, you're the Committee Chair of that.

LEG. BISHOP:
Mr. Pollert, can I get confirm nation on that?

MR. POERIO:
I'm sorry?

MR. POLLERT:
Yes, the County has already issued bonds, but they issue bond anticipation notes. They have to be rolled into serial bonds. The



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timing is now to take advantage of the EFC funding, which was just recently approved. It will result in the savings as attested to by the Comptroller's Office.

LEG. BISHOP:
And this is timing such that two weeks would make a difference?

MR. POLLERT:
Yes, it would.

MR. POERIO:
Yes, it would.

LEG. BISHOP:
Okay.

MR. POLLERT:
Because the bond anticipation notes are coming due.

LEG. BISHOP:
Thank you.

P.O. TONNA:
Thank you very much.

LEG. BISHOP:
Good enough.

LEG. HALEY:
On the motion.

P.O. TONNA:
Okay. There's a motion and second.

LEG. HALEY:
On the motion. Wait.

P.O. TONNA:
Oh.

LEG. HALEY:
I hardly say anything all day. I just want you to know, Joe, that I believed you.

MR. POERIO:
Thank you.

P.O. TONNA:
All right.

MR. POERIO:
Thank you, Legislator Haley. I appreciate that.

P.O. TONNA:
There you go.



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LEG. GULDI:
Tell us, Joe, how does that make you feel to have Marty Haley believe you?

MR. POERIO:
It makes me feel real good.

P.O. TONNA:
All right. I can see, Joe. Okay. There's a motion and a second. All in favor? Opposed?

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

P.O. TONNA:
Thank you so much. 1497 (Authorizing the use of Freedom Plaza at Dennison Building in Hauppauge for Suffolk Solidarity and Unity Rally for Israel). Legislator Binder. There's a motion, seconded by Legislator Postal. All in favor? Opposed?

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

MS. BURKHARDT:
One more CN.

P.O. TONNA:
Great. Okay.

MS. BURKHARDT:
We have one more CN that's being distributed.

P.O. TONNA:
Okay. There's one hot off the CN press.

LEG. LINDSAY:
Don't have it.

P.O. TONNA:
Okay. 1498 (Amending Resolution No. 993 -2001, "Amending the 2002 Capital Budget and Program, appropriating funds and authorizing the acquisition of Normandy Manor). It will be there. She's moving as quickly as she can.

LEG. COOPER:

Motion to approve.

P.O. TONNA:
I'll read this. This is a motion -- this is a motion amending the 2001 Capital Budget and Program, appropriating funds --

MS. BURKHARDT:
For 2002.

P.O. TONNA:
It says 2001. And authorizing the acquisition of Normandy Manor. It

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says 2001, so --

MS. BURKHARDT:
Paul, should that say 2002 on the --

P.O. TONNA:
The resolution itself, that's the --

LEG. FIELDS:
It says 2001.

LEG. POSTAL:
It says 2001 on the resolution.

LEG. FOLEY:
It's amending that resolution.

LEG. POSTAL:
Oh, okay.

P.O. TONNA:
No, no. Paul

LEG. GULDI:
Amending the resolution.

LEG. CARACAPPA:
We've already done the borrowing for --

P.O. TONNA:
Okay. We're set?

MS. BURKHARDT:
We're set.

P.O. TONNA:

All right. There's a motion by Legislator Cooper, seconded by Legislator Binder.

LEG. CARACAPPA:
Time out. How much is it?

LEG. CRECCA:
My bill is not complete. How many pages on the bill? 1498.

P.O. TONNA:
I have -- I have --

LEG. CRECCA:
The bill itself is one page or two?

LEG. POSTAL:
No, it's many pages.

LEG. CARPENTER:
I don't have it.



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LEG. ALDEN:
I got one page.

MR. SABATINO:
Legislator Alden is correct, there's a page missing, the page where there would be a signature line for the County Executive, plus whatever the "resolved" clause is before that.

LEG. CRECCA:
Yeah, that's what I'm saying.

P.O. TONNA:
Okay. We're going to go back. We're going to go back. That's okay. All right. We'll skip that for now. Let's go back on to the agenda. Page 9. We're going to Page 9 now.

WAYS AND MEANS

Ways and Means. Okay. (1044-Sale of County-owned Real Estate pursuant to Local Law 13-1976 Stony Brook Medical Park Condominium). There's a motion by Legislator Guldi, seconded by Legislator --

LEG. GULDI:
I'm abstaining on this resolution.

P.O. TONNA:
Oh. Legislator Fisher, seconded by Legislator Guldi for 1044.

Motion, second. All in favor? Opposed?

LEG. GULDI:
Abstain, Henry.

P.O. TONNA:
Abstain, Legislator Guldi.

MR. BARTON:
16, 1 abstention, 1 not present. (Not Present: Leg. Towle)

P.O. TONNA:
1275 (To implement Town of Babylon Affordable Housing Plan). Motion by Legislator Postal?

LEG. POSTAL:
Motion to table.

P.O. TONNA:
Oh. Motion to table by Legislator Postal, seconded by myself. All in favor? Opposed? Tabled.

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

P.O. TONNA:
1278 (Authorizing waiver of interest and penalties for property tax for Raymond and Valeria Edmond). Motion by Legislator Bishop,



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seconded by Legislator Postal. All in favor? Opposed?

LEG. ALDEN:
Does it meet the criteria?

P.O. TONNA:
Wait.

LEG. POSTAL:
Yes.

LEG. FIELDS:
Yes.

LEG. ALDEN:
Good.

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

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

P.O. TONNA:
Great. Number 1284 (Amending authorizd use of Dennison Building parking lot by Cooley's Anemia Foundation for fundraiser (Motorcycle Rally). Motion by Legislator Crecca, seconded by Legislator --

LEG. CARPENTER:
Second.

LEG. ALDEN:
On the motion.

P.O. TONNA:
Postal. I mean, I'm sorry, Carpenter.

LEG. BISHOP:
More motorcycles?

LEG. ALDEN:
This is another scary motorcycle --

LEG. POSTAL:
Another good motorcycle rally.

LEG. CARPENTER:
No. This is a very --

LEG. ALDEN:
Wait a minute. Wait a minute. We're talking about a motorcycle event, and I remember the last motorcycle event in the Bi-County area did not end too well.

LEG. CARACAPPA:
That happened in Nassau County. That's okay.



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P.O. TONNA:
All right. He's joking.

LEG. CRECCA:
Are you serious.

P.O. TONNA:
No, no.

LEG. ALDEN:

What assurances do we have --

P.O. TONNA:
Cameron.

LEG. ALDEN:
What?

P.O. TONNA:
Cameron.

LEG. CRECCA:
By the way, I attended this motorcycle rally last year and I will attend it this year. And they help Cooley's Anemia children who suffer from a blood disease, and they guys are very passive guys.

LEG. CARPENTER:
Call the vote.

P.O. TONNA:
Men and women, these men and women.

LEG. ALDEN:
Your attendance does not do anything with my fear.

P.O. TONNA:
Okay, great. All right. All in favor? Opposed?

MR. BARTON:
18.

P.O. TONNA:
Thank you. Number 1293 (To initiate Town of Islilp Affordable Housing Plan for Sunnybrook Development Project). Motion by Legislator Carpenter, seconded by Legislator --

LEG. ALDEN:
Cosponsor.

P.O. TONNA:
-- Fields, and cosponsor, Legislator Alden. All in favor? Opposed?

MR. BARTON:
18.



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P.O. TONNA:
1317 (Authorizing conveyance of parcel to Town of Brookhaven for road improvements (Section 72-h, General Municipal Law). Motion by

Legislator Caracappa, seconded by Legislator Towle. All in favor? Opposed?

MR. BARTON:
18.

P.O. TONNA:
1319 (Amending the 2002 Capital Budget and Program and appropriating funds in the 2002 Capital Budget in connection with the purchse of a microfilm processor (CP 1670), bonding resolution. Motion by myself, seconded by Legislator Postal. Can you -- roll call. 1319.

(Roll Called by Mr. Barton)

P.O. TONNA:
Yes.

LEG. POSTAL:
Yes.

LEG. COOPER:
Yes.

LEG. BINDER:
Yes.

LEG. BISHOP:
Yes.

LEG. NOWICK:
Yes.

LEG. CRECCA:
Yeah.

LEG. CARPENTER:
Yes.

LEG. ALDEN:
Yes.

LEG. FIELDS:
Yes.

LEG. LINDSAY:
Yes.

LEG. FOLEY:
Yes.

LEG. HALEY:
Yes.



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LEG. FISHER:
Yes.

LEG. CARACAPPA:
Yes.

LEG. TOWLE:
Yes.

LEG. GULDI:
Yes.

LEG. CARACCIOLO:
Yes.

MR. BARTON:
18 on the bond.

P.O. TONNA:
Same motion, same second, same vote. 1341 (Confirming the appointment of Howard M. Bergson District Court Judge for and of the Sixth District Court to fill a term ending December 31, 2002). Motion by Legislator Haley, seconded by Legislator Caracappa. All in favor? Opposed?

MR. BARTON:
18.

LEG. FISHER:
Opposed.

LEG. POSTAL:
Abstain.

LEG. FOLEY:
Abstain.

MR. BARTON:
Hold on.

P.O. TONNA:
All right.

MR. BARTON:
Hold on.

P.O. TONNA:
Democrats, this is when you're supposed to raise your hand and do whatever you're supposed to --

LEG. COOPER:
Abstain.

LEG. BISHOP:
Oh, abstain. Abstain.

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P.O. TONNA:
Yeah, there you go. There's the leader. Roll call.

LEG. ALDEN:
Surprise, surprise.

P.O. TONNA:
Roll call. I guess you don't --

LEG. TOWLE:
Merits. Merits.

LEG. BINDER:
Oh, look at this.

P.O. TONNA:
I guess you don't expect to be in District Court in Brookhaven.

LEG. BISHOP:
I got the call from Tony Apollaro.

LEG. TOWLE:
This fine quality member --

P.O. TONNA:
Okay.

LEG. TOWLE:
-- of the Bar you guys are opposing?

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

LEG. BISHOP:
I'll tell you what. When you -- when you look at our --

P.O. TONNA:

Wait. Legislator Bishop, you're going to have to ask through the --

LEG. BISHOP:
Our.

P.O. TONNA:
You're going to have to ask through the Chair to be recognized.

LEG. TOWLE:
No. Let him talk. I want him to say this for the record. Go ahead.

LEG. BISHOP:
When Republican Legislators are willing to look at nominees put forward by Democrats on the merits --

P.O. TONNA:
We did, Hackeling.



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LEG. BISHOP:
Then Democrats --

LEG. TOWLE:
There you go. I agree with the Presiding Officer.

P.O. TONNA:
There we go. There you go.

LEG. CARACCIOLO:
And you voted for him, Dave.

P.O. TONNA:
There you go.

LEG. BISHOP:
Then there will be reciprocity.

P.O. TONNA:
Yeah, I'm -- yeah.

LEG. BINDER:
Now, it should just be on the merits --

LEG. TOWLE:
Are you suggesting there's a quid pro quo?

LEG. BISHOP:
But, I mean, honestly --

LEG. BINDER:
Shouldn't it just be on the merits?

LEG. BISHOP:
-- the way that -- the way that judges are selected --

LEG. BINDER:
Just the merits.

LEG. BISHOP:
-- is appalling. It should not be a one-party process, it should be a more open process, and I choose to abstain because in protest to that, not --

P.O. TONNA:
There you go.

LEG. BISHOP:
Not on Mr. Bergson. I don't know him.

P.O. TONNA:
Good. I guess you don't do any work in the District -- Sixth District Courts in Brookhaven. Okay.

LEG. BINDER:
Mr. Chairman.



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P.O. TONNA:
Let's go on.

LEG. BINDER:
Mr. Chairman.

P.O. TONNA:
Roll call.

LEG. BINDER:
Mr. Chairman.

(Roll Called by Mr. Barton)

MR. BARTON:
Legislator Haley.

LEG. HALEY:
Yes.

LEG. BINDER:

Mr. Chairman. No. Mr. Chairman.

LEG. GULDI:
On the motion.

P.O. TONNA:
On the motion. You do work, so you're voting for it.

LEG. GULDI:
No. For the record, since -- because of your comments, I don't do any work in the sixth District Court --

LEG. TOWLE:
Would you like to?

LEG. GULDI:
-- in Brookhaven. And I voted for the nominee after reviewing his resume and interviewing him in committee, and I intend to vote for him today.

LEG. TOWLE:
Good man, George Guldi, right here.

P.O. TONNA:
Because you find him to be qualified?

LEG. TOWLE:
Good man.

LEG. ALDEN:
On the merits, yeah.

(Applause)

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P.O. TONNA:
So you're not so appalled by this nominee.

LEG. GULDI:
And Tony -- and Tony Apollaro doesn't call me at all anymore.

LEG. CARPENTER:
Anymore?

LEG. TOWLE:
Dave, I'll tell you, if you're interested, we probably could work something out and switch your name in here, if you wanted, right now.

P.O. TONNA:

I thought it was always John that called you.

LEG. BISHOP:
You know what, I just want you to take Guldi into your party and then we'd

LEG. GULDI:
You wish.

P.O. TONNA:
All right.

LEG. HALEY:
But you got to take Freddy.

LEG. TOWLE:
Hey, whoa, whoa. Wait a minute.

P.O. TONNA:
We are hitting the silly hour. Could we please continue? Roll call.

(Roll Call Resumed by Mr. Barton)

LEG. CARACAPPA:
Yes.

LEG. COOPER:
Abstain.

LEG. BINDER:
Yes on the merits.

LEG. BISHOP:
Abstain.

LEG. NOWICK:
Yes.

LEG. CRECCA:
Yes.



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LEG. CARPENTER:
Yes.

LEG. ALDEN:
Yes.

LEG. FIELDS:

Yes.

LEG. LINDSAY:
Abstain.

LEG. FOLEY:
Abstain.

LEG. FISHER:
No.

LEG. BINDER:
Is that what Schaffer said to do?

LEG. TOWLE:
Yes.

LEG. FISHER:
No. I think for myself, Allan.

LEG. GULDI:
Yes.

LEG. CARACCIOLO:
Yes.

LEG. FISHER:
Some of us make our own decisions.

LEG. POSTAL:
Abstain.

P.O. TONNA:
A Brookhaven nominee? Of course, yes.

LEG. HALEY:
I want a copy of those minutes.

MR. BARTON:
Twelve; 12-1-5.

P.O. TONNA:
There you go. All right. Send that to you. All right. Here we go. All right. Next one, 1346 (Authorizing contact between County of Suffolk, for and on behalf of the Francis S. Gabreski Airport Fire Protection District with the Incorporated Village of Westhampton Beach for January 1, 2002 - December 31, 2006). Motion by Legislator --

LEG. GULDI:
Gudli.

P.O. TONNA:
Guldi, seconded by Legislator Caracciolo. All in favor? Opposed?

MR. BARTON:
18.

FINANCE

P.O. TONNA:
Finance. Motion by Legislator Crecca, seconded by myself. 1311 (To readjust, compromise, and grant refunds and chargebacks on correction of errors/County Treasurer By: County Legislature #145). Seconded by myself. All in favor? Opposed?

MR. BARTON:
18.

BUDGET

P.O. TONNA:
1192 (Amending the 2002 Operating Budget, restorinng funds for Cornell Cooperative Extension Diabetes Education Program), which was out of Budget. Motion.

LEG. CARACCIOLO:
Second.

P.O. TONNA:
It's the funding for Cornell Cooperative Extension, which was --

LEG. CARACCIOLO:
Second.

P.O. TONNA:
Which was approved out of the committee this afternoon. Seconded by Legislator Caracciolo.

LEG. CRECCA:
Which number was that, 1190 what?

LEG. FOLEY:
1192.

P.O. TONNA:
1192.

LEG. FOLEY:

It's right. It was dishcarged.

P.O. TONNA:
Okay. Yeah.

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LEG. FOLEY:
It was discharged this morning.

P.O. TONNA:
No. It's circulating.

LEG. TOWLE:
Cosponsor on 1192.

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

LEG. ALDEN:
I don't think I have it.

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

P.O. TONNA:
Just wait. Wait.

LEG. FOLEY:
It was -- it was distributed this morning.

LEG. CARACCIOLO:
Here, Henry.

P.O. TONNA:
The second is Legislator Caracciolo.

MR. BARTON:
Who made the motion, then?

LEG. CARACCIOLO:
Motion.

LEG. GULDI:
Second.

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

MR. BARTON:

Guldi.

P.O. TONNA:
Thank you.

MR. BARTON:
18.

P.O. TONNA:
Okay. 1195 (Amending the 2002 Operating Budget transferring funds to the Long Island Regional Planning Board for Smart Growth and Environmental Planning). Motion by Legislator Bishop. Seconded by?



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LEG. POSTAL:
I'll second it.

P.O. TONNA:
By Legislator --

LEG. POSTAL:
Fields, she seconds it.

P.O. TONNA:
Fields. On the -- on the motion. Dave, could you explain this bill?

LEG. BISHOP:
This is adjusting omnibus monies, as already provided for in the budget. It was designated to one line. It was -- and it's being changed to another line.

P.O. TONNA:
Okay, great. Thank you. All in favor?
In favor? Opposed?

MR. BARTON:
18.

ENVIRONMENT, LAND ACQUISITION & PLANNING

P.O. TONNA:
Okay. Now we go to Environment. 1077 (Authorizing planning steps for acquisition under Suffolk County Multifaceted Land Preservation Program (Matrix Realty Property in Centereach).

LEG. CRECCA:
Motion.

P.O. TONNA:
Motion by Legislator Caracappa, seconded by Legislator Foley. All in favor? Sorry about that.

LEG. CRECCA:
That's all right.

P.O. TONNA:
Are you going to represent the Centereach area? Anyway, all in favor? Opposed?

MR. BARTON:
18.

P.O. TONNA:
Okay. 1169 (Implementing Suffolk County Water Quality Protection and Restoration Program). Motion by --

LEG. FOLEY:
Motion to table.



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P.O. TONNA:
Motion to table?

LEG. FOLEY:
Legislator Bishop, is this --

P.O. TONNA:
Wait. There's a motion to table by you, seconded by Legislator Bishop?

LEG. BISHOP:
Yes. Mr. Chairman --

LEG. FOLEY:
Or recommit.

LEG. CRECCA:
Why?

LEG. FOLEY:
Which one?

LEG. BISHOP:
Motion to recommit.

P.O. TONNA:
Okay.

LEG. FOLEY:
Second the motion to recommit.

P.O. TONNA:
Okay. Can I ask the Chairman of that committee why?

LEG. CRECCA:
Yeah, why?

LEG. BISHOP:
This is the Surface Water Quality Protection Program. It's the quarter cent -- it's approximately 90 million dollars over the next decade. The resolution, in essence, designates the Department of Public Works as the lead agency in moving forward on the program. Subsequent to the committee meeting, several environmental groups have raised issues. They're not necessarily opposed to it, but they want to have further discussion on it. And, frankly, because we've been doing so much work on the reform measures in the Environment Committee, that there really hasn't been time to give this a full hearing. So it's not -- I don't want to recommit it out of hostility to it --

LEG. FOLEY:
Right.

LEG. BISHOP:
I just want to recommit it so we can hash out the issues.



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P.O. TONNA:
Okay.

LEG. FOLEY:
On the motion, Mr. Chairman, if I may.

P.O. TONNA:
Yes, Legislator Foley.

LEG. FOLEY:
Thank you.

LEG. CRECCA:
On the motion, Mr. Chairman.

LEG. FOLEY:
Thank you. Many of us received letters at the end of March from a number of environmental organizations. They raise some good points that should be reviewed in committee. We can do the homework in

committee. The bill may be changed, it may not be changed. It would be reported out in two-weeks time. But given the importance of the program, given the issues that have come up in the past about the inability -- and I say this as the former Chair of the Public Works Committee. But, in the past, there was an inability on the part of the Public Works Department to, on a -- in an expeditious way, move through a number of projects that were funded through the Environmental Quality Bond Act monies. They were not able to move --

P.O. TONNA:
Guys, can you stay right here? Can you just stay right here?

LEG. FOLEY:
-- those projects even in a deliberate fashion. They were delayed by years. That being the case, I think we need to take a second look at whether or not DPW is the right place to place this program, or whether or not there's a more creative administrative approach that could be developed that would fulfill the promise of this program, which is to improve the water quality of our surface waters, be they in lakes, or in tidal areas, or along our bay area.

So I think it would be very important that we would at least recommit it for one cycle, do some homework in the committee, and then ask some -- ask some good questions as to whether or not there's a more effective and creative approach that can be taken administratively to do a better job in the future than has been done in the past when it comes to water quality programs.

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

LEG. CRECCA:
Yeah. This was in more than one committee cycle ,at least two. There were hearings on it. As a matter of fact, the discussion was, if I -- at least an hour, if not more, on this. We heard testimony from a lot of different groups. Dick Amper was there. There was --



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LEG. BISHOP:
Not on -- that's not --

LEG. CRECCA:
Well, whether it's true or not --

LEG. BISHOP:
You're mostly right. That part --

LEG. CRECCA:

Okay. We've debated this. We've had testimony from the Health Department, from their environmental section. You know, we should get this program moving. And the reality is, is there was a unanimous decision by the committee that day that Public Works was the department they should be in. There was uniformity from the Environmental Section of our Health Department, from Public Works, from Planning, that this is the right to department to handle this job. And I think now, to put it back in committee and prevent this 90 million dollar program from going forward and delaying it even further, well, you know, apparently, it was good enough, Public Works was good enough to do this, you know, a week ago, but something's changed, and I just don't agree with that. I think it's wrong.

LEG. BISHOP:
We --

LEG. BINDER:
Rich Schaffer changed his mind.

P.O. TONNA:
No, there's speakers. We have next, Legislator Haley.

LEG. HALEY:
I agree with Legislator Crecca. I think it does belong in the Department of Public Works, but I do understand that something has popped up, and that Legislator Bishop has an interest in just revisiting it. I would hope that Legislator Bishop would hope to resolve whatever questions he may have and leave it where it belongs. But, in the meantime, I -- to be quite frank with you, I have to support him on this particular recommit.

P.O. TONNA:
Okay. Legislator Bishop.

LEG. BISHOP:
No.

P.O. TONNA:
You have nothing to say.

LEG. BISHOP:
Call the vote.

P.O. TONNA:
Okay. There's a motion to recommit to committee. All in favor? Opposed?



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LEG. CRECCA:

Opposed.

P.O. TONNA:
Legislator Crecca.

MR. BARTON:
17.

P.O. TONNA:
Fine. There you go. Okay. Now we're going to 1237 (Approving the reappointment of Laure C. Nolan as a member of the Suffolk County Planning Commission, Representing a Village over 5,000 Population). Motion by myself, seconded by

LEG. HALEY:
Can I second that?

P.O. TONNA:
Excuse me?

LEG. HALEY:
I'd like to second that.

P.O. TONNA:
Well, why don't -- you want to put it in? You want to do that? She works in the Town of Huntington, I know.

LEG. HALEY:
Yeah, I'd like to make that motion, because I've worked with her on the Planning Commission and she's terrific.

P.O. TONNA:
Okay. Legislator Haley has a motion, I'll second it. All in favor? Opposed?

LEG. CARACCIOLO:
I'm here, Henry.

MR. BARTON:
18.

P.O. TONNA:
Great. Thank you. 1238 (Approving the appointment of Reed W. Jarvis, Jr. As a member of the Suffolk County Farmland Committee). Motion by Legislator Caracappa, seconded by myself. All in favor? Opposed?

MR. BARTON:
18.

P.O. TONNA:

Okay. 1239 (Approving the appintment of Ronald Bush as a member of the Suffolk County Farmland Committee).



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LEG. FOLEY:
Motion.

P.O. TONNA:
Motion. I'd love to see that you're sponsoring a Bush to get in.

LEG. BINDER:
Is that Ronald?

P.O. TONNA:
Okay. 1239. Motion by Legislator Foley, seconded by myself. All in favor? Opposed?

LEG. FOLEY:
That's only because there's no relation.

LEG. TOWLE:
Actually it is, a third cousin.

P.O. TONNA:
Well, all right.

MR. BARTON:
18.

P.O. TONNA:
1274 (Authorizing the acquisition of development rights to farmlands by the County of Suffolk, of Detmer Farms, Town of Brookhaven (pay-as-you-go 1/4% Taxpayer Protection Program). Motion by Legislator Fisher. Is there a second?

LEG. FOLEY:
Second.

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

MR. BARTON:
18.

LEG. BINDER:
What did Apollaro say to that?

P.O. TONNA:
1290 -- don't start this. 1289 (Amending the Suffolk County

Classification and Salary Plan and the 2002 Operating Budget in connection with a new position title in the Department of Planning, Division of Real Estate (General Real Estate Appraiser). Motion by --

LEG. CARPENTER:
Motion.

P.O. TONNA:
Motion by Legislator Carpenter, seconded by Legislator Lindsay. All in favor? Opposed?



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MR. BARTON:
18.

P.O. TONNA:
1292 (Authorizing planning steps for the acquisition of land under pay-as-you-go 1/4% Taxpayer Protection Program (Hubbard property, Town of Riverhead). Motion by Legislator Caracciolo, seconded by?

LEG. FOLEY:
Motion.

LEG. FIELDS:
I'll second it.

P.O. TONNA:
Legislator Fields. On the motion. Just, Michael, is this the one --

LEG. GULDI:
Planning steps.

P.O. TONNA:
Yeah. Is this the one where there's some contention, or something like that? No? There's another one? Just warn me on that one. Okay? All right. All in favor? Opposed?

LEG. FOLEY:
Mother Hubbard's property.

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

MR. BARTON:
18.

P.O. TONNA:
I just want to ask the question, so, you know, yeah. All right. We got that one, Henry?

LEG. HALEY:
Yes, 18.

P.O. TONNA:
Okay. 1292. Motion by Legislator Caracciolo. No, we did that.

LEG. POSTAL:
We did that.

P.O. TONNA:
1314 (Approving acquisition under Suffolk Coutny Multifaceted Land Preservation Program (property known as Sagtikos Manor) Town of Islip). Motion by Legislator Carpenter, seconded by Legislator Crecca -- oh, Nowick.

LEG. ALDEN:
Second.



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P.O. TONNA:
Nowick. Roll call.

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

P.O. TONNA:
Yeah, well -- all right. There you go.

LEG. BISHOP:
I just want to --

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

LEG. BISHOP:
Thank you, Mr. Chairman. This is, of course, a preservation of a very important structure in the history of Suffolk County, and it's also acquiring ten acres of property that goes with it. The issue that I have, and I'm not going to vote against it and I support it, is that we have to be wary of what the ongoing commitment is. And I am trying, from the Committee Chairman's spot at the last meeting, to impress upon the community groups that came to the Legislature, the importance for them to raise money independently to maintain this property in the fashion that it deserves to be. And I just wanted to ask the sponsor if it's her understanding that they will be primarily responsible for the care of a historic structure, or is it going to be a County function?

LEG. CARPENTER:
I would like -- if you don't mind, I'd like to ask Lance Mallamo to come forward, who has been working with the community groups in helping to develop a management plan. Lance, would you come forward?

LEG. BISHOP:
Good.

LEG. CARPENTER:
And, also, I know Tom Isles is here, too, who has met a number of times with this coalition that has come together to save and preserve Sagtikos Manor, and it includes representatives from all of the historical societies within --

LEG. BISHOP:
On the South Shore, yeah.

LEG. CARPENTER:
Yeah.

LEG. BISHOP:
It it was an impressive group they put together. That's why I'm confident that they'll be able to do it, if they make the effort.

LEG. CARPENTER:
And we've been working with Bob Mackay of SPLIA. The Parks Commissioner, too, has also been a very active participant in this



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whole process. We've had at least one meeting with the New York State Office of Parks and Historic Preservation, and they are very interested in helping us secure some grant funding. There's already been a grant application, too, to the federal government, and perhaps, Lance, you can elaborate on what's been happening in the meetings.

MR. MALLAMO:
Well, as the holder of card 143, I appreciate the opportunity to make a statement on behalf of Sagtikos Manor. As Legislator Carpenter indicated, I have been working with the Parks Department the Planning Department and a host of community groups on developing a management plan for Sagtikos Manor, because we have been concerned that if the County were to acquire it, how are we going to maintain this. It is a very unusual and unique historic property, I would say in the top five of historic sites, if not, the most important historical site in Suffolk County. Not only should it be preserved, I think it can play a crucial role in the economy of Suffolk County.

Just as an aside, This Week on Long Island published a tourism report that said visitors to museums and historic sites comprise 20% or the

largest market share. But we are concerned on what the ultimate responsibility of the County is going to be, and the way we're seeing that this is going to happen is that, of course, the Parks Department is going to administer the property, but we're trying to develop this where local groups can assume much of the role, both financial and for a labor role, both in helping with the restoration, as that occurs, and with actually staffing the facility.

I don't think there will be any problem getting grants for this property. I think it's well recognized nationally. We already have a grant application in to the federal government for a million dollars. Society for the Preservation of Long Island Antiquities and myself have been concerned with the furnishings that are in the building. This building has been unheated since 1962. It has 17th and 18th Century furnishings in it and we're concerned that when suddenly heat is introduced, these things may just explode from humidity, so we're trying to come up with a plan on how to stabilize the furniture. We videotaped every item in the house last week, and I'll be working with our curators at the Vanderbilt Museum to assist the County Parks Department in this regard.

So I will tell you, we're taking every step possible, Legislator Bishop, to minimize the cost to the County and to seek outside fund-raising. I think of all the historic properties the County has, we've never had such a large group of volunteers both within the community for the building itself and for the landscape.

LEG. BISHOP:
Okay.

LEG. CARPENTER:
The garden clubs that have come forward, yeah.

MR. MALLAMO:
This historic ten acres is very, very important and we've really never had that.



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LEG. CARPENTER:
One thing I would just like to add --

LEG. BISHOP:
We'll see in October, when you come in with your list.

LEG. CARPENTER:
On thing I would like to add, there is a Sagtikos Manor Historical Society that has been in existence for -- it's got to be 25, 30 years, if not more, and they actively ran the Manor. They ran a gift shop, they did the tours and everything. And anyone who has been to

Sagtikos was probably escorted by one of the these volunteer docents at Sagtikos Manor. They are still very much in existence and committed to doing everything that they can. And as Lance suggested, there are garden clubs that are just chomping at the bit to get in there and do major plantings and landscaping. And there's just a tremendous amount of excitement for this, so -- and I just want to acknowledge Peter Freeman from the Islip Historical Society, who was here today and left some comments, who, unfortunately, was not able to stay. And I know there were other speakers that kind of were overshadowed by the other issue today. But there is an awful lot I think unprecedented amount of community support.

P.O. TONNA:
Legislator Fields, then Fisher.

LEG. FIELDS:
No. My questions were answered.

P.O. TONNA:
Oh, isn't that -- that's good.

LEG. POSTAL:
Nowick.

P.O. TONNA:
Okay. No. Legislator Fisher, then Nowick.

LEG. FISHER:
Hi, Lance.

MR. MALLAMO:
Hi.

LEG. FISHER:
I think it's a wonderful project and undertaking. I just have one concern. As you know, I have been -- I had introduced a resolution to look at the Farmland Development Rights for the Sherwood-Jayne House, because SPLIA is experiencing some financial difficulties and was looking for the sale of that property. Although Mr. Mackay has great expertise and knowledge with regard to restoration in historic areas, I hope that we're not counting on SPLIA for financial help.

MR. MALLAMO:
Actually, that question came up earlier with one of the community



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group members, and I'm looking at SPLIA more for technical help. I don't expect them to be much financial assistance. I know they have their own situation --

LEG. FISHER:
Yes.

MR. MALLAMO:
-- to deal with. But, while we're on that, I would just like to add, you may not even be aware that -- but the acquisition of the development rights at Detmer Farm, Detmer Farm was the ancestral home of Jonathan Thompson who lived at Sagtikos Manor. So these two properties have a very unique connection and it would be nice to have them in the County holdings for interpretive purposes as --

LEG. FISHER:
Right, sure. We have the home on Thompson-Hay Path.

MR. MALLAMO:
Right, right. Thank you.

LEG. ALDEN:
On the motion.

P.O. TONNA:
Okay.

LEG. BISHOP:
Nowick had a question.

LEG. ALDEN:
Paul.

P.O. TONNA:
No, wait. Just wait. Legislator Nowick, then Legislator Alden.

LEG. NOWICK:
He answered my questions.

P.O. TONNA:
Your answer -- your questions were answered. Legislator Alden, you have the floor.

LEG. ALDEN:
I have a question to Paul Sabatino.

P.O. TONNA:
Legislator Sabatino. I thought it would wake you's up. Okay

LEG. ALDEN:
This is a bond resolution. What we've done is, under the --

P.O. TONNA:

A bomb or a bond?



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LEG. ALDEN:
Bond. Under the Multifaceted Land Preservation, we approved how much borrowing, 55 was it? How much was it?

MR. SABATINO:
The Capital Budget has 13 million dollars in totality. We're only beginning to appropriate money. But the total amount in the Capital Budget for this fiscal year is 13 million.

LEG. ALDEN:
Okay. And we didn't go and borrow that up front, so each individual, when it comes through, has to be a bond resolution?

MR. SABATINO:
Yes, because -- I think this is the second one --

LEG. ALDEN:
They'll bundle them and then they'll go to -- they'll go to market with an aggregate?

MR. SABATINO:
Right. When we've -- when we've appropriated some dollar amount that fits into the borrowing activities of the Comptroller --

LEG. ALDEN:
Okay.

MR. SABATINO:
-- that's when they'll actually borrow it, but we need to appropriate the monies, so the acquisition can go forward.

LEG. ALDEN:
Okay, thanks.

D.P.O. POSTAL:
Paul, Roll call?

P.O. TONNA:
Yes,go ahead. Yeah, roll call.

D.P.O. POSTAL:
Roll call.

MR. BARTON:
Okay, on the bond.

(Roll Called by Mr. Barton)

LEG. CARPENTER:
Yes.

LEG. NOWICK:
Yeah. Me? Yeah.

LEG. COOPER:
Yes.



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LEG. BINDER:
(Not Present)

LEG. BISHOP:
Yes.

LEG. CRECCA:
Yes.

LEG. ALDEN:
Yes.

LEG. FIELDS:
Yes.

LEG. LINDSAY:
Yes.

LEG. FOLEY:
Yes. Cosponsor.

LEG. HALEY:
Yes.

LEG. FISHER:
Yes.

LEG. CARACAPPA:
Yes.

LEG. TOWLE:
Yes.

LEG. GULDI:
Yes.

LEG. CARACCIOLO:

Yes.

LEG. POSTAL:
Yes.

P.O. TONNA:
Yeah.

LEG. BINDER:
Yes.

MR. BARTON:
18 on the bond.

P.O. TONNA:
Okay. Same motion, same second, same vote. Congratulations, Legislator Carpenter.

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LEG. CARPENTER:
Thank you very much. And I would be remiss if I did not thank Commission Isles for all of his help, as well as Lance, on this project. Thank you very much, Tom.

P.O. TONNA:
There you go. Okay. Now we're in 1318 (Appropriating funds for "I'm Organically Trained" stickers for landscapers). Motion by Legislator Bishop.

LEG. GULDI:
Second.

P.O. TONNA:
Second by Legislator Guldi.

LEG. ALDEN:
Explanation.

P.O. TONNA:
Yeah. What's the --

LEG. BISHOP:
This is the most critical measure on the --

LEG. FOLEY:
Is this sticker biodegradable or not?

LEG. GULDI:
No.

LEG. BISHOP:
Last year we past organic landscaping courses for -- landscapers, during the off-season, are taking courses on how to conduct their business in a nonpesticide organic fashion. If you recall, originally, it was going to be mandated, and then we got a commitment from the Nassau-Suffolk Landscapers Association that they would bring their members to the course. Well, the course was a tremendous success. All three sessions were booked to capacity. More than 400 landscapers enrolled and graduated from it.

Part of the envisioned program would be that there would be public knowledge of this, so that people would know that their landscaper is organically trained and can do their lawn with organics and not with pesticides. The Department of Consumer Affairs or the Consumer Affairs Bureau doesn't have the $5,000 in their budget necessary to have these stickers to go onto the trucks. It's enough -- printing a lot of stickers for years to come. There are tens of thousands of landscapers on Long Island and, hopefully, all will go through the course.

LEG. GULDI:
How many bumper stickers?

LEG. BISHOP:
Why don't you put in a bill and just --



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LEG. TOWLE:
Can't the helicopter drop out the stickers as it flies?

P.O. TONNA:
All right.

LEG. HALEY:
Question.

P.O. TONNA:
We still have a lot of substantive bills to deal with.

LEG. HALEY:
Question.

P.O. TONNA:
So can --

LEG. HALEY:
Mr. Chairman.

P.O. TONNA:
Yes.

LEG. HALEY:
Question.

P.O. TONNA:
We have, really -- I mean, we've got three pages of this stuff and there's going to be a lot of debate.

LEG. HALEY:
No. On this sticker, I have a valid question.

P.O. TONNA:
Legislator Haley.

LEG. HALEY:
Do they put they're permit number, ir whatever it is, on this sticker?

LEG. BISHOP:
It's not designed yet, but that makes a good -- that's a good idea.

LEG. HALEY:
Well, would it would be easy to counterfit --

LEG. BISHOP:
Right. You're right.

LEG. HALEY:
-- stickers, right.

LEG. BISHOP:
That's a good -- that's --



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LEG. HALEY:
Maybe we should table it until we resolve that. No, I'm just kidding.

LEG. BISHOP:
If you want to table it --

LEG. HALEY:
No, I'm just kidding, just kidding.

LEG. BISHOP:
-- and resolve that, that's fine with me.

LEG. CARACAPPA:
Motion to table.

LEG. HALEY:
No, no, no, I'm just kidding.

LEG. CARACAPPA:
I withdraw the motion.

P.O. TONNA:
Okay. Thank you. Let's -- there's a motion and a second. Who seconded this, Dave?

LEG. ALDEN:
No one did.

LEG. CRECCA:
No one did.

LEG. BISHOP:
Guldi seconded it.

P.O. TONNA:
Okay. How much are we appropriating?

LEG. FISHER:
Five thousand dollars.

P.O. TONNA:
From where?

LEG. BISHOP:
From the Water Quality Protection Program. You only have $89,999,995.

P.O. TONNA:
Okay. You know what, let's roll call this one.

MR. BARTON:
Okay.

(Roll Called by Mr. Barton)

LEG. BISHOP:
Yes.



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LEG. GULDI:
Yes.

LEG. COOPER:

Yes.

LEG. BINDER:
Pass.

LEG. NOWICK:
No.

P.O. TONNA:
This might be a screening issue with the Nature Conservancy.

LEG. CRECCA:
Yes.

LEG. CARPENTER:
Yes.

LEG. ALDEN:
Abstain.

LEG. FIELDS:
Yes.

LEG. BISHOP:
AC type.

LEG. LINDSAY:
Yes.

LEG. FOLEY:
Yes.

LEG. HALEY:
Yes.

LEG. FISHER:
Yes.

LEG. CARACAPPA:
Yes.

LEG. TOWLE:
Yes.

LEG. CARACCIOLO:
Yes.

LEG. POSTAL:
Yes.

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LEG. BISHOP:
This is such a minor bill, I can't even do a press release on it.

P.O. TONNA:
You owe me Bishop. My big vote, no. No.

LEG. BINDER:
Yeah, sure.

MR. BARTON:
15.

P.O. TONNA:
Okay. 1320 (Approving acquisition and appropriating 1/4% sales tax proceeds for pay-as-you-go Open Space Acquisition of Rasmussen property at 68 North Ferry Road, Town of Shelter Island (Suffolk County Tax Map No. 0700-015.00-03.00-004.000). Motion by Legislator Caracciolo. We're not at that one yet, right? Tell me when. Motion by Legislator Caracciolo, seconded by Legislator Guldi. All in favor? Opposed?

MR. BARTON:
18.

P.O. TONNA:
Okay. 1321 (Making a SEQRA determination in connection with the proposed improvements of Sewer District #3, Town of Babylon (CP8170). Motion by, I guess, myself, seconded by Legislator Bishop. All in favor? Opposed?

MR. BARTON:
18.

LEG. GULDI:
Abstain.

P.O. TONNA:
Okay. 1348.

MR. BARTON:
17, with one abstention.

P.O. TONNA:
1348 (Approving the appointment of Eric Alexander as a member of the Suffolk County Smart Growth Committee representing a Smart Growth Principles Organization). Motion by Legislator Fields, seconded by Legislator Fisher. All in favor? Opposed?

LEG. TOWLE:
Opposed.

MR. BARTON:
17-1.

P.O. TONNA:
Okay. 1356 (Authorizing acquisition of environmentally sensitive



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lands to be acquired with current funding pursuant to Article XII f the Suffolk County Charter).

LEG. BISHOP:
Motion to approve.

P.O. TONNA:
Motion by Legislator Bishop. Seconded by?

LEG. FIELDS:
Fields.

P.O. TONNA:
Legislator Fields. On the motion. What does this do?

LEG. BISHOP:
On the motion. Mr. Chairman, this is the blanket authorization for Pine Barrens purchases. As you probably know, we're down to about 3,500 acres that remain in the Pine Barrens that we have targeted for acquisition. Most of these, 90%, are lots less than five acres, 75% of those are less than one acre. So we're talking about all the small lots that still have to be acquired. This authorization, rather than going through thousands of these one by one, it's a blanket authorization for all of them.

P.O. TONNA:
Okay. Could I just ask, I'm going to recognize myself first, maybe planning or Real Estate, whoever, you know -- see, that's the problem, I get all confused. If they were separate departments, I wouldn't be confused. Anyway --

LEG. GULDI:
Yes, you would.

P.O. TONNA:
Could you -- are you in favor of this resolution?

MS. COSTIGAN:
We are. We have -- at the current time, we have thirty files that

have been waiting for over a year to close for lack of this resolution.

P.O. TONNA:
Okay. So you -- the idea of a blanket, basically --

MS. COSTIGAN:
It's much more sensible for these small pieces, or else I'd be coming back to you for just a few thousand dollars each time.

P.O. TONNA:
Okay. Thank you very much. All in favor?

LEG. ALDEN:
No, hold it, hold it.

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P.O. TONNA:
Oh, Legislator Alden. Sorry.

LEG. ALDEN:
How much does this -- if we were to acquire all those parcels in the Pine Barrens, how many -- how many dollars are we talking about?

MS. COSTIGAN:
Of the thirty files that are pending now?

LEG. ALDEN:
No, no, no, no.

MS. COSTIGAN:
I'm sorry.

LEG. ALDEN:
This authorizes -- this is a blanket resolution to acquire all of them without coming back to us. How much is that, 100 million, 200 million? What was the price that was put on it.

LEG. HALEY:
Three and a half million.

LEG. ALDEN:
No. This came before us --

LEG. BISHOP:
Probably about 10,000 an acre, right?

LEG. ALDEN:
This came before us last year, this very resolution, and it was

defeated about twice or three times because of the total dollar amount that goes into this. This ends -- this ends any acquisition program that we have in the County, if we go forward with this.

LEG. BISHOP:
What?

LEG. ALDEN:
With a blanket acquisition.

LEG. BISHOP:
That's not --

MS. COSTIGAN:
No.

LEG. BISHOP:
That's not accurate.

LEG. ALDEN:
Well, what's your total dollar amount --

P.O. TONNA:
Okay.



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LEG. ALDEN:
-- that's outstanding?

P.O. TONNA:
Right. Christine. Yeah, okay. Legislator Alden is asking what is the total dollar amount.

LEG. ALDEN:
Of all parcels.

MS. COSTIGAN:
I would have to have a crystal ball to know the answer to that question, because there are many parcels that haven't even been offered yet. I mean, the --

LEG. ALDEN:
But this authorizes you to buy them all.

LEG. BISHOP:
Why don't you -- why don't you start with what is the value of the ones that you're -- that are pending, and that would give him -- he can extrapolate from that, perhaps.

MS. COSTIGAN:
I mean, the ones that we could close in the very near future probably are between two and four million dollars for all of them.

LEG. ALDEN:
Okay. That's twenty files, but there's three hundred and some-odd parcels. How many parcels are open in the --

P.O. TONNA:
The State's going to buy all of them.

LEG. ALDEN:
No, the State's not going to buy anything.

LEG. FIELDS:
Yes, they are.

LEG. ALDEN:
No. No, they're not. Watch --

LEG. BISHOP:
Yes, they are. We had them in executive session.

LEG. ALDEN:
Watch what happens here, but go ahead.

MS. COSTIGAN:
The parcels that are -- remain to be acquired? I mean --

LEG. ALDEN:
All the parcels.



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MS. COSTIGAN:
I don't think we have that number. Yeah. I mean, it's thirty-five hundred.

LEG. ALDEN:
This resolution, I submit, is too broad. And I'm going to ask if Tom can answer the number on that, otherwise I'll ask Budget Review. Last year, they gave us a number, or somebody gave us a number. It's quite astronomical.

MR. ISLES:
Yeah. Looking at what's before us right now, which is about thirty-five hundred acres, this resolution, if we're -- we're trying to make an estimate, roughly, of the cost. Obviously, we don't know the exact amount, but, if we were to take it very simply, looking at the cost of Pine Barrens credits that are being sold out of the Pine

Barrens, they can range to a high in the Town of the Brookhaven, which has a large receiving zone, my numbers are about $40,000, to a low, maybe in the range of 15 to $20,000. So, if we take a look at that, if they were $20,000 per acre, then we're looking at about 7 million dollars for thirty-five hundred acres of land. Obviously, if it was forty million -- $40,000 per acre, it would be $14 million for the area that we're talking about in this resolution.

LEG. ALDEN:
All right. That's lesser a number that we had last year on the record as far as for the outstanding acquisitions. But this is just too broad. This authorizes you to go after every inch that's outstanding. I would support it, and I think we can get a CN for it. If it limits it to the 20 open files that's around two or three million dollars, I think with a finite number like that, I think that we could support something like that. But I can't support a blanket resolution to go and spend probably more than $8 million.

MR. ISLES:
This doesn't necessarily mean that the County is going to be the sole agency buying land. We would assume the State would still be there. I would also point out, too, that under the new procedures for the Real Estate recommendations, there are thresholds of review, and, certainly, any large acquisitions would have to come back to you. Lastly, all our budget appropriations are subject to your approval as well.

LEG. BISHOP:
If I may.

LEG. ALDEN:
No, not after this.

LEG. BISHOP:
Mr. Chairman, Legislator Alden may not be aware, because he's not on the committee and it hasn't come to you yet, because we're still forming the omnibus, but you'll see in the omnibus, and you probably saw in the report that Legislator Lindsay and Carpenter worked on, that there's this process where, if it's a larger dollar amount involved, there's more scrutiny, there's dual appraisals and so on.



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These Pine Barren purchases would have to go through that same process. So, if you are talking about a significant purchase, it would come back.

This blanket authorization is really to facilitate the small losts that still have to be done. And if we turn our back on the Pine Barrens at this point, we put the program in jeopardy and we don't

fulfill the mission that we've come so far on .

LEG. ALDEN:
Okay. I still have --

MR. ISLES:
I just have one thing to correct, not small. And --

LEG. FIELDS:
Can you talk into the microphone.

MR. ISLES:
Yeah. There's one thing I wanted to correct, and I should have prepared for this better, I didn't know this was going to be discussed like this, but it's not 7 million, it's 70 million.

LEG. ALDEN:
Seven-0.

MR. ISLES:
Mr. Pollert --

P.O. TONNA:
Yeah, I was wondering.

MR. ISLES:
-- corrected me on that.

LEG. ALDEN:
Seven-0 million.

MR. ISLES:
Yes, seven-0.

LEG. ALDEN:
Seventy million.

MR. ISLES:
Seventy, yes.

LEG. ALDEN:
All right. I'm --

MR. ISLES:
Yeah. And that's the number I think you're referring to, yeah.

LEG. ALDEN:
This has to be -- this has to be restricted as far as the number. What we're authorizing here is up to 70 million dollars worth of

purchases, then.

MR. ISLES:
Right, understanding that appropriations are approved by the Legislature, and acquisitions above a million would have to come back and so forth. That's your call, but --

LEG. ALDEN:
No, no. That's under a separate guideline, that's not in this legislation.

MR. ISLES:
No, but that's an overall guideline that's been recommended.

LEG. HALEY:
Can we get a read?

LEG. ALDEN:
Right. But hold it. Right now, though, Paul, technically, under this, you could spend up to 70 -- well, whatever. You can spend more than 70 million dollars.

LEG. BISHOP:
There's no --

LEG. ALDEN:
There's no limit.

MR. SABATINO:
The issue's very complicated. You're correct in terms of your description of it evolved to this point. What's going to happen is there's only about 7 or 8 million dollars of pay-as-you-go money available in the Open Space account on an annual basis, but because you started the process last year to try to borrow the 62 million, 40 of which will be for open space, the 41 million of which will be for open space through the EFC process, you'll have to vote to appropriate that money. But you're correct in saying that what was said last year is true, it's -- you've got to reconcile this, because if you go to the full amount, when you go to appropriate either the pay-as-you-go money, which is only 6 or 7 million dollars per year, or you try to access the EFC borrowing, if that becomes available, something has to give, because you've also got a whole series of other resolutions that are in the planning step stages. So the answer is yes and no at the same time. Yes, you're going to have to take a look at another vote, but no, it's not -- it's not going to automatically flow through the money that's currently available.

P.O. TONNA:

Well, just -- just from the sense, what we're saying is we're basically limiting ourself, this is where our money's going to go.

LEG. BISHOP:
No. This is the authorization for them to pursue it. We still control the spigot of the dollars in the Legislature. So, Legislator Alden is correct, but it's not giving what I would feel is the proper perspective, which is, ultimately, we still control where the

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environmental dollars will be spent. This allows the department to go out and pursue these purchases. They still have to come back to us for appropriations periodically.

LEG. ALDEN:
But just --

P.O. TONNA:
Well, then there's a policy -- I'm sorry. Legislator Alden has the floor.

LEG. ALDEN:
No. Go ahead.

P.O. TONNA:
I apologize.

LEG. ALDEN:
Go ahead.

P.O. TONNA:
But there is a policy now to say that there's the potential of utilizing all of this money for this one program.

LEG. BISHOP:
There's the potential --

LEG. ALDEN:
No, no, no.

P.O. TONNA:
Potential. In other words, we're basically --

LEG. BISHOP:
-- to utilize all of this money for the one program.

LEG. ALDEN:
There's no potential. This bill states --

P.O. TONNA:
Yeah.

LEG. ALDEN:
-- go out and buy them all.

LEG. BISHOP:
Well, first of all the Pine --

P.O. TONNA:
We're using it all in Pine Barrens.

LEG. ALDEN:
There's no limiting -- there's no limiting language in here.

LEG. BISHOP:
The Pine Barrens is our most important environmental program,



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obviously. It's --

P.O. TONNA:
Right. And we've made a huge financial commitment to it.

LEG. BISHOP:
And the voters have twice overwhelmingly supported --

P.O. TONNA:
Right.

LEG. BISHOP:
Taxing themselves in order to pursue it, so --

P.O. TONNA:
But my concern -- my concern is this.

LEG. BISHOP:
It would be a monumental reversal of policy at this point to --

P.O. TONNA:
It's not a monumental reversal of policy. The thing that I see is that the voters have been very, very clear and generous about open space acquisitions. But what happens is, is that if we lock this money into the Pine Barrens --

LEG. BISHOP:
But we're not locking money, we're authorizing pursuit. There's a distinction.

P.O. TONNA:
Well, I just want to finish what I'm saying and then you can explain yourself why it's not. The next thing we'll do is we're going to get resolutions that say, well, now we have to authorize more money spending for other pieces, because we're locking it in. And all I can say is, is that what we're doing, we're focusing our dollars into the Pine Barrens?

LEG. BISHOP:
No. We are authorizing the Department to pursue all of them. We are not spending the money with this resolution. And if you blur the distinction, then I guess you could make your case, but if you recognize that there's a difference, then it's very clear what we're doing.

LEG. ALDEN:
No, this -- by the language of the resolution, it authorizes the acquisition in the body of it, it does not limit as far as dollar amount, and it doesn't limit as far as even --

MR. SABATINO:
Yes, that's correct. The --

P.O. TONNA:
Can somebody show me the bill?



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MR. SABATINO:
The secondary issue depends on your perspective. It's true, because you have to go to appropriate the money either from the annual pot, or if the EFC financing actually materializes, you're going to have to appropriate or authorize the borrowing. But what' going to happen at that point, and that's where you -- it's all a question of perspective. There's 41 million dollars, potentially, for Open Space competing against not just what you're authorizing here, but all of the other stand-alones that are moving through the pipeline. I don't have a list right now, but you've probably authorized twenty other quarter percent programs. Then what's going to happen is you're probably going to get a resolution that says appropriate the 41 million dollars, if we're going the borrowing route with EFC. Now, unless you break that resolution down into item by item by item, you're going to have 41 million dollars chasing all of the parcels that are out there. I mean, generally, it's, as you authorize them, they tend to -- they tend to move in the order in which they're approved. So that's what you're going to be confronting at someplace down the road. Now, you may decide to take control of that by not appropriating the 41 million dollars --

LEG. BISHOP:

Right.

MR. SABATINO:
-- on a lump sum basis, but that's up to you to make that decision.

LEG. BISHOP:
And that's exactly what I would recomment, because when you -- you wouldn't want to just hand 41 million dollars, and forgive this, Executive Branch, to the Executive Branch and say, "Go spend it on what you deem as a priority, you would want to prioritize." But if you don't pass this, they can't move forward on making deals in the Pine Barrens.

LEG. ALDEN:
Right. But --

LEG. BISHOP:
So they will come back to us at some point and say, "Listen, we have 5 million dollars worth of acquisitions in the Pine Barrens --

LEG. ALDEN:
Well, we have 70 million dollars, but since there is about two or three --

LEG. BISHOP:
They're not going to have 70 million at once, obviously.

LEG. ALDEN:
No, but there's -- since there's two or three million, why don't we just limit the language in here to allow them to pursue the twenty open files that they have. I'd feel a lot better --

P.O. TONNA:
Right, right.



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LEG. ALDEN:
-- because now we're only locking in for two, three, four million dollars --

LEG. BISHOP:
Well, I don't think there's any appropriation here.

LEG. ALDEN:
-- rather than possibly 70 million. You're stating to go out and buy all the property. That's what it states in the bill.

LEG. BISHOP:
But there's no appropriation with it. The key is --

LEG. ALDEN:
It doesn't matter.

LEG. BISHOP:
You know, if you're concerned with --

P.O. TONNA:
They'll have to come back to us anyway, but why not just limit the scope of the legislation --

LEG. ALDEN:
The scope.

P.O. TONNA:
-- to include the thirty --

LEG. ALDEN:
Twenty or thirty files.

P.O. TONNA:
-- files that you call, you know, for whatever.

LEG. GULDI:
Mr. Presiding Officer, if you'd let -- recognize me at some point. Without interrupting the trialogue that you three are engaging in, I'd like to address --

P.O. TONNA:
I didn't see that you wanted to be recognized. Just let me finish.

LEG. BISHOP:
The what as he called it?

P.O. TONNA:
Who has the floor.

LEG. GULDI:
It's not a dialogue.

LEG. BISHOP:
I don't know. What did he call that?



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P.O. TONNA:
Okay. All right.

LEG. BISHOP:
What was that word?

LEG. GULDI:
It's a trialogue.

LEG. BINDER:
A trialogue instead of a dialogue.

P.O. TONNA:
Legislator Guldi.

LEG. BISHOP:
Oh, a trialogue.

LEG. GULDI:
Yeah. There's a critical element I think we need to focus on, and that is I'm going to address it by asking Counsel a hypothetical question. Counsel, if we embark upon a major development -- a major preservation program where we prohibited all development of every nature and description from a large track of parcels, but did nothing to ever authorize the acquisition of those to-be-preserved parcels, at what point, after how many years would we be subject to a de facto condemnation claim by the owners of those parcels by virtue of having obstructed their development rights for a protected time?

MR. SABATINO:
The inverse condemnation claim could certainly kick in at some point down the road. However, the important legal point here is that it's going to kick in against the State of New York, because the Suffolk County Pine Barrens Act, even though it's called the Suffolk County Pines Barren Act, was actually adopted by the State Legislature, and there's a clause in there which says that they indemnify the County. So we're protected in the statute. This is an act of discretion. But you're correct, that at some point in that process, there could be -- there could be a potential inverse condemnation claim. I'm not sure that we're at that stage yet, but there have been several legal challenges to try to knock out the constitutionality, which have been unsuccessful. But the important legal point is that that would not flow back to Suffolk County.

P.O. TONNA:
Okay. Legislator Alden, you have the floor.

LEG. ALDEN:
No. Actually, that pretty much answers my question. But just by Legislator Guldi bringing it up, I'm just wondering if that's the intent of the Legislature, to go and take on a 70 million dollar liability, or if it's the intent to actually let New York State be primary in this purchase, which they claim that they are now. But,

anyway, I would just suggest that we either put limiting language in this or table it to put --



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LEG. LINDSAY:
Why don't you recommit it back to committee?

P.O. TONNA:
Just my concern --

LEG. ALDEN:
I'll make the motion, if you second it.

P.O. TONNA:
My concern is, and maybe, Paul, I'll just ask you the question, I'm not a land expert, but --

LEG. HALEY:
Could we fix it?

LEG. BISHOP:
Right.

P.O. TONNA:
No. The concern that I have is this. On the large scale, does this legislation basically, by -- make a policy issue by saying that we have -- we're going to -- we're going to take our money, okay, and we're going to be looking to -- use that money with a potential liability of 70 million dollars to make the purchases in the Pine Barrens when there's a limited finite amount of money and there's other pieces of land to buy.

MR. SABATINO:
It would put in motion a process that would give willing sellers within this list the opportunity to have access to the available money ahead of other potential projects, because what happens -- I mean, it's the nature of the system. If you authorize these, the negotiations begin, some of these people may immediately strike a deal with the County, other people may not. At some point, you know, they're ahead of the ones that you're adopting someplace down the road, so --

LEG. HALEY:
Does it say planning steps?

MR. SABATINO:
It sets you on a course to spending money for those parcels.

LEG. ALDEN:

I'll make a motion to recommit.

P.O. TONNA:
So -- wait, wait.

LEG. BISHOP:
It sets us on a course to acquire Pine Barrens.

P.O. TONNA:
Well, why don't we do --



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LEG. BISHOP:
That's been the course we've been on for, you know, fifteen years.

P.O. TONNA:
But just two other questions, and maybe Real Estate or Planning could answer this. Right now, the status of this land right now, is it being -- it's not being developed, obviously, it's there. It's private property, but it's whole, right? I mean, it's contiguous with all the other lands. It's small little parcels within the Pine Barrens.

MR. ISLES:
Right.

P.O. TONNA:
I mean --

MR. ISLES:
Right.

P.O. TONNA:
You know, by not purchasing it today, we're not getting the tiger salamander in trouble, or anything else like that, we're just -- it's part -- it's contiguous with anything else, right?

MR. ISLES:
No. The only thing that may happen, if this doesn't move forward, is that the current acquisitions may fall by the wayside, they may -- we may lose our contracts on those or negotiations on those.

P.O. TONNA:
Well, why can't we -- why can't we have legislation that's a little narrowly -- drawn a little more narrow?

MR. ISLES:
I'll defer to the sponsor on that.

P.O. TONNA:
Okay. But that, basically, says we have 30 files right now that equals a certain amount, with a given liability of potentially up to 5 million dollars or 4 million dollars, and that doesn't preclude us from other pieces, that, all of a sudden, we're going down the road purchasing here, and there's another piece of property that might be in Babylon, for all I know, or anywhere else.

LEG. BISHOP:
Just so you understand, that these --

P.O. TONNA:
I mean, it's a policy decision.

LEG. BISHOP:
Most of these lots, if not all of them, were previously -- were previously authorized under the old Quarter Cent Program. They were just never purchased. We never -- we're in a process, a long-term



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process of acquiring Pine Barrens with our partners, New York State. These lots were previously authorized. That program expired. Now it is time to reauthorize them under the new program. If you are saying now you're not willing to authorize them, you're changing the Pine Barrens Program, which is fine, but then I would hope that you would provide the Environment Committee --

P.O. TONNA:
No. I'm saying --

LEG. BISHOP:
Not you personally, but those Legislators who don't want to move forward, with some direction on how we're going to pursue this.

P.O. TONNA:
No. I'm saying let's take a pedestrian approach. Let's take pieces one -- you know, we have 30 files. Let's appropriate that money for those files we know are given liability and let's see how that works and then we'll go back to it. Nobody --

LEG. BISHOP:
All right. But, as Legislator Guldi pointed out, that if you haven't authorized the purchase of the lots, then there will come a point, perhaps we've already passed that point, where the owner will have a legal basis to get out from the program. And if they get out from the program, then you're opening up the Pine Barrens to development.

LEG. ALDEN:
No, no, no. The --

LEG. BISHOP:
Or in reverse condemnation.

LEG. ALDEN:
Right, not to get out of the program --

LEG. BISHOP:
Which is also, you know --

LEG. ALDEN:
-- for reverse condemnation, but that's against New York State. And I don't mind that, but, again, New York State is going to step up to the plate.

LEG. BISHOP:
New York State has --

P.O. TONNA:
Well, doesn't this force New York State to stand up to the plate?

LEG. BISHOP:
New York State committed to 10 million dollars in the current year at the Environment Committee.

LEG. ALDEN:
Okay. Let's just -- let's limit --



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P.O. TONNA:
Doesn't this put New York State -- I still have it, because, Dave, you're answering questions that I'm answering. I still have the floor. Doesn't this put more pressure on New York State, since they are the ones responsible for this reverse condemnation, to be a more forthcoming partner or to purchase more, or to whatever else?

LEG. BISHOP:
Well, who is to say that they are not a forthcoming partner? I mean, they've purchased tens of millions of dollars, we've purchased tens of millions of dollars --

P.O. TONNA:
Right.

LEG. BISHOP:
-- of Pine Barrens. The Pine Barrens is a successful program. We

are -- we are at the last stage of it. Well, these are the final thirty-five hundred acres.

P.O. TONNA:
All right. But, Dave, this is my fear.

LEG. BISHOP:
We've acquired tens of thousands of acres.

P.O. TONNA:
My fear is it's not a question of the commitment to the Pine Barrens and purchasing land, my problem is we basically take a funnel and we say, okay, we're going to take our -- we are going to take our available money and we have made it Legislative priority to say it's going to go there.

LEG. BISHOP:
But this is not --

P.O. TONNA:
The next step -- the next step will be, okay, well, we have other pieces of property that need to be purchased, and what's going to happen is they'll say, "Well, we need more money." We're going to need another --

LEG. ALDEN:
Forty-six million dollars.

P.O. TONNA:
-- forty-six million dollars, okay, to go out and buy the other things. Because you know the one thing is the environmental community is going to come and say, "Okay, well, we need this other stuff and there's developmental pressure, and, you know, there are things" -- and all I can say is when do we say what is enough?

LEG. BISHOP:
So maybe we don't. Maybe we don't. Maybe we buy as much property as we can to preserve it in areas that are threatened by development that



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we want to protect.

P.O. TONNA:
Well, I would like the opportunity to make that decision and be able to make small decisions, rather than one large global decision that basically locks us into a program.

LEG. BINDER:

Mr. Chairman.

LEG. GULDI:
Mr. Presiding Officer.

P.O. TONNA:
Yeah.

LEG. GULDI:
Can I ask a question of Real Estate?

P.O. TONNA:
Sure. Oh, I'm sorry. Legislator Haley, then Legislator Guldi.

LEG. BINDER:
Mr. Chairman, put me on the list.

P.O. TONNA:
Sorry. And then Legislator Binder.

LEG. HALEY:
I see a little bit of a conflict. What I'm concerned with is you have legislation that says all of a sudden you have 30 parcels that you can go out and pay for, yet you're saying that within that same legislation, all those other parcels they have to come back to us. Is there a distinction in the --

LEG. BISHOP:
No -- yeah. The distinction is that they only have -- "they" being the Real Estate Division, are ultimately controlled by the amount of appropriation they hold. And right now, they -- I assume they would have enough for these --

LEG. HALEY:
That's not the impression I got. I got the impression that if this legislation --

LEG. BISHOP:
This bill doesn't come with an appropriation.

LEG. HALEY:
Well, then --

LEG. BISHOP:
What Counsel is pointing out is that when the EFC money comes in, and there's 41 million dollars, if you just turn the 41 million dollars over to the Real Estate Division, yeah, at that point, they would have authorization --

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LEG. HALEY:
But then --

LEG. BISHOP:
-- for 70 million dollars, potentially, worth of parcels and 41 million dollars of cash in their hand.

LEG. HALEY:
Are you saying that --

LEG. BISHOP:
And then we would lose control of the program. So I would say that the way to control the spigot, which is what your concern is, and your concern as well, and, potentially, your concern, is with the appropriation. The appropriation in government is always the key. This is not the appropriation, this is the authorization.

LEG. HALEY:
Then Mr. Isles may have been incorrect when he said that this resolution would give them the opportunity to pick up those 20 or 30 files, right?

LEG. BISHOP:
He doesn't have authorization for them now, but he does have a prior appropriation, not --

LEG. HALEY:
Right. But this doesn't give him authorization.

LEG. BISHOP:
This gives him authorization.

LEG. CARACCIOLO:
Doesn't give him appropriation.

LEG. HALEY:
It doesn't give him appropriation.

LEG. BISHOP:
Doesn't give him appropriation.

LEG. HALEY:
So he's saying he could pick up those parcels. Counsel, do you understand the conflict?

MR. SABATINO:
I could say it in one sentence. He has authorization under a program that no longer has funding. So he needs to get authorization in a

program that does have funding, which is this new program with the 41 million I described before.

LEG. HALEY:
Oh, so this is a reauthorization, but not a reappropriation.



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MR. SABATINO:
Correct. You've got it, right.

LEG. BISHOP:
Right.

P.O. TONNA:
Okay. Legislator Guldi.

LEG. GULDI:
Yeah. The clarification that you just made was critical, because the question I have for Real Estate Division is simply you've indicated that you have 30 files that you'd like to close. The list, for those who asked how big the list is, the list is 221 parcels. The 190 parcels have been in the program for better than a decade. How many of those parcels is there any indication of willingness to go forward with the sellers to go to contract? I mean, are we talking -- you know, what I'm looking for is a reality check from the Real Estate Division, if you'll pardon the pun, in that you've got the other 191 parcels. What are they? Do we know who owns them? Are they -- are we in a position to begin negotiations, or is the concern about wholesale acquisitions subject to appropriation closes bona fide? I mean, what's the status of the other 190 parcels?

MS. COSTIGAN:
Since the lack of any appropriation last year for the parcels that were already identified under the prior program, there's been very little progress in this regard, so I can't give you a current status. I mean, the files that I'm talking about have been on the board all this time. Part of what I'm doing there is trying to clear up stuff that's been sitting around, and I'm trying to get those 30 files. Well, without an appropriation for them or an authorization and appropriation under the new program, you know --

LEG. GULDI:
For those 30 files, though, in addition to the bill that's before us today, would you have to come back to us for an appropriation or have you already been given one that would fund that?

MS. COSTIGAN:
No, I have no appropriation.

LEG. GULDI:
So you would have to come back here for an appropriation clause on even those 30 files. So this is simply a reauthorizing. And, Counsel, perhaps you can answer this question. Aren't all County real estate acquisition contracts subject to a nonappropriation clause?

MR. SABATINO:
They're supposed to be, and I'm confident that the contracts now reflect that.

LEG. GULDI:
Thank you.

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LEG. BISHOP:
So things were said off the record, commitments were made maybe off the record.

P.O. TONNA:
Let him finish.

LEG. BINDER:
I'm being, you know --

P.O. TONNA:
Allan. Allan, just let him finish.

MR. ISLES:
Well, there was some confidential aspect, I guess, in terms of where they are with various negotiations. But I think this was referred to also in prior comments today by Mr. Amper and speaking of his understanding of State commitment. The number that I recall is somewhere in the range of 56 million dollars. I did take notes at that meeting. But your point, Legislator Binder, is precise in the sense that this was extensively --



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LEG. BISHOP:
Fifty-six forward or fifty-six looking backward?

LEG. GULDI:
Fifty-six backward.

MR. ISLES:
Yeah, backward, yeah. And this came up at the Environment Committee when you were a member last year, and that was really the stumbling point, that, certainly, this County has made a tremendous effort in doing its share. It's a nationally recognized success story. The question is what is what is the State doing. And the State did come down and speak to that and did demonstrate servious dollars that have been done and further interest in proceeding and they --

LEG. BINDER:
You're saying that, but I -- as I remember, the numbers that were presented to the Committee showed a very different position between the State and the County. We have spent considerably more than they have. And then the concern was we continue to go forward and see nothing from them. My concern, again, is it's wonderful, there's an executive session, so they won't say on the record. I mean, is there anything on the record, a commitment? I'd love to hear a commitment on the record from the State, Mr. Cowan, or -- I don't know. Is it

Mr. Cowan that you had the meeting with?

LEG. BISHOP:
(Nodded head yes).

LEG. BINDER:
Okay. So Mr. Cowan on the record, rather, in executive session, said the State will be doing "X" number of dollars. It would be nice to see something in public that they plan going forward, so they can -- so that they cannot only narrow the gap, but that they can go forward and then we'll do our part, but then we can forward as partners. But, right now, it hasn't been partners. And I have a real concern, even at this point, unless I -- unless -- unless we see movement. To this date, what movement have you seen even recently, since we were -- we were talking about this last year, and the State had to know that we were holding up our move in this area. So what has the State done since they knew we were holding this up? What kind of purchases have they made since, let's say, the middle of last year?

MR. ISLES:
Okay. I'm not prepared today to give you factual information on that, in terms of what they've done. All I can tell you is that Mr. Cowan did testify at committee to the rolls that they have down. I've also been aware and been very active lately in the Carman's Rivers corridor as part of the Pine Barrens core of acquisitions that the State is doing. There's been some entertainment of the County possibly considering acquisitions key acquisitions on large parcels, very expensive parcels in the core, and that the State indicated they're really concentrating on those bigger pieces, somewhat, so to speak, that we would concentrate on the smaller pieces. But I -- here, again, I'm not prepared today to speak for them, I certainly can't do



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that. In terms of the factual information you've asked, how much County, how much State, we would have to furnish that to you.

LEG. BINDER:
Okay.

MR. ISLES:
My only point was that there was testimony at committee, there was, certainly, indication of what they have done and a willingness to continue.

[SUBSTITUTION OF STENOGRAPHER - ALISON MAHONEY]

LEG. BINDER:
Okay. Mr. Chairman, I would -- I am positive that we should wait at

least a meeting. We should have these numbers before all the Legislatures, we should know what the State commitment has been to date, because I keep hearing, "Well, they testified that they did; " well, I want to know what they did and what we did. And if we are spending a lot more money than the State in a program that is a partnership between Suffolk County and New York State, then I would think that we should understand that the State is going to go forward, how they're going to go forward with us in public commitments. I'd like to see them start to go forward and then we can go forward together as long as we're under the program that Legislator Bishop talks about.

Right now I think we would be changing. If we go forward and we continue to spend money as we have been spending, we have met our commitments. I think we're the ones who would be changing the program, the State program that was created by going forward without demanding State commitment in this process and making sure that they're with us. So I would hope that we'll --

P.O. TONNA:
Legislator Alden. Thank you.

LEG. BINDER:
I'll make a motion to table.

P.O. TONNA:
Okay. And I'll --

LEG. HALEY:
Second.

P.O. TONNA:
All right. Motion and a second. Legislator Alden?

LEG. ALDEN:
Yeah, just briefly. If we're not ready to go forward with a commitment to spend upwards of $70 million on this then we don't need this resolution, as was pointed out by Planning and Real Estate, because they can come before us with another resolution for anything that they have pending, the 30 open files. And this would not accomplish that anyway, they can't close those files on this



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resolution, they still have to come before us to get an appropriation. So there is no emergency meaning or anything needed to pass this tonight. I feel very uncomfortable making a commitment to buy over $70 million worth of property in the Pine Barrens which possible could let New York State off the hook completely if there were a reverse condemnation type of proceeding brought, because now we've taken the

burden off of them. So I'll even go with a -- if you want to go with a CN to change it just to limit it or recommit it or table it, either way, I don't mind.

LEG. BISHOP:
Mr. Chairman?

P.O. TONNA:
Legislator Lindsay has the floor. LEG. LINDSAY.

LEG. LINDSAY:
No, I'll pass.

P.O. TONNA:
Okay, Legislator Bishop.

LEG. BISHOP:
Mr. Chairman, I will not oppose the tabling if -- I would just ask that my colleagues, Legislator Binder, Legislator Alden, yourself, who have been very very strong about wanting to know what the State commitment is, produce a letter to the State, to the Governor saying that you're holding it up for this reason, because you want to see what the State commitment is.

P.O. TONNA:
No, I'm not holding it up for this reason.

LEG. ALDEN:
I'm holding it up to limit our --

P.O. TONNA:
I'm very --

LEG. BISHOP:
I just want to make sure that --

P.O. TONNA:
I have no problem signing that letter, that's not why I'm holding it up. But I'll go after you, go ahead.

LEG. BISHOP:
Because we went down this path in the Environment Committee and I am sure that their reaction is going to be, well, we went to the Legislature and we assured them that we were participating and we're budgeting for it in 2002, and so on. So it would be important that the non Environment Committee meeting members, excuse me, send this letter because I think otherwise we're not going to catch their attention and it will be ignored. And I understand the question, the concern. I'm extremely frustrated at the State, in the last year-and-a-half they

spent roughly $50,000 in the Pine Barrens and that's it. Now, in the previous years they spent tens of millions of dollars and have been a fair partner, that pace of spending slowed down considerably in the last year and a half. They have told us --

P.O. TONNA:
What happened to the Assembly Majority, weren't they able to get that done?

LEG. GULDI:
They have told the Environment Committee that they were going to renew it and they were full participating partners moving forward. But I understand the concern and I think that, you know -- I think, frankly, the value of having important Republican County Legislators writing the Republican Governor in his election year --

P.O. TONNA:
Well, how about do we have important --

LEG. BISHOP:
-- saying that they're holding up the Pine Barrens Program --

P.O. TONNA:
Do we have important Democratic Legislators?

LEG. BISHOP:
-- because they want his commitment that he's actually going to participate is very important.

P.O. TONNA:
I will tell you what.

LEG. BISHOP:
I mean, that's -- I'm just laying it out the way it is, that's exactly the way it is.

P.O. TONNA:
Okay, Dave, how about this?

LEG. FOLEY:
Angie, I heard that over here.

LEG. CARPENTER:
It was a joke.

P.O. TONNA:
Dave, just two things. One is I would be glad to write a letter to the Republican Governor but I would ask maybe you would cosign one to the Assembly, you know, majority.

LEG. BISHOP:
Absolutely.

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LEG. FOLEY:
The Assembly had the money in the program.

P.O. TONNA:
Okay, that would be great.

LEG. BISHOP:
That's fine.

LEG. FOLEY:
They had the money.

P.O. TONNA:
I'm sure that if it's a -- I hear Silver does great things up in Albany.

LEG. BISHOP:
I'm not the one who's stopping the program, though, you're the one who wants to table it.

P.O. TONNA:
I hear that he works miracles.

LEG. FOLEY:
DiNapoli had the money in the Assembly version of last year's budget, by the way.

P.O. TONNA:
There we go. But anyway, besides the political banter, maybe just --

LEG. BISHOP:
It's not banter, I'm making a point, that you're actually -- you're right, you would have great political significance if you did that. That would be, you know --

LEG. FOLEY:
It would be helpful.

LEG. BISHOP:
It would be very helpful, I'm sure.

P.O. TONNA:
My concern is more about -- and I just want to categorize my concern and then we'll call the vote. My concern is more about very simply we are narrowing ourselves down with a broad-brushed resolution that basically says this is where we want our focus for the money. The next step will be that you know what, now we're out there with the $70 million liability, we've already --

LEG. ALDEN:
Commitment.

P.O. TONNA:
We already have -- we have only left, what, $41 million in our bonding? So the next thing you know is that there's going to still be space outside the Pine Barrens where people are going to want to



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purchase and the only way to do that is going to be another spending resolution, a referendum to say let's do more and let's do more.

LEG. BISHOP:
You know, Mr. Chairman --

P.O. TONNA:
And this is a feast that is insatiable.

LEG. BISHOP:
Protecting the environment does cost money.

P.O. TONNA:
Yeah, but -- yes.

LEG. BISHOP:
And you know why it passes? You say it comes back for more and it comes back for more, because the public wants it and it's the right thing to do. Protecting the Pine Barrens --

P.O. TONNA:
Well, I would like to --

LEG. BISHOP:
-- is critical to the future of this Island.

P.O. TONNA:
I would like to measure that with other legislative priorities, whether they be making sure that child poverty is taken out, okay, so that --

LEG. BISHOP:
Well, I don't know what the Pine Barrens has to do with child poverty.

P.O. TONNA:
Well, all I can tell you is -- all I'm saying is if I'm going to spend my money, I want to make a decision. And I think that we're giving a half a loaf which says you have pieces of property right now, 30 files. Let's spend the money, okay, let's make a commitment to the Pine Barrens, but let's not make a commitment, you know, a broad brush commitment that says that basically if the Planning Department or the Real Estate Department decides to go full speed ahead, $41 million easily will be blown through and then we will have people coming back and saying, "But I got this piece of land or that, we need more money, and more, and more." We've done time and time again, we've already bonded this money at more expensive cost for us. All I'm saying is let's do it one step at a time. I'm not going to vote for this resolution.

LEG. BISHOP:
And every time we spend more and more money to protect the environment we do more and more good.

P.O. TONNA:
Right. And I'd like to do something --



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LEG. BISHOP:
And so I just want to say finally, again, I will renew the offer that I will support the tabling enthusiastically if you're going to send that significant letter to the Governor. I think that would be a fantastic thing.

P.O. TONNA:
I'll tell you what, even better than that, Dave. I'll let you write a draft for me, okay, and then I will look, I'll put my say and I'll make, you know --

LEG. BISHOP:
Can we take one of your famous recesses for ten minutes, I'll come back with the draft and then we can --

P.O. TONNA:
That would be great but no, there's no spellcheck. Anyway, we'll go from there. You want to roll call now? Let's roll call.

LEG. LINDSAY:
Don't put debilitating in the letter.

P.O. TONNA:
Yeah, no. Roll call. This is to table.

(*Roll called by Mr. Barton*)

LEG. BINDER:
Yes.

LEG. HALEY:
Yes.

LEG. COOPER:
Yes.

LEG. BISHOP:
No.

LEG. NOWICK:
Yes.

LEG. CRECCA:
No to table.

LEG. CARPENTER:
Pass.

LEG. ALDEN:
Yes to table.

LEG. FIELDS:
No.



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LEG. LINDSAY:
Yes.

LEG. FOLEY:
No.

LEG. FISHER:
No.

LEG. CARACAPPA:
Yes.

LEG. TOWLE:
(Not Present)

LEG. GULDI:
No.

LEG. CARACCIOLO:
Negative.

LEG. POSTAL:
No.

LEG. TOWLE:
Yes to table.

P.O. TONNA:
Yes.

LEG. CARPENTER:
No.

MR. BARTON:
9-9.

P.O. TONNA:
Okay, great. So now there's a motion to approve by Legislator Bishop.

MR. BARTON:
Yes.

LEG. FOLEY:
Second

LEG. FISHER:
Second.

P.O. TONNA:
A second. On the motion, I would recommend to my colleagues who voted to table this to defeat this bill and so that we can come back and have something that's a little more narrow scoped but doesn't make the large policy commitment with regard to the Pine Barrens.



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LEG. CARACCIOLO:
Mr. Chairman, I'd like to make a motion to recommit to committee.

LEG. HALEY:
Second.

LEG. ALDEN:
Second.

P.O. TONNA:
Okay, thanks. There's a motion and a second. I would rather see this defeated.

LEG. BISHOP:
What's going to occur in committee?

P.O. TONNA:
Right, that's my point; nothing.

LEG. HALEY:
Dress it up.

LEG. CARPENTER:
Can I -- Mr. Chairman, I was on the prevailing side not to table. I'd like to make a motion to reconsider and table to the next meeting.

LEG. ALDEN:
Let's just vote on it.

P.O. TONNA:
Well, okay, there's a motion by Legislator --

LEG. BISHOP:
I'm not -- I think if it goes up or down it will pass.

P.O. TONNA:
I would rather see it go down to tell you quite honestly. Legislator -- listen, this is the priority. We have a motion to recommit and a second. We have now a motion to reconsider; Legal Counsel, what takes precedence?

MR. SABATINO:
Recommit, but let me just be sure.

P.O. TONNA:
Okay. Binder had a 50/50 chance here.

LEG. BISHOP:
Mr. Chairman?

LEG. BINDER:
If you're in the middle of a recommit --

LEG. BISHOP:
Mr. Chairman, I would like to discuss the recommitment as the Chairman

of the Environment Committee.

P.O. TONNA:
Just wait, wait, wait.

MR. SABATINO:
No, reconsider takes priority, I'm sorry.

P.O. TONNA:
There you go.

LEG. BISHOP:
I would ask that Legislator --

P.O. TONNA:
Wait, wait, your pride is hurt, I know.

LEG. BINDER:
No, no, no. Can you reconsider --

P.O. TONNA:
We have a reconsider vote.

LEG. BINDER:
Point of order.

P.O. TONNA:
Point of order, yes, Legislator Binder.

LEG. BINDER:
Counsel, can you reconsider, while there is a motion to table to recommit, can you reconsider a motion that happened previously? That's the problem, don't you have to dispense with the recommit first?

LEG. CARPENTER:
I can put an end to this misery. I'm going to withdraw my reconsideration.

P.O. TONNA:
Okay, fine. Now there's a recommit. There's a motion and a second.

LEG. FISHER:
On the motion.

P.O. TONNA:
On the motion, I think Legislator Bishop was first, he wants to debate that, and then yourself.

LEG. ALDEN:

On the motion.

LEG. BISHOP:
I don't want to debate it, I want to understand. If it goes back to committee, what is it that you want the committee to do?

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P.O. TONNA:
Nothing, I'm not going to vote for that.

LEG. BISHOP:
All right, you're not going to vote for it in any manifestation.

LEG. CRECCA:
You're not going to vote for any Pine Barrens bill.

P.O. TONNA:
No, I want one that's narrow -- I've said it on the record now three or four times.

LEG. BISHOP:
What does that mean, narrowly focused?

LEG. CRECCA:
That's what I'm saying.

P.O. TONNA:
I want one that is narrowly conceived to take care of those 30 parcels that they have that they want to buy so that we have a finite amount of money that we're committing to for a finite amount of projects. And then just like anything else, instead of a large policy decision that we're doing it as a pedestrian approach.

LEG. BISHOP:
Failing to reauthorize the broad scope of the Pine Barrens is, in my opinion, abandoning the program as it's conceived --

P.O. TONNA:
Well, that's in your opinion.

LEG. BISHOP:
-- and it as it has been pursued for more than a decade. And the point that I want to make is that the 31 parcels are not what is at issue here. Legislator Guldi said it very well, what is at issue is that we have an oblig -- if you believe in the program, you have an obligation to pursue it, and if you don't do it then you stand the risk of a reverse, inverse condemnation of having the program fall apart. So the point --

P.O. TONNA:
For New York State to have that, yeah.

LEG. BISHOP:
So your earlier point was you wanted New York State's commitment that they were full partners --

P.O. TONNA:
No, it's not my point.

LEG. BISHOP:
No, that was a point earlier made and you seemed to agree to it at the time. This is a very different point. When you keep talking about



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narrowing the scope --

P.O. TONNA:
Yes, that's been my point from the beginning.

LEG. BISHOP:
-- then you're really changing the dynamic of the program and you're opening up all those lots that you do not authorize to litigation potentially.

P.O. TONNA:
Well, I would say it's building blocks, you take one step at a time. You build this block, the real estate guys says, "Hey, we have another 30 parcels," then we can make a policy decision. There might be a plot of land, a piece of property somewhere that we say, "You know what, this is where we want it, " and I don't want to send different messages. Why can't we take pedestrian approaches?

LEG. BISHOP:
But Legislator Tonna, when you arrived in this body, when you arrived as a Legislator eight years ago --

P.O. TONNA:
Eight and a half, yes.

LEG. BISHOP:
All those parcels were already authorized.

P.O. TONNA:
Right.

LEG. BISHOP:
So it's not building blocks, it's tearing down what was already done

which is the path you're going down; I don't want to go down that path.

P.O. TONNA:
Okay, so we have a difference of opinion.

LEG. BISHOP:
So I think that a recommit -- recommitting for that purpose is something that I would urge my colleagues not to --

P.O. TONNA:
Right, I'm not for that either. Right, I think it should go down on its merits and then maybe we can have a better idea.

LEG. BISHOP:
So I think we should go to the vote on the merits, either you --

LEG. FISHER:
Can others of us join this debate?

P.O. TONNA:
Yes. But anyway -- yes, when we're done.

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LEG. FISHER:
Okay. Are you dont?

P.O. TONNA:
Now it's your turn.

LEG. FISHER:
We don't want to make it a triage, George, do we? Anyway, last year when I was on the Environment Committee, we spent months discussing this, it was tabled month after month. Recommitting it to the committee I don't think will accomplish anything; Legislator Alden, you know how we talked about this month after month.

However, I have to disagree with you, Mr. Chairman, when you say that we're creating a policy here. When I became a Legislator, even going as far as back as when you became a Legislator, this policy was already set in place. And it was very clear that the people of Suffolk County were committed to protecting the Pine Barrens because that is what we have to protect in order to protect our drinking water. So we're not creating new policy, we're not creating new commitments, this is a commitment that we and the people of Suffolk County have already made.

As far as New York State's commitment, Cameron, I agree with you, we

had -- the question was how much has New York State committed, how much have they come up -- stepped up to the plate and fulfilled their end of the commitment and they had been doing well and they have fallen off of late. However, I think it's very important that we pass this, that we allow Real Estate and Planning to move forward and that we also reach out to the State. But I don't think that we can relinquish our responsibility by saying, well, the State is not doing anything. And we certainly shouldn't recommit, I think we should vote it up or down because it would just be wasting more time putting it back into committee, it's not going anywhere.

P.O. TONNA:
I agree with you. Legislator Guldi.

LEG. GULDI:
Yeah, I agree with the Presiding Officer to the extent that we shouldn't recommit this, it's been around for a long time, we should deal with the issues. Can I have your attention please, Mr. Crecca, Mr. Bishop, I'd like to address everyone in the Legislature on this.

LEG. TOWLE:
They don't want to listen to you, though.

P.O. TONNA:
Okay, could I just ask --

LEG. GULDI:
Any time you want to join the meeting, guys.

P.O. TONNA:
Just a side bar, Legislator Guldi is asking you to both be attentive.

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LEG. GULDI:
I'd like your attention, I have two points I want to make --

P.O. TONNA:
As we used to say, your undivided attention.

LEG. GULDI:
-- that I think are salient here. The first point is the rest -- I mean, we have repeatedly said that any de facto condemnation claim lies against the State of New York and that we have an indemnification promise from the State of New York. Well, for those of you who aren't familiar with the condemnation process, we in Suffolk County have never acquired land by condemnation because it is so vastly more expensive than acquiring land by negotiation. It is confiscatorily expensive and the State of New York has avoided acquiring land because of that. And I don't know about the rest of you, but my constituents

happen to also be New York State taxpayers. And I think it's grossly irresponsible to say, "Well, we don't care about that because it's the State that will have to pick that up." Well, guess what? The State gets its money from our constituents; granted, they also get it from the rest of the State --

P.O. TONNA:
Including New York City.

LEG. GULDI:
-- but they certainly take their share of expense money from us. So that's one point that I'd like you all to consider.

The second point I have to say is look at the backup to this resolution. I want to point out that this resolution incorporates by reference Resolution 1331 of 19 --

P.O. TONNA:
Just wait, George, just because I think what you have to say is -- can I ask Legislators, please --

LEG. GULDI:
This resolution --

P.O. TONNA:
-- a colleague has the floor.

LEG. GULDI:
This resolution incorporates by reference Resolutions 1331 of 1998 and 1387 of 1998. And most of you voted for those two resolutions authorizing the purchase of these same 221 lots. And I would love for those of you who voted for those resolutiosn in 1998 under the exact non appropriation restrictions that exist on the resolution that's before us today to reconcile any inconsistent action that you propose to take here in voting this resolution up or down.

P.O. TONNA:
No, I just say one step at a time, George. Who else?



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LEG. FISHER:
And David, that was my point. You were talking when I said it, but we're not setting new policy and that's why I'm saying contrary to what the Chairman has said. This policy has been set, it was set before most of us sitting around this horseshoe were elected to serve in Suffolk County.

LEG. BISHOP:
Okay.

LEG. HALEY:
The only difference is the State.

P.O. TONNA:
No, the difference is the money ran out. The money ran out, that's the difference. The difference is not about wanting to purchase things, the difference is the fact is that there's a finite amount of money. So when the money runs out you've got to reconsider things, you've got to think about things and you've got to say, "Legislator Guldi, there's a piece of property in your district that's under developmental pressure that isn't in the Pine Barrens, do we want to purchase that? Do we want to purchase this," or whatever. And I'm saying when you have a finite amount of money or when the money ran out, yeah, it's time to look at something and say do I want to narrowly conceive. And I'm saying one step at a time, you got 30 parcels ready to purchase? Our commitment is there for the Pine Barrens, let's do it. The next 30 parcels, 20 parcels, 15 parcels, 200 parcels, then we can make it. Instead of saying go, go, go, and then the next statemebt will be Leigslator Guldi, "But we need money for my district and there and over here and this piece and that." And then we're looking at another resolution to say, "Hey, let's put on a referendum for another 100 million, 50 million, 20 million, 46 million, and I think that's what we're doing. By committing ourselves to this, we're basically committing ourselves to a large amount of money for the next resolution. And I don't know, I might want to do something with child poverty rather than this right now.

LEG. GULDI:
If I may reply, if there's no one else on the list?

P.O. TONNA:
Go ahead.

LEG. GULDI:
And that is I disagree with one part of your analysis, the money didn't run out. When we did the quarter penny extension, we expressly included the acquisition of these parcels.

LEG. BISHOP:
Exactly.

LEG. GULDI:
We put it up for a referendum --



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P.O. TONNA:
With everything else.

LEG. GULDI:
With everything else. We put it up for a referendum including these parcels and said, "Voters, tell us if you want us to allocate the money for that."

LEG. ALDEN:
George, are you prepared not to put any more resolutions in?

LEG. GULDI:
Excuse me, I have the floor, I do not yield, please don't interrupt.

LEG. ALDEN:
Fine.

LEG. GULDI:
And that is that express resolution provides the funds to continue and not abandon this program.

P.O. TONNA:
I'm not abandoning it.

LEG. GULDI:
You voted for this program in '98 and to defeat this resolution would be a repudiation of the program and I suggest have dire consequences.

P.O. TONNA:
That's your characterization.

LEG. GULDI:
That is.

P.O. TONNA:
Legislator Lindsay.

LEG. LINDSAY:
Yeah, maybe through Chair of the Land Acquisition or someone else who's on the committee because I'm not on the committee. One simple question, if we approve this will that prevent us from purchasing property in our districts or anywheres that is not in the Pine Barrens?

LEG. BISHOP:
Unequivocally not.

P.O. TONNA:
No, it won't.

LEG. LINDSAY:

No.

LEG. BISHOP:
No.

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LEG. HALEY:
It's got to come out of somebody's pot.

P.O. TONNA:
But it gives it a leg up, that's the only thing. It gives it a leg up. It's already starting the process. Yes, it gives us a leg up.

LEG. BISHOP:
These parcels have been authorized for more than a decade.

LEG. GULDI:
I got to -- it's such a leg up --

P.O. TONNA:
Right. This is the Sagamore Hill, this is the Sagamore Hill resolution.

LEG. GULDI:
It's such a leg up that since we approved it four years ago in 1998, our Real Estate Division has managed to come up with precisely 15%, 30 of the 221 parcels that they're ready to close on. At that pace, it will only take us another, let's say, four years for each 15%, it will only take us another 20 years to do this at a straight consistent pace. That's the floodgate we're worried about.

P.O. TONNA:
Well, all I can say is it's a policy decision. I understand the point, I think you understand our point. And, you know --

LEG. BISHOP:
That's why I would urge up or down.

P.O. TONNA:
Right, I agree.

LEG. BISHOP:
Let's make the policy decision and --

P.O. TONNA:
But there is a motion to reconsider?

LEG. GULDI:

I'll withdraw the motion.

LEG. FISHER:
Thank you.

P.O. TONNA:
Okay. So let's do a roll call on the resolution.

LEG. GULDI:
Motion to approve.

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LEG. FISHER:
Second.

P.O. TONNA:
This is to -- no, that's withdrawn. This is a motion to approve.

LEG. BINDER:
No, reconsider was withdrawn.

P.O. TONNA:
No, so was recommit, yes.

LEG. BINDER:
So what --

P.O. TONNA:
It's either up or down. This is a motion to approve.

LEG. BINDER:
Motion to recommit.

LEG. BISHOP:
On the motion.

LEG. GULDI:
I don't hear a second.

LEG. CARPENTER:
Second.

LEG. HALEY:
Second.

P.O. TONNA:
This is a motion to approve by Legislator Bishop --

LEG. POSTAL:

No, motion to recommit.

LEG. BINDER:
I said motion to recommit.

P.O. TONNA:
Who did?

LEG. POSTAL:
Binder, seconded by --

LEG. BINDER:
I did, just now.

LEG. CARPENTER:
And I seconded it.

P.O. TONNA:
To recommit, okay. So roll call on recommit. You guys know you're not

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going to have -- why waste the time?

(*Roll Called by Mr. Binder*)

LEG. BINDER:
Yes.

LEG. CARPENTER:
Yes.

LEG. COOPER:
No.

LEG. BISHOP:
No.

LEG. NOWICK:
Is this to go back?

MR. BARTON:
Send it back to the committee.

LEG. NOWICK:
I will send it back to committee.

LEG. CRECCA:
No.

LEG. ALDEN:
Pass.

LEG. FIELDS:
No.

LEG. LINDSAY:
No.

LEG. FOLEY:
No to recommit.

LEG. HALEY:
Yes.

LEG. FISHER:
No.

LEG. CARACAPPA:
Yes.

LEG. TOWLE:
Yes.

LEG. GULDI:
No.



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LEG. CARACCIOLO:
Yes.

LEG. POSTAL:
No.

P.O. TONNA:
No.

LEG. ALDEN:
Yes.

MR. BARTON:
8.

P.O. TONNA:
Okay. I would like to make a motion -- I would like to call the vote on the motion by Legislator Bishop, seconded by Legislator Fisher -- Fields, sorry. Roll call.

(*Roll Called by Mr. Barton*)

LEG. BISHOP:
Yes.

LEG. FIELDS:
Yes.

LEG. COOPER:
Yes.

LEG. BINDER:
Abstain.

LEG. NOWICK:
Yes.

LEG. CRECCA:
Yes.

LEG. CARPENTER:
Yes.

LEG. ALDEN:
Abstain.

LEG. LINDSAY:
Yes.

LEG. FOLEY:
Yes.

LEG. HALEY:
Pass.

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LEG. FISHER:
Yes.

LEG. CARACAPPA:
Nope.

LEG. TOWLE:
Yes.

LEG. GULDI:
Yes.

LEG. CARACCIOLO:
Yes.

LEG. POSTAL:
Yes.

P.O. TONNA:
Nope.

LEG. HALEY:
Nope.

MR. BARTON:
13.

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

LEG. CARACAPPA:
You guys done playing around now?

P.O. TONNA:
Thank you very much. Let's go on to -- where are we?

1357 - To set a public hearing for the review and modification of Agricultural District No. 3 in the Town of Babylon, Brookhaven, Huntington, Islip and Smithtown (Presiding Officer Tonna). I make a motion, seconded by Legislator Cooper. All in favor? Opposed?

MR. BARTON:
18.

P.O. TONNA:
Procedural Motion No. 3 - To retain independent appraisal review services for County land transactions (Bishop).

LEG. BISHOP:
Motion to table.

LEG. HALEY:
Second.

P.O. TONNA:
Motion to table by Legislator Bishop, seconded by Legislator Haley.



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All in favor? Opposed?

MR. BARTON:
18.

P.O. TONNA:
Tabled.

There's a Procedural Motion No. 5 that should be in front of you somewhere, this is to modify the schedule of Legislative Meetings change from 10/22 meeting to 10/8.

LEG. POSTAL:
It's in your folder, George.

P.O. TONNA:
It's been here since this morning.

LEG. HALEY:
Has the Chairman of that committee approved that discharge?

P.O. TONNA:
I don't know where that -- it's a Procedural Motion, there is no Chairman. I think my office has called every single Legislator and asked them prior to. All in favor? Opposed?

LEG. GULDI:
Abstain.

MR. BARTON:
17, one abstention (Abstained: Legislator Guldi).

P.O. TONNA:
Procedural Motion No. 6, this is a Procedural Motion authorizing the acquisition of Normandy Manor in excess of County appraisal review.

LEG. CRECCA:
Can we get an explanation on this?

P.O. TONNA:
Legislator Cooper, on the motion. You can explain your way to this one, right?

LEG. COOPER:
Christine, would you like to come up and make yourself available?

MR. BARTON:
Mr. Chairman, the motion and the second?

MS. COSTIGAN:
This is an instance where the appraisal for this property is greater than the proposed purchase price, we are within the appraisal. That appraisal was subject to appraisal review and the appraisal reviewer, who is not an appraiser, arrived at a total estimated fair market value of something lower, the difference is $85,000.

The estimated fair market value of the lots, this is one large piece of property, it was appraised as a perspective subdivision into three lots. The appraiser per lot value was not in disagreement with the appraisal reviewer. The appraisal reviewer found that the per lot value arrived at by appraiser was on the high side but was within the market value of a lot. The difference between the two was arrived at because the appraisal reviewer said both had -- this was a perspective subdivision. The appraisal reviewer estimated up to two years for the subdivision to be approved, although it's a minor subdivision. The appraisal reviewer then discounted the value by what the appraisal reviewer took to be the time value of money and further discounted by a demolition cost of $10,000 for certain small buildings on the property. Again, that's estimating if a subdivision went forward.

We spoke with the appraiser, the appraiser felt that it would not take that long for the subdivision to take place. And moreover, during the elapsed time, the increase in value of the property due to time would more than offset any deduction for the decrease in the value of money, you know, that you wouldn't have to deduct because it would take some time. So the bottom line is we are still well within the appraisal but there is a conflict.

P.O. TONNA:
Of the original appraisal?

MS. COSTIGAN:
Yes, yes.

P.O. TONNA:
As a subdivision.

MS. COSTIGAN:
That's correct, yes. This is not a problem with the appraised value.

P.O. TONNA:
Can I -- just normal -- I'm sorry, Jon, you have the floor. I apologize.

LEG. COOPER:
Please, go ahead.

P.O. TONNA:
Okay. Don't we -- doesn't there have to be some resolution or something from the town to say that -- or the Planning Board or the Zoning Board or whatever board it is that says that basically, yeah, this is going to be -- I mean, can't anybody who has a multi, you know, acred lot all of a sudden increase the value of their -- by

saying, "I'm going to subdivide this"?

MS. COSTIGAN:
No, they do not need an approval. For instance, in this instance and in most instances, there is a formal subdivision plot. It was laid out, it has been discussed with the town, it has not moved through the subdivision process because indeed they would rather not subdivide it.

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P.O. TONNA:
But we're going to be paying -- we're not going to be paying -- we're going to be paying the appraised value based on the subdivision, not the appraised value based on one piece of property.

MS. COSTIGAN:
The appraised value has to be for the highest and best use in terms of value, so the appraisal has to be based on the subdivision.

P.O. TONNA:
Okay. I'm learning, I always learn. Thank you. Legislator I think Guldi and then -- well, Legislator Guldi and then Legislator Bishop.

LEG. BISHOP:
If you would yield, I just want to --

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

LEG. GULDI:
Haley is actually -- Haley and Cooper are ahead of me, I don't know why --

LEG. BISHOP:
Yeah, I want to explain why the bill is here.

P.O. TONNA:
Okay, but Legislator Haley go first and then you can enlighten us afterwards.

LEG. HALEY:
I was concerned about -- it says, "WHEREAS, the County's review appraiser," and you say that you have some --

MS. COSTIGAN:
That's not correct, there is no review appraiser. It was done by an appraisal reviewer, big difference, no license.

LEG. HALEY:
Does an appraisal reviewer -- I love this, this is great because now

we have the opportunity of blaming stuff on appraisal reviewers if we don't happen to agree with their review of it. I don't --

MS. COSTIGAN:
No, we have had that opportunity for a long time.

LEG. HALEY:
You know what I have a problem with? I have a problem with this saying that that person -- it's almost like you discounted that approach from that appraisal reviewer because they're not an appraiser. Why do we have that person looking at appraisals then?

MS. COSTIGAN:
You ask a good question and if you had been at the Environmental Meeting, we spent hours on this the other day and it's -- we are in a very interesting time in history. Once upon a time appraisal reviewers



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were all there was in the world of appraisers, there was not a licensing system for appraisals, there were appraisers. There was not three levels of appraisers which now exist in the State of New York.

Our system of appraisal reviewers came up before there was a State Licensing and Regulation System for appraisers and appraisal reviewers. So when we set it up, that was the way you valued property. Subsequently, the State and the Appraisal Review Institute and the Federal Government all realized there was terrible irregularities in appraisals and what they set up and what the State and the Feds have mandated for any acquisition which involves State or Federal money is that everyone involved be a licensed, certified appraiser. We are behind the times here, we have people setting appraised values who are not licensed appraisers. That's one of the reasons that the committee and the task force's report required on my staff there be a general licensed -- that's the highest general is the highest level of appraiser, and you just authorized that a moment ago, thank you very much.

With that, having that person on staff, the second revision that I have to do on staff is to change the job authorization and the job duties of an appraisal reviewer. Part and parcel of the State and Federal authorization and review of this whole area is to say yes there is a job for an appraisal reviewer, it is not a job evaluation, they are not the people who should be evaluating. What an appraisal reviewer should be doing is looking at the work of a general certified appraiser and checking, have they followed -- there are very strict standards as to appraisals, have they used the highest and best method, have they used correct comparables for a -- in this instance for a subdivision, and have they followed all the standards for an appraisal? And that's the function of an appraisal reviewer in the

real world now, is to make sure an appraisal is correctly done.

LEG. HALEY:
Okay, that's the long answer.

MS. COSTIGAN:
So that's why we have this dichotomy.

[RETURN OF STENOGRAPHER-LUCIA BRAATEN]

LEG. HALEY:
I want to get -- I want to get going. I'm sorry.

LEG. CRECCA:
Marty, will you -- will you yield for a second?

LEG. HALEY:
The last question I have is, you said earlier -- what?

LEG. CRECCA:
Can you yield for one second, because I think it will --

LEG. HALEY:
No. I'm almost done.

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LEG. CRECCA:
Okay.

LEG. HALEY:
I'm almost done. When you were talking about the value earlier, you were talking about -- I assume you were talking about the first RESOLVED, Subparagraph 3, whereas, if we spend 1.375 million, we will -- it's actually probably worth more, because that's five months ago. Is that what you were talking about?

MS. COSTIGAN:
That is one of the special reasons that I think we should ignore or go, you know --

LEG. HALEY:
It seems to me that, normally, what we would do is just -- I mean, we do this all the time. We just ask that appraiser, the original appraiser, just to go back and look at that, right? Because he may actually say that it's no longer worth 1.39 million, it's worth more, right?

MS. COSTIGAN:
I'm within the appraisal. This purchase price is very good, it's

below the appraisal. I don't need the appraiser to reconsider it at all.

LEG. HALEY:
Well, you're asking me from a policy perspective, because, you know what, I've done appraisal work, I don't have a license. I know that there's a lot of capable people in the Real Estate Division; all right? We've gone and we've attacked the Real Estate Division and, all of a sudden, we're saying that this review appraiser doesn't quite meet the qualifications, therefore, we have some justification to accept something different. Guess what? They haven't convinced me. All right?

MS. COSTIGAN:
All right. Well, that --

LEG. HALEY:
You've not convinced me, because the review appraiser had a reason reason for making an adjustment on a value based on an approach. And a lot of people, and appraisals are opinions, a lot of people, especially if they've been around a long time, especially a review appraiser, probably knows exactly how the approach was, how it was taken, and made a modification of the same. And I don't necessarily disagree with that, not having had the opportunity to look at any of it. I'm finished. Thanks.

MS. COSTIGAN:
The Task Force's report was to report in just this way, where you ended up with a dichotomy.

P.O. TONNA:
Okay. Legislator Guldi, then Bishop.



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LEG. GULDI:
Yeah. I have a very simle question. It's a million-two acquisition is to propose -- how many acres is it? It's not on the resolution.

MS. COSTIGAN:
It's 3.36 acres.

LEG. GULDI:
3.36, okay. And you're looking for an 85,000 just within the apprisal price; is that correct?

MS. COSTIGAN:
That's correct, yes.

LEG. GULDI:

Thank you.

LEG. BISHOP:
Paul, I don't need to go if everybody understands.

P.O. TONNA:
Okay. Legislator Crecca, then Legislator Cooper. Then Legislator Caracciolo.

LEG. BISHOP:
Are you done?

LEG. CRECCA:
I'm going to --

LEG. BISHOP:
All right. Let me do it then. I'll yield to Legislator Crecca. He's going to explain.

LEG. CRECCA:
What happened in Land, they have authorization already from a prior bill to go out and acquire. When I say "they," I'm referring to the Division of Real Estate. What happened at the Land Acquisition Committee is because we have now -- we are in the process of adopting new procedures in conjunction with the County Executive's Office, based on the report, based on our hearings and our work together with Planning and the Division of Real Estate, they're sort of in this period of flux. What happened is the appraisal came in higher than what we're actually paying. Everybody at the committee, after fully reviewing this, believes that the County is getting a very nice deal, a very fair deal on this property. The reason it's back before you is because this appraisal review process that was done in this case, while the old procedures were still in effect, was really flawed. We all agree that this particular appraisal review is not appropriate in this place. So rather than have them proceed, it's a policy decision, we we want to make sure everyone is comfortable with that we are paying fair market value, or, actually, in this case, a little bit less than fair market value. Okay? And David wants to do it, so I will yield to Legislator Bishop.



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LEG. BISHOP:
I think if anybody's confused, this is the way to do it. You write down on a -- 1.39 million. That's what the appraiser said the property is worth.

P.O. TONNA:
Is that a State appraiser?

LEG. CRECCA:
Certified appraiser.

LEG. BISHOP:
That's the licensed certified professional appraiser who said it's worth 1.39. Then the County's reviewer, this is not a licensed appraiser, this is somebody who works in the Real Estate Department and is supposed to look at the appraisals and review them, they did it and they put a number on it. They said it's only worth 1.29. So, in essence, the nonlicensed appraiser gave a number that was lower than the licensed appraiser. The purchase price falls in between. It's less than the appraiser -- less? Less than the appraiser, more than the appraisal review, and that's why it's here.

LEG. LINDSAY:
How many appraisals did we do?

LEG. BISHOP:
One, one appraisal.

LEG. BINDER:
And it's below that.

LEG. BISHOP:
And it's below that.

P.O. TONNA:
Legislator -- Legislator Caracciolo.

LEG. CARACCIOLO:
Christine, under the new procedures yet to be adopted, since this property purchase value is in excess of one million dollars, under the new guidelines, what would be required in terms of appraisals?

MS. COSTIGAN:
Under the new guidelines, if this started today, it came in planning steps today, we'd be getting two appraisals.

LEG. CARACCIOLO:
I was familiar with that, because we, as you said, discussed it for seven hours the other night in committee. This appraisal was performed by whom?

MS. COSTIGAN:
This appraisal was by Wood, Frederick Wood.

LEG. CARACCIOLO:
Okay. Who was the appraisal on the Campo and Chandler acquisitions?

MS. COSTIGAN:
Not Frederick Wood. I don't -- I don't know.

LEG. CARACCIOLO:
Tom, do you recall?

MS. COSTIGAN:
Do you remember the name?

MR. ISLES:
I'm sorry. The question?

LEG. CARACCIOLO:
Who was the --

MS. COSTIGAN:
The appraiser.

LEG. CARACCIOLO:
-- appraiser on the Campo and Chandler acquisitions?

LEG. HALEY:
Chandler was Anzini, I think.

MR. ISLES:
Right.

LEG. FISHER:
Chandler was Anzini.

LEG. CARACCIOLO:
Do you recall?

MR. ISLES:
On Chandler, I think it was Anzini, but I'm not --

LEG. FISHER:
It was Anzini.

MR. ISLES:
Yeah, I think so.

LEG. CARACCIOLO:
And on Campo?

MR. ISLES:
There were several done.

LEG. CARACCIOLO:

I remember seeing Frederick Wood Appraisal.

MR. ISLES:
I think it might have been, but I can't say that for certain.



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LEG. CARACCIOLO:
Okay.

MR. ISLES:
I've looked at so many files lately, let me tell you.

LEG. CARACCIOLO:
All right. And that's one of the subject acquisitions that's now part of litigation against the County, the County Executive and Mr. Grecco.

The other question I had, Christine, did I hear you correctly state that there was a representation made, and just clarify, was it by the appraiser or by the review appraiser that the subdivision process would or would not be a long one?

MS. COSTIGAN:
The review appraiser said that the subdivision process could take one to two years. The appraiser opined that he thought the subdivision process could be lengthy, but would be unquestionably approved.

LEG. CARACCIOLO:
Okay. Well, there's not much difference then in what he's saying and what Terry Allar said. I mean --

LEG. HALEY:
Well, Terry's the --

LEG. CARACCIOLO:
Yeah, Terry Allar is -- there's only one review appraiser, as opposed to sometimes two appraisers, review appraisers, since we only have two. But I don't know. I think Marty, Legislator Haley, you know, jokingly said something about there's more to this than meets the eye. Are there any other environmental remediation issues with this?

MS. COSTIGAN:
Thank you for getting to that. There --

LEG. CARACCIOLO:
Because I haven't heard them and I think I saw something that says there are.

MS. COSTIGAN:

I'm getting to that. The original -- you passed an original authorizing resolution, and, at that time, we had not done the environmental review. In the original authorizing resolution, you had a reference to -- well, you ordered an engineering report. I can now report the results of that engineering report, which we have it conducted, and which has been subject to an environmental review by the County environmental reviewer. They found a total of situations that have to be remediated of $6,000. There's some pipes in the basement that need to be encapsulated and there's a drain that needs to be covered with concrete. We have put out a bid for that at $6,000.

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LEG. CARACCIOLO:
What is the age and condition of this building? And in terms of bringing this building, I don't know if it's up to building code, when it was built and, you know, what has taken place since it was built, but are there issues dealing with retrofitting electrical systems, plumbing, HVAC, that the County will incur additional costs down the line?

MR. ISLES:
Okay. In answer to your question, Lance Mallamo, the Executive Director of the Vanderbilt Museum, is here today. They are the --

LEG. CARACCIOLO:
Hold it, Tom, I can't hear you. Could we have order, please?

P.O. TONNA:
Excuse me, order or water?

LEG. CARACCIOLO:
Funny, Paul.

P.O. TONNA:
I thought you said water, I really did.

MR. ISLES:
Just, if I could, before Legislator Haley leaves, too, I just want to make one point and then answer your question, sir, and that is none of this is intended to discredit any staff member of the Real Estate Department. As indicated, we are in a state of flux. We are working hard on both sides of the table here to get this program in shape and do the right thing. So, please, understand that we are not discrediting anyone. We want to make this the best operation. But the committee spent a long time with this, and the question then becomes what do we as a County do? And this is a very strategic parcel in the sense that this was part of the original Vanderbilt property. There's a unique window of opportunity that's open right

now that enables us to potentially do this acquisition, if you choose to move forward with this, that we believe will not exist in the near future.

I've received calls from the Director of Planning of Huntington who indicates to me that they've had very intense activity on this property. It is on the market. Not that we're going to be threatened or intimidated by that, but it is a fact. So, at this point, in terms of the condition, if you talk about the building, if I could, I'd like to defer to Mr. Mallamo, just his knowledge of the historic aspects of it, at least.

LEG. CARACCIOLO:
I'm not as interested in the historic aspects as what is it going to cost, Lance, you know, because like the Vanderbilt --

MR. MALLAMO:
I think we --



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LEG. CARACCIOLO:
-- we have poured millions of dollars, and we continue to do so, to make that a place that, you know, the public can use.

MR. MALLAMO:
I think we did give you that -- the report that you're thinking of, and the figure that sticks in my head, it really needs very little in improvements. A family lived in this house up until last July. It is air conditioned. The wiring has been updated. The exterior is stucco, so you don't have the paint issues. It's a slate roof.

LEG. CARACCIOLO:
We don't have peeling stucco, we don't --

MR. MALLAMO:
No, no.

LEG. CARACCIOLO:
Okay.

MR. MALLAMO:
This house was very well maintained and is in --

LEG. CARACCIOLO:
Roof is in good condition?

MR. MALLAMO:
And is very good condition. The entire property is in --

LEG. CARACCIOLO:
Okay. And how many square feet is it?

MR. MALLAMO:
About thirty-seven hundred. If this is it --

MS. COSTIGAN:
Thirty-three.

MR. MALLAMO:
Thirty-three hundred. In fact, incidently, when I went back through my files, I found two appraisals by certified appraisers in 1990, when the County last considered this parcel. Those appraisals came in at one million dollars. I read in Newsday a month ago that real estate prices in the Centerport area, since the year 2000, have gone up nearly 40%. And I remember in 1990, I had my own house for sale, that was the bottom of the market.

LEG. GULDI:
No, actually, it bottomed --

MR. MALLAMO:
Eighty-seven was kind of the high point.

LEG. GULDI:
Bottomed in June of '91.



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MR. MALLAMO:
Ninety-one. Well, it was certainly getting there. This was October of '90. I'm not an appraiser, but we're not going to get this again.

LEG. CARACCIOLO:
All right. So --

MR. MALLAMO:
We've got a willing seller. We're this close, if we can --

LEG. CARACCIOLO:
All right. So, in your estimation, how much will it cost to make whatever improvements --

MR. MALLAMO:
I would say it will cost, within ten to --

LEG. CARACCIOLO:
Because I'm going to hold you to this, Lance.

MR. MALLAMO:

Okay. Ten to $14,000.

LEG. CARACCIOLO:
Very good.

P.O. TONNA:
Okay. Let's roll call. Roll call.

MR. BARTON:
Who made the motion, Mr. Chairman.

P.O. TONNA:
The motion, Legislator Cooper, seconded by Legislator --

LEG. CARPENTER:
Second.

P.O. TONNA:
Carpenter.

MR. BARTON:
Okay. Thank you.

(Roll Called by Mr. Barton)

LEG. COOPER:
Yes.

LEG. CARPENTER:
Yes.

LEG. BINDER:
(Not Present)



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P.O. TONNA:
Go ahead, keep going.

LEG. BISHOP:
Yes.

LEG. NOWICK:
Yes.

LEG. CRECCA:
Yeah.

LEG. ALDEN:
Abstain.

LEG. FIELDS:
Yes.

LEG. LINDSAY:
Yes.

LEG. FOLEY:
(Not Present)

LEG. HALEY:
(Not Present)

LEG. FISHER:
Yes.

LEG. CARACAPPA:
No.

LEG. TOWLE:
Yes.

LEG. GULDI:
Yes

LEG. CARACCIOLO:
Yes.

LEG. POSTAL:
Yes.

P.O. TONNA:
No.

LEG. FOLEY:
Yes.

LEG. BINDER:
Yes.

MR. BARTON:
14. (Not Present: Leg. Haley)

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P.O. TONNA:
Okay. Thank you very much. Let's go to Public Safety.

PUBLIC SAFETY & PUBLIC INFORMATION

1291 (Establishing policy for placement of convicted sexual predators in Suffolk County). Motion by Legislator Caracappa, seconded by Legislator Carpenter. All in favor? Opposed?

MR. BARTON:
17, 1 not present. (Not Present: Leg. Haley)

P.O. TONNA:
Okay. Congratulations, Joe.

LEG. CARACAPPA:
Thanks.

P.O. TONNA:
Okay.

LEG. CARACAPPA:
First of a couple of bills like this.

P.O. TONNA:
1299 (Authorizing the County to enter into an extension of intermunicipal agreement with the Village of Amityville for the provision of bay constables). Motion by Legislator Bishop, seconded by Legislator Postal.

LEG. ALDEN:
On the motion.

P.O. TONNA:
On the motion.

LEG. ALDEN:
Explanation, please.

LEG. BISHOP:
This should look familiar. This is the fifth year that we've had this agreement with the Village of Amityville. It's provided for in the budget.

P.O. TONNA:
Does this appropriate any money?

LEG. BISHOP:
No, it does not --

P.O. TONNA:
It's out of the budget.

LEG. BISHOP:
-- appropriate any money.

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P.O. TONNA:
Okay.

LEG. ALDEN:
What does it do, though?

LEG. BISHOP:
The Village of Amityvill and the Town of Babylon do a bay constable program in conjunction with the police.

LEG. ALDEN:
I missed part of what you said.

LEG. BISHOP:
Village of Amityville and the Town of Babylon put a Bay Constable in the summer months --

LEG. LINDSAY:
Dave, I --

LEG. TOWLE:
I can't hear.

LEG. LINDSAY:
We can't hear you.

LEG. TOWLE:
I can't hear you over here.

LEG. BISHOP:
I'm sorry. The Village of Amityville and the Town of Babylon higher a Bay -- a seasonal Bay Constable and it's worked through our Police Department for enforcement on the bay.

LEG. ALDEN:
What do you mean by works through our Police Department?

LEG. BISHOP:
It was provided as -- again this is the fifth year we've had it and it's in the budget.

LEG. ALDEN:
No.

LEG. CARACCIOLO:
Mr. Chairman.

LEG. ALDEN:
But that doesn't answer the question. What -- what do you mean by they work through our Police Department.

LEG. BISHOP:
The contract goes through the Police.

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LEG. ALDEN:
In other words, it's paid -- the Bay Constable is paid through --

LEG. BISHOP:
No, through the general --

LEG. ALDEN:
-- the Police Department.

LEG. BISHOP:
It would be through the general fund, but they're the manager, they're the ones who ensure that the program occurs.

LEG. ALDEN:
Okay. So the County of Suffolk pays for a Bay Constable. And what do you mean it's through the Police Department, though? I don't understand that part.

LEG. BISHOP:
Well, the contract has to go through some agency, and it goes through the Police Department as the managing agency.

LEG. ALDEN:
What?

LEG. BISHOP:
The Police Department is the managing agency of the contract.

LEG. CRECCA:
Thirty-five thousand dollars of the general budget to pay for the space. That's what you're asking?

LEG. TOWLE:
How much?

LEG. ALDEN:
No, that isn't what I'm asking at all. I'm still asking --

LEG. BISHOP:
Thirty-five -- it's in --

LEG. CRECCA:
Thirty-five thousand.

LEG. BISHOP:
It's budgeted for. Thirty-five thousand.

LEG. CRECCA:
There's $35,000 in the budget for --

LEG. ALDEN:
There's $35,000 in the budget the County of Suffolk is paying to a Bay Constable through --

LEG. BISHOP:
Mr. Chairman, motion to table. I will -- no. Because if we're going



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to have new rules, then motion to table.

P.O. TONNA:
Wait. Okay. Could I just say something? What has just gone on? What's just -- what's just happened?

LEG. BISHOP:
Just a motion to table.

P.O. TONNA:
You want to make a motion to table?

LEG. BISHOP:
Please.

P.O. TONNA:
Okay. Is there a second --

LEG. ALDEN:
Do whatever you want.

P.O. TONNA:
-- to the motion to table?

LEG. POSTAL:
Second.

P.O. TONNA:
Seconded by Legislator Postal. Okay. All in favor? Opposed?

MR. BARTON:
17, 1 not present. (Not Present: Leg. Haley)

P.O. TONNA:
What just happened?

LEG. CARACAPPA:
You tabled 1299?

P.O. TONNA:
Yeah, 1299 is tabled. Okay. 1326 (Appropriating funds in connection with planning for renovation at the Yaphank Correctional Facility (3009).

LEG. TOWLE:
Motion.

P.O. TONNA:
Motion by Legislator Towle, second by Legislator Caracappa.

LEG. ALDEN:
Roll call.

P.O. TONNA:
Roll call.



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(Roll Called by Mr. Barton)

LEG. TOWLE:
Yes.

LEG. CARACAPPA:
Yes.

LEG. COOPER:
Yes.

LEG. BINDER:
Yes.

LEG. BISHOP:
Yes.

LEG. NOWICK:
Yes.

LEG. CRECCA:
Yes for the jail.

LEG. CARPENTER:
Yes.

LEG. ALDEN:
Yeah.

LEG. FIELDS:
Yes.

LEG. LINDSAY:
Yes.

LEG. FOLEY:
Yes.

LEG. HALEY:
(Not Present)

MR. BARTON:
Not present.

LEG. FISHER:
Yes.

LEG. GULDI:
Yes.

LEG. CARACCIOLO:
For Yaphank, absolutely.

LEG. POSTAL:
Yes.



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P.O. TONNA:
Yeah.

MR. BARTON:
17, 1 not present on the bond. (Not Present: Leg. Haley)

P.O. TONNA:
Okay. Same motion, same second, same vote. 1327 (Appropriating funds in connection with improvements to the County Correctional Facility C - 141 - Riverhead (CP 3014). Motion by?

LEG. CARACCIOLO:
Me.

P.O. TONNA:
Legislator Caracciolo, second by Legislator Guldi. Roll call.

(Roll Called by Mr. Barton)

LEG. CARACCIOLO:
Yes.

LEG. GULDI:
Yes.

LEG. COOPER:
Yes.

LEG. BINDER:
Yes.

LEG. BISHOP:
Yes.

LEG. NOWICK:
Yes.

LEG. CRECCA:
Yes.

LEG. CARPENTER:
Yes.

LEG. ALDEN:
Yes.

LEG. FIELDS:
Yes.

LEG. LINDSAY:
Yes.

LEG. FOLEY:
Yes.



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LEG. FISHER:
Yes.

LEG. CARACAPPA:
Yep.

LEG. TOWLE:
Yes.

LEG. POSTAL:

Yes.

LEG. TONNA:
Yes.

MR. BARTON:
17, 1 not present on the bond. (Not Present: Leg. Haley)

LEG. POSTAL:
Same motion, same second.

P.O. TONNA:
Same motion, same second, same vote. I tell you, they're all pulling things, all right, under my -- all right. 1328 (Amending the 2002 Capital Budget an Program and appropriating funds in connection with the purchase of heavy duty vehicles for the Police Department (CP 3135). Motion by?

LEG. CARPENTER:
Motion.

P.O. TONNA:
Legislator Carpenter, seconded by Legislator Fields. Roll call.

(Roll Called by Mr. Barton)

LEG. CARPENTER:
Yes.

LEG. FIELDS:
Yes.

LEG. COOPER:
Yes.

LEG. BINDER:
Yes.

LEG. BISHOP:
Yes.

LEG. NOWICK:
Yes.

LEG. CRECCA:
Yes.



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LEG. ALDEN:
Yes.

LEG. LINDSAY:
Yes.

LEG. FOLEY:
Yes.

LEG. FISHER:
Yes.

LEG. CARACAPPA:
Yep.

LEG. TOWLE:
Yes.

LEG. GULDI:
Yes.

LEG. CARACCIOLO:
Yes.

LEG. POSTAL:
Yes.

P.O. TONNA:
Yes.

MR. BARTON:
17, 1 not present on the bond. (Not Present: Leg. Haley)

P.O. TONNA:
Same motion, same second, same vote. Okay. 1330, motion?

MS. FARRELL:
No, 29.

P.O. TONNA:
Oh, sorry. 1329 (Amending the 2002 Capital Budget and Program and appropriating funds in connection for the purchase of surveillance vehicle (C.P. 3172). Motion by Legislator Carpenter, seconded by Legislator Postal. Roll call.

(Roll Called by Mr. Barton)

LEG. CARPENTER:
Yes.

LEG. POSTAL:
Yes.

LEG. COOPER:
Yes.



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LEG. BINDER:
Yes.

LEG. BISHOP:
Yes.

LEG. NOWICK:
Yes.

LEG. CRECCA:
Yes. Cosponsor.

LEG. ALDEN:
Yes.

LEG. FIELDS:
Yes.

LEG. LINDSAY:
Yes.

LEG. FOLEY:
Yes.

LEG. FISHER:
Yes.

LEG. CARACAPPA:
Yes.

LEG. TOWLE:
Yes.

LEG. GULDI:
Yes.

LEG. CARACCIOLO:
Yes.

P.O. TONNA:
Yes.

MR. BARTON:
17,1 not present on the bond. (Not Present: Leg. Haley)

P.O. TONNA:
Same motion, same second, same vote. 1330 (Amending the 2002 Capital Budget and Program and appropriating funds in connection with the improvements to the Police 800 MHz Radio Communication System (C.P. 3221). Motion by Legislator Carpenter, seconded by Legislator Postal.

LEG. FOLEY:
Explanation. Budget Review Office, the amount of money?



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MR. SPERO:
Yeah. This is about $728,000 in total, 730,000. This is to buy repeaters for the 800 Megahertz system to -- for areas in the County that don't have -- that have broadcast problems.

LEG. TOWLE:
What area is this for, Jim?

MR. SPERO:
There's Huntington. I think there's one out east in Sag Harbor.

LEG. GULDI:
Montauk, East Hampton.

LEG. TOWLE:
No, no, I'm not asking where they are, I'm asking what does this money purchase for where? Is it Huntington, Montauk, etcetera, or --

MR. SPERO:
Yeah. This is to buy some equipment for those hard to reach areas, so they could boost the signal in that area.

LEG. CARACCIOLO:
Mr. Chairman. Fred. Fred Pollert?

MR. POLLERT:
Yes.

LEG. CARACCIOLO:
When the 800 Megahertz system was approved, it's got to be -- Herb Davis was here -- five, six years ago, seven years ago, what was the initial cost, and how much money has been allocated since then? And are we now allocating funds for a system that was not properly designed?

MR. SPERO:
The problem is that the 800 Megahertz, being a high frequency, doesn't have as much -- is more directional, the frequency is more directional. So, when there's areas where there's depressions, things

like that, it's hard to get the signal in, so they need some enhancement.

LEG. CARACCIOLO:
I'm aware of that. But my question really is, when the system was originally designed, was that through an RFP process?

MR. SPERO:
What was that?

LEG. CARACCIOLO:
Was that through an RFP process?.

MR. SPERO:
Yes.



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LEG. CARACCIOLO:
Okay.

MR. SPERO:
There were two bidders at the time. I think it was GE and --

LEG. POSTAL:
Yeah. It was GE and Motorola.

LEG. CARACCIOLO:
Motorola.

MR. SPERO:
Motorola.

LEG. POSTAL:
Yeah.

LEG. CARACCIOLO:
Motorola. Yep, I remember. There was a deal, too, but we won't go into that. But --

LEG. TOWLE:
Mr. Chairman, two questions.

LEG. CARACCIOLO:
The question I have is, was the system properly designed at its inception, or were we once again sucked into a proposition that we're going to now go state of the art with a new communication system and allocate million dollars of dollars to do so, and then incrementally, like the Vanderbilt and other County assets, continue to spend millions more of taxpayer dollars? Why don't we get it right the

first time? Do you remember what the cost was for the original system, Fred?

MR. SPERO:
About fifteen. The Capital Program no long includes those cost as those projects have been closed out.

MR. POLLERT:
No. But, I mean, do you recall approximately what the -- Fred?

MR. POLLERT:
It was approximately 15 million dollars was the purchase price of both the radios and the transmitters.

LEG. CARACCIOLO:
And here we are, some seven or eight years later, still trying to fill in some blank spots. Incredible.

LEG. TOWLE:
Mr. Chairman. Mr. Chairman, two other questions of Budget Review, if I could. Fred or Jim, two issues, actually, were brought to my attention this morning on this. One is that the system is not a secure system, which it was originally billed to us, that, you know, you couldn't listen to the police traffic on the radio, and,



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apparently, you can with a two or three hundred dollar scanner.

MR. POLLERT:
When the program was first put in, it was sold to us as a highly secure system, because it was a {trunked} radio system, so that when there was a transmission, the computer chip, both in the radio, as well as in the {mast} receiver, would change you from channels one to nine to twelve, to whatever was available, literally, even between the words as you speak them. Apparently, what was a secure system back then, companies have been able to come up with chips. They can now mimic what's going on. So it was sold to us as a secure system with secure call pickup groups for narcotics, that type of thing. Apparently, there are some problems with securities as well now.

LEG. TOWLE:
The second thing that came up, or that was was mentioned -- Jimmy, you have more to add to that or -- before I go on to the next --

MR. SPERO:
I know when the police have special operations, drug situations, they'll set up special talk groups, and they'll do it in such a way that the they'll -- the day before, they set it up, so the people they're trying to monitor can't know what they're up to, as far as

using these kinds of scanners.

LEG. TOWLE:
Okay. The other issue that came up this morning is that the ambulance, fire department and police can't talk to each other on this system, because the ambulance and fire department don't have access to this system; is at that accurate or --

MR. SPERO:
Well, the system -- the system was originally designed to be a County system.

LEG. TOWLE:
Okay. But like Fire Rescue and Emergency Services or --

MR. SPERO:
They're only the -- only the, you know, the chiefs and like with FRES have 800 Megahertz radios. It was never designed to be anything other than a County radio system. It's not big enough to accommodate all the fire districts and things like that.

LEG. TOWLE:
Okay.

P.O. TONNA:
Okay. Thank you very much. Roll Call. Legislators --

(Roll Called by Mr. Barton)

LEG. CARPENTER:
Yes.



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LEG. POSTAL:
Oh, yes.

LEG. COOPER:
Yes.

LEG. POSTAL:
I'm sorry.

LEG. BINDER:
Yes.

LEG. BISHOP:
Yes.

LEG. NOWICK:

Yes.

LEG. CRECCA:
Yes.

LEG. ALDEN:
Yes.

LEG. FIELDS:
Yes.

LEG. LINDSAY:
Yes.

LEG. FOLEY:
Yes.

LEG. FISHER:
Yes.

LEG. CARACAPPA:
Yes.

LEG. TOWLE:
No.

LEG. GULDI:
Abstain.

LEG. CARACCIOLO:
Abstain.

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

MR. BARTON:
14. (Not Present: Leg. Haley)

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



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MR. SABATINO:
What was the vote, because you need 14?

P.O. TONNA:
Fourteen.

MR. SABATINO:

Fourteen?

MR. BARTON:
Fourteen on the bond.

P.O. TONNA:
Okay. 1350 (Accepting and appropriating a grant in the amount of $310,000 from the New York State Division of Criminal Justice Services for the Suffolk County Police Department Wyandanch Targeted Enforcement Progarm with 75% support). Motion by Legislator Carpenter, seconded by Legislator Postal. All in favor? Opposed?

MR. BARTON:
17, 1 not present. (Not Present: Leg. Haley)

P.O. TONNA:
1351 (Accepting and appropriating a grant in the amount of $8,000 from the State of New York Governor's Traffic Safety Committee, for the Suffolk County Police Department to purchase breath test instruments with 68.25% support). Motion by Legislator Carpenter, seconded by Legislator --

LEG. FISHER:
Second.

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

MR. BARTON:
17, 1 not present. (Not Present: Leg. Haley)

PARKS, SPORTS & CULTURAL AFFAIRS

P.O. TONNA:
1102 (Authorizing, empowering and directing County Parks Department to conduct a review of trap and skeet shooting range near Southaven Park in Yaphank, Town of Brookhaven for relocation at Southaven County park in Yaphank, Town of Brookhaven). Motion by Legislator Towle, seconded by Legislator Fields, right?

LEG. FIELDS:
Yeah.

P.O. TONNA:
Isn't it nice? Just I want you to know --

LEG. FIELDS:
You feel the love.

P.O. TONNA:
I can -- I just -- I'm just so proud of you two.

LEG. BISHOP:
You're killing the momentum. Don't kill the momentum.

LEG. ALDEN:
On the motion

LEG. POSTAL:
Don't, don't start.

LEG. TOWLE:
I also --

P.O. TONNA:
All in favor.

LEG. TOWLE:
I also just want to point out, Mr. Chairman --

P.O. TONNA:
Opposed?

LEG. TOWLE:
I just want to point out that Legislator Fields has also visited the district three times since the last bill.

LEG. ALDEN:
On the motion. Paul, on the motion.

P.O. TONNA:
All in favor? Opposed? Oh, on the motion.

LEG. BISHOP:
And she was packing a gun each --

LEG. ALDEN:
Paul Sabatino, could you give just a brief explanation of the last version of the bill, because I'm not 100% sure I saw that. Does it still call for a study on site and the whole nine yards, location?

MR. SABATINO:
No. It's just an acoustic study and an environmental assessment, each of which is limited to a 90-day period and a $10,000 cost. So, in the aggregate, it can't be more than $20,000 total for the two studies.

LEG. ALDEN:
Okay. But it doesn't look at alternative sites?

MR. SABATINO:
No. The alternative site language has been deleted.

LEG. GULDI:
Only in the Tenth District.

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LEG. TOWLE:
And it also looks to relocate completely to the Tenth Legislative District, the new Tenth District.

LEG. ALDEN:
Well, no. We're not sure where that is yet.

LEG. TOWLE:
Oh, some of us are.

LEG. ALDEN:
Don't you interrupt me, Fred. I'm not going to tolerate that anymore.

MR. BARTON:
17, 1 not present. (Not Present: Leg. Haley)

P.O. TONNA:
Okay.

LEG. POSTAL:
Same -- wait a minute. No, not same.

MS. BURKHARDT:
1335.

LEG. POSTAL:
1335.

P.O. TONNA:
Okay. We need a vote first for 1102.

MR. BARTON:
Got it.

LEG. POSTAL:
We did.

MR. BARTON:
17, 1 not present.

P.O. TONNA:

Okay. Thank you very much. I'm going to have the Deputy Presiding Officer, Madam Chair, take over from here.

LEG. BISHOP:
Where are you going?

P.O. TONNA:
Nowhere.

D.P.O. POSTAL:
1335 (Amending the 2002 Capital Budget and Program and appropriating funds in connection with paving improvements and lighting at County parks (CP 7079).



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P.O. TONNA:
Right here. I'm chewing gum.

LEG. TOWLE:
Motion.

D.P.O. POSTAL:
Motion, Legislator Towle, second by Legislator Crecca. Roll call on the bond.

(Roll Called by Mr. Barton)

LEG. TOWLE:
Yes.

LEG. CRECCA:
Yep.

LEG. COOPER:
Yes.

LEG. BINDER:
Yes.

LEG. BISHOP:
Yes.

LEG. NOWICK:
Yes.

LEG. CARPENTER:
Yes.

LEG. ALDEN:

Yep.

LEG. FIELDS:
Yes.

LEG. LINDSAY:
Yes.

LEG. FOLEY:
Yes.

LEG. FISHER:
Yes.

LEG. CARACAPPA:
Yes.

LEG. GULDI:
Yes.

LEG. CARACCIOLO:
Yes.

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LEG. POSTAL:
Yes.

P.O. TONNA:
Yep.

MR. BARTON:
17, 1 not present on the bond. (Not Present: Leg. Haley)

P.O. TONNA:
Same motion, same second, same vote. 1336 (Amending the 2002 Capital Budget and Program and appropriating funds in connection with the reconstruction of spillways in County Parks (CP 7099). Motion by Legislator Lindsay, seconded by Legislator Carpenter. Roll call on the bond.

(Roll Called by Mr. Barton)

LEG. LINDSAY:
Yes.

LEG. CARPENTER:
Yes.

LEG. COOPER:

Yes.

LEG. BINDER:
Yes.

LEG. BISHOP:
Yes.

LEG. NOWICK:
Yes.

LEG. CRECCA:
Yes.

LEG. ALDEN:
Yes.

LEG. FIELDS:
Yes.

LEG. FOLEY:
Yeah.

LEG. HALEY:
(Not Present)

LEG. FISHER:
Yes.



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LEG. CARACAPPA:
Yes.

LEG. TOWLE:
Yes.

LEG. GULDI:
Yes.

LEG. CARACCIOLO:
Yes.

LEG. POSTAL:
Yes.

LEG. TONNA:
Yep.

MR. BARTON:

Mr. Crecca?

LEG. CRECCA:
Yes.

MR. BARTON:
17, 1 not present. (Not Present: Leg. Haley)

D.P.O. POSTAL:
Same motion, same second, same vote. 1338 (Amending the 2002 Capital Budget and Program and appropriating funds in connection with pesticide free organic maintenance equipment (CP 7182). Motion, Legislator Foley, seconded by Legislator Guldi. Roll call on the bond.

(Roll Called by Mr. Barton)

LEG. FOLEY:
Yes.

LEG. GULDI:
Yes.

LEG. COOPER:
Yes.

LEG. BINDER:
Yes.

LEG. BISHOP:
Yes.

LEG. NOWICK:
Yes.

LEG. CRECCA:
Yes.



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LEG. CARPENTER:
Yes.

LEG. ALDEN:
Yes.

LEG. FIELDS:
Yes.

LEG. LINDSAY:
Yes.

LEG. FISHER:
Yes.

LEG. CARACAPPA:
Yes.

LEG. TOWLE:
Yes.

LEG. CARACCIOLO:
Yes.

LEG. POSTAL:
Yes.

P.O. TONNA:
Yes.

MR. BARTON:
17, 1 not present on the bond. (Not Present: Leg. Haley)

D.P.O. POSTAL:
Same motion, same second, same vote. 1340 (Amending the 2002 Capital Budget and Program and appropriating funds in connection with improvements to historic sites and buildings at the Third House, Montauk). Motion.

LEG. GULDI:
Motion.

D.P.O. POSTAL:
Legislator Guldi, seconded by Legislator Caracciolo. Roll call on the bond.

(Roll Called by Mr. Barton)

LEG. GULDI:
Yes.

LEG. CARACCIOLO:
Yes.

LEG. COOPER:
Yes.



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LEG. BINDER:
Yes.

LEG. BISHOP:
Yes.

LEG. NOWICK:
Yes.

LEG. CRECCA:
Yes.

LEG. CARPENTER:
Yes.

LEG. ALDEN:
Yes.

LEG. FIELDS:
Yes.

LEG. LINDSAY:
Yes.

LEG. FOLEY:
Yeah.

LEG. FISHER:
Yes.

LEG. CARACAPPA:
Yes.

LEG. TOWLE:
Yes.

LEG. POSTAL:
Yes.

P.O. TONNA:
Yeah.

MR. BARTON:
17, 1 not present on the bond. (Not Present: Leg. Haley)

D.P.O. POSTAL:
Same motion, same second, same vote. 1347 (Amending the 2002 Capital Budget and Program and appropriating funds in connection with improvements at County golf courses - West Sayville and Indian Island CP 7166). Motion, Legislator Lindsay, seconded by Legislator Fields.
Roll call on the bond.

(Roll Called by Mr. Barton)



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LEG. LINDSAY:
Yes.

LEG. FIELDS:
Yes.

LEG. COOPER:
Yes.

LEG. BINDER:
Yes.

LEG. BISHOP:
Yes.

LEG. NOWICK:
Yes.

LEG. CRECCA:
Yes.

LEG. CARPENTER:
Yes.

LEG. ALDEN:
Yes.

LEG. FOLEY:
Yes.

LEG. FISHER:
Yes.

LEG. CARACAPPA:
Yes.

LEG. TOWLE:
Yes.

LEG. GULDI:
Yes.

LEG. CARACCIOLO:
Yes. Cosponsor.

LEG. POSTAL:

Yes.

P.O. TONNA:
Yeah.

MR. BARTON:
17, 1 not present on the bond. (Not Present: Leg. Haley)

D.P.O. POSTAL:
Same motion, same second, same vote.

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HEALTH

1056 (Designate a week n May as "Prevention is the Cure Week" in Suffolk County). Motion, Legislator Cooper, seconded by Legislator Fisher. All in favor? Any opposed?

MR. BARTON:
17, 1 not present. (Not Present: Leg. Haley).

D.P.O. POSTAL:
1056 is approved. 1150 (Authorizing County Department of Public Works to waive regulations on placement of vending machines in John J. Foley Skilled Nursing Facility). Motion, Legislator Foley, seconded by Legislator Fields.

LEG. ALDEN:
Explanation.

LEG. FOLEY:
Towle's the sponsor. Freddy?

LEG. TOWLE:
Yeah, motion.

D.P.O. POSTAL:
No. We have a motion and we have a second. We have a request for an explanation.

LEG. TOWLE:
Myself, or you want Counsel, Cameron? Either way, it doesn't make a difference to me. What do you want? Me, all right? I'll give you an answer to your question, or do you want to go to Counsel, that's what I'm asking you.

LEG. ALDEN:
No. Go ahead.

LEG. TOWLE:
Apparently, the Infirmary -- there was a soda machine that had been donated at the Infirmary. The proceeds from that machine went to the site council that helped bay for programming and activities. Obviously, under Legislator Levy's efforts to consolidates all the vending machines that we've all supported, they were forced to remove the machine out of the building, which, obviously, was a loss of revenue to the site council fund. Even though the Department of Public Works wanted to accommodate them, they could not under the law, and this would exempt that particular machine at the Infirmary for that purpose.

LEG. CRECCA:
You should be commended Mr. Towle, commended.

D.P.O. POSTAL:
Okay. All in favor? Any opposed?

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MR. BARTON:
17, 1 not present. (Not Present: Leg. Haley).

D.P.O. POSTAL:
1150 is approved. Before we move to the senses, there's a CN. We were missing a page. 1498 (Amending Resolution Number 993-01, amending the 2002 Capital Budget and Program and appropriating funds and authorizing acquisition of Normandy Manor), which --

LEG. COOPER:
Motion to approve.

D.P.O. POSTAL:
Motion to approve by --

LEG. BINDER:
Second.

D.P.O. POSTAL:
-- Legislator Cooper, seconded by Legislator Binder? Normandy Manor. All in favor? Opposed?

MR. SABATINO:
Just before you vote on that, are you sure you want to repeal the second RESOLVED clause? Because the second RESOLVED clause is what gave the authority to do the study in the first instance. I don't think you really want to do that, I think you want to -- do you really?

MR. ISLES:

We've since done the report.

MR. SABATINO:
All right.

MS. COSTIGAN:
Yes.

MR. SABATINO:
Because I think it converts -- well, why don't you explain what it does?

MR. ISLES:
Well, we've since done the report, the Phase I environmental audit. We have the results of that and they've been factored into this case. So we feel, at this point, that that would just clean it up at this time.

D.P.O. POSTAL:
Mr. Isles, can you just be really careful about speaking into the mike?

MR. ISLES:
Yes.

D.P.O. POSTAL:
It's very hard for us to hear.



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MR. ISLES:
Okay.

P.O. TONNA:
We need you to speak into the mike.

MS. COSTIGAN:
The reason for withdrawing the second RESOLVED is that it's antique at this point. It's been supplanted by the actual carrying out of the environmental review.

MR. SABATINO:
Well, the affect of it is to convert the responsibility for the cleanup from the seller to the County. Is that what you want to accomplish?

MS. COSTIGAN:
No. We're quantifying the amount of the cleanup.

MR. SABATINO:
Okay. Because --

MS. COSTIGAN:
Because we have done the study, we have quantified it, we have identified it, and now we want to memorialize it.

MR. SABATINO:
Well, the problem is -- well, okay. Who's --

MS. COSTIGAN:
It's because of the way it was worded.

MR. SABATINO:
The clause that's being repealed, though, is the one that had the seller being responsible.

D.P.O. POSTAL:
George, you'll be next.

P.O. TONNA:
This is an important issue, please.

MR. SABATINO:
I just want to be sure that we're accurately accomplishing the goal, because the clause that's being repealed is the one that said the seller would correct whatever condition came out of the study.

MS. COSTIGAN:
I understand.

MR. SABATINO:
If we repeal that, now we're going to be responsible, which is fine, as long as that's what the goal is. I want to make sure it's not happening by accident.



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MS. COSTIGAN:
Right. It is not, no.

MR. SABATINO:
It's not.

MS. COSTIGAN:
No.

MR. SABATINO:
We're switching responsibility. Okay.

LEG. LINDSAY:
On the issue.

MS. COSTIGAN:
This wording does it fine.

MR. SABATINO:
Okay.

LEG. LINDSAY:
Yeah, just for clarification. We approved Procedural Motion Number 6 to authorize the purchase. Now 1498 is authorizing the remedial action to clean up the site, is that what we're doing here?

P.O. TONNA:
Is this cleanup?

MS. COSTIGAN:
The reason for the --

LEG. COOPER:
A six thousand dollar cleanup.

D.P.O. POSTAL:
It's $6,000.

LEG. LINDSAY:
I'm just asking.

MS. COSTIGAN:
That we referred to before. They really should have been together. It would have been together, but the page wasn't there, so it got stuck on later. It's all because of the wording in the original resolution became cumbersome, so this fixes it.

P.O. TONNA:
Okay.

LEG. COOPER:
Motion.

MR. BARTON:
I have it.

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P.O. TONNA:
Motion and a second.

LEG. CARPENTER:
Second.

LEG. CARACCIOLO:
Roll call.

(Roll Called by Mr. Barton)

LEG. COOPER:
Yes.

D.P.O. POSTAL:
You can do "All in favor".

LEG. BINDER:
Yes.

LEG. BISHOP:
Yes.

P.O. TONNA:
He asked for a roll call.

LEG. NOWICK:
Yes.

LEG. CRECCA:
Yeah.

LEG. CARPENTER:
Yes.

LEG. ALDEN:
No.

LEG. FIELDS:
Yes.

LEG. LINDSAY:
Yes.

LEG. FOLEY:
Yes.

LEG. FISHER:
Yes.

LEG. CARACAPPA:
No.

LEG. TOWLE:
Yes.

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LEG. GULDI:
Abstain.

LEG. CARACCIOLO:
No.

LEG. POSTAL:
Yes.

LEG. TONNA:
No.

P.O. TONNA:
Okay. We're going to do the --

MR. BARTON:
12. (Not Present: Leg. Haley)

P.O. TONNA:
-- late-starters?

LEG. CARACAPPA:
1494 is going where, Paul?

LEG. FOLEY:
Title?

P.O. TONNA:
Motion to lay on the table Number 1494 (Amending the 2002 Capital Budget and Program planning funds for construction of an aircraft hangar at Francis S. Gabreski Airport), assigned to Ways and Means. Number 1495 (Authorizing the lease of premises located at Francis S. Gabreski Airport, Westhampton, New York for the Police Department Medevac Helicopter), assigned to Ways and Means, and Number 1496 (Appointing member of the Suffolk County Water Authority (George Proios), assigned to Environment.

LEG. ALDEN:
Point of order.

P.O. TONNA:
Yeah.

LEG. ALDEN:
That motion is technically incorrect.

P.O. TONNA:
Okay. Let's --

LEG. ALDEN:
You have to waive the rules, you can't lay them on the table. You would have to make a motion to waive the rules. You're just making a motion to lay them on the table. That fails.

P.O. TONNA:
Waive the rules --



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LEG. ALDEN:
That fails.

P.O. TONNA:
All right. I'm going to -- well, I didn't finish it. I am now going to make a motion, but --

LEG. TOWLE:
Oh, my God.

P.O. TONNA:
To waive the rules and lay on the table.

LEG. GULDI:
And waive the rules. Number 1494, to Ways and Means.

LEG. TOWLE:
Take his mike away.

P.O. TONNA:
1495, to Ways and Means, and 1496 to -- that's why we have "Watchdog Alden" -- to Environment.

LEG. ALDEN:
No. Binder tipped me off to it.

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

SENSE RESOLUTIONS

Now we go to the senseless resolutions. Okay, here we go. Legislator --

LEG. FIELDS:
Motion.

P.O. TONNA:
Sense 17 (Memorializing resolution requesting State of New York to

authorize Town Code Enforcement Officers to pursue violations against absentee landlords).

LEG. POSTAL:
Second.

P.O. TONNA:
Legislator Fields, seconded by Legislator Postal. All in favor? Opposed?

LEG. CARACCIOLO:
Hold it, hold it. What does this do?

P.O. TONNA:
17.

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LEG. POSTAL:
Town Code Enforcement Officers.

LEG. CARACCIOLO:
I can read the title, what does it do?

LEG. POSTAL:
Absentee landlords. It's a good.

LEG. CARACAPPA:
It's helping to go in there and looking for --

LEG. FOLEY:
It fights against absentee landlords. It's good. It's good.

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

LEG. CARACCIOLO:
Hold it. Hold it.

P.O. TONNA:
Oh. She just told you.

LEG. CARACCIOLO:
I couldn't hear a thing. Okay. Maxine. No, just wait. Maxine.

LEG. CRECCA:
I can't hear.

P.O. TONNA:
On the motion, Legislator Caracciolo asked what does this piece of

legislation do.

LEG. FIELDS:
Apparently, when you have an absentee landlord and he lives in New York City, you can't go one county out to enforce a warrant or file papers with him. This is asking the State to change that.

LEG. FOLEY:
Good one, very good.

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

MR. BARTON:
17, 1 not present. (Not Present: Leg. Haley)

LEG. FOLEY:
Where does the Senate stand on this.

P.O. TONNA:
Sense 18 (Memorializing resoluiton requesting State of New York to authorize video lottery for Suffolk County OTB teletheater). Motion by Legislator Lindsay, second by?



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LEG. POSTAL:
I'll second it.

LEG. FOLEY:
Second.

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

LEG. CARACCIOLO:
Opposed.

P.O. TONNA:
I'm opposed.

LEG. CARACCIOLO:
Opposed.

P.O. TONNA:
I'm opposed, because I'm opposed to gambling.

LEG. BINDER:
I'm opposed.

P.O. TONNA:
All right. Opposed, Legislator Binder, Tonna and Caracciolo.

LEG. CRECCA:
Abstain on Crecca.

P.O. TONNA:
And correct, too. Okay. Sense 20 (Memorializing resolution requesting State of New York to adopt pay equity or female employees). Motion by Legislator Nowick, seconded by myself.

MR. BARTON:
13 on Sense 18. (Not Present: Leg. Haley)

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

MR. BARTON:
17, 1 not present. (Not Present: Leg. Haley)

P.O. TONNA:
Sense 22 (Memorializing resolution requesting State of New York to enact Graduated Driver Licensing Law). Motion by Legislator Carpenter.

LEG. FISHER:
Second.

LEG. GULDI:
On the motion.

P.O. TONNA:
Seconded by Legislator Fisher. On the motion.



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LEG. GULDI:
Yeah. I'm looking at the conditions and I'm confused by the language and the -- the parallel language and the seeming distinctions between Paragraphs 1 and 2, 3 and 4, and 6 and 6. I'm trying to determine whether they're cumulative or merely contradictory, and I'd like someone to explain that to me.

P.O. TONNA:
Well, how about we go to Legal Counsel, since we're talking about cumulative and contradictory.

MR. SABATINO:
Which clauses do you think are --

LEG. GULDI:
Yeah. I'm just confused by what the bill does, as a result of

reading --

MR. SABATINO:
It does a lot of things. There's -- it tracks pending State legislation, which --

LEG. GULDI:
Yeah, I know, but what -- which does what?

MR. SABATINO:
Okay. Which does 11 different things.

LEG. GULDI:
Okay.

MR. SABATINO:
Well, starting --

P.O. TONNA:
Wait, wait, wait, guys. Ladies and Gentlemen, we are not done yet. Legislator Binder. Legislator Towle.

LEG. TOWLE:
Yes, we're just discussing the bill.

P.O. TONNA:
Legislative staff, Aides, and countrymen, could you, please, wait? Legislator Guldi has the floor. And despite finding what he has to stay sometimes very difficult to listen to, we still have to give him the respect to listen.

MR. SABATINO:
Take it from the top, it does 11 -- it does 11 things. The first one is, if you've got a junior driver's license, all passengers have to be using their safety belts. The second thing it does is it changes the requirement on the age from 18 to 21 with regard to somebody who's going to supervise an individual who's getting driver education or driver training.



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LEG. GULDI:
Okay, but, for example, Number 3 says -- it talks about parent or guardian. Is that in addition to the requirements to -- supplemental or an alternative?

MR. SABATINO:
Supplemental.

P.O. TONNA:

Do you have to be 21 and a parent?

MR. SABATINO:
Supplemental.

LEG. GULDI:
Or can you be under 21 and not a parent? I mean, that was where I'm confused. And I'm looking at the details of this. It seems highly technical, which is which way is it? I mean, we're talking about MVA statutes.

MR. SABATINO:
The next item is the requirement to hold a valid driver's license, is a person who's got to be occupying the front seat. The fifth requirement is that the person who's actually using the permit has to be using their seat belt. The sixth requirement is a requirement that the application by an applicant has to contain a representation that they've operated the motor vehicle for no less than six months under the supervision of one of the identified parties. The seventh condition is to require that the person who's holding the permit for the six months not have any convictions or serious moving violations. The eighth condition is to change the -- to impose, I should say, a mandatory six month suspension for anybody who is convicted of a serious moving violation before the person reaches the age of 18 or before the expiration of 12 months from the date they received the license. The ninth condition is to require all passengers who are present in the vehicle to use a safety device, which has been approved by the state. The tenth condition is to impose a 60-day suspension provision, if the permit holder is involved in an accident for a certain category of activities. And the last one provides for revoking a junior license if there's a violation after a suspension has been restored.

LEG. GULDI:
Okay. Question, an additional question, I guess, for the sponsor. I understood that there was other -- I understood that part of the legislation in Albany was also considering --

D.P.O. POSTAL:
Excuse me. Legislator Guldi, could I just interrupt you for a minute, because Legislators are leaving and we will not have a quorum and will not be able to act on these few final resolutions. So I'm going to ask everybody to, please, be patient for a few more minutes. Continue, please.

LEG. GULDI:
One of the bills, or I thought this bill actually proposed phased-in

junior licenses with multiple levels of junior licensing. I see that's not included in this bill.

LEG. CARPENTER:
No. This is basically supporting, actually, it was Senator Johnson's bill and these are the provisions, so --

LEG. GULDI:
But not the -- but not the phased-in licensing.

LEG. CARPENTER:
No, no, just what you see here.

D.P.O. POSTAL:
Okay. I think we have a motion and a second. All in favor? Any opposed? All right. Will you, please, try to stay in your seats, so Henry can count?

LEG. TOWLE:
I'm here, Henry.

LEG. ALDEN:
Henry, there's some back there.

MR. BARTON:
17, 1 not present. (Not Present: Leg. Haley)

LEG. GULDI:
That's good, Henry.

D.P.O. POSTAL:
Sense 22 is approved. Sense 23 (Memorializing resolution requesting State of New York to repeal chargeback for sales tax exemption on clothing). Motion by Legislator Carpenter.

LEG. FOLEY:
Second.

D.P.O. POSTAL:
Second by Legislator Foley. All in favor?

MR. BARTON:
17-1.

D.P.O. POSTAL:
Any opposed?

MR. BARTON:
One not present. (Not Present: Leg. Haley)

D.P.O. POSTAL:
Sense 23 is approved.

LEG. CARACCIOLO:
Motion to table.



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D.P.O. POSTAL:
Sense 24 (Memorializing resolution requesting the Town of Riverhead to approve Palm Beach Polo Project for Calverton Airport)?

LEG. CARACCIOLO:
24.

D.P.O. POSTAL:
Excuse me. Are you making the motion on Sense 24?

LEG. BINDER:
Second.

LEG. CARPENTER:
May I ask why?

LEG. CARACCIOLO:
It's my resolution.

D.P.O. POSTAL:
It's his resolution.

LEG. CARPENTER:
Oh, 24.

LEG. FOLEY:
Yeah, why.

D.P.O. POSTAL:
Oh, no, on Sense 24.

LEG. FOLEY:
Why?

D.P.O. POSTAL:
I'll second that.

LEG. FOLEY:
On the motion, why?

P.O. TONNA:
Motion to table by --

LEG. FOLEY:
Why.

D.P.O. POSTAL:
Sense 24, Legislator Caracciolo, I'll second it. All in favor? Any opposed?

MR. BARTON:
17, 1 not present. It's tabled. (Not Present: Leg. Haley)

D.P.O. POSTAL:
Sense 24 is tabled. Home Rule 2 (Home Rule Message requesting State of New York to authorize tax exemption for former owner Faith Temple



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Church of God in Christ for certain real property). I'll make the motion to approve, seconded by Legislator Bishop. All in favor?

LEG. CARACCIOLO:
Opposed.

D.P.O. POSTAL:
Any opposed? Opposed, Legislator Caracciolo. Abstentions? It's gives a retroactive exemption to a church, which didn't realize it had to file for exemption every March 1st.

MR. BARTON:
Legislator Carpenter, did you abstain?

D.P.O. POSTAL:
Are you abstaining?

MR. BARTON:
On this vote.

P.O. TONNA:
Did you abstain on the vote, Legislator --

LEG. CARPENTER:
No, I'm for it.

MR. BARTON:
Oh, okay.

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

MR. BARTON:

16. (Not Present: Leg. Haley)

P.O. TONNA:
--I've never been happier to say this meeting is adjourned.

D.P.O. POSTAL:
Sixteen. Home Rule Message 2 is approved. The meeting is adjourned.

[THE MEETING WAS ADJOURNED AT 9:07 P.M.]

{ } Indicates Spelled Phonetically