SUFFOLK COUNTY LEGISLATURE
GENERAL MEETING
TENTH DAY
JUNE 25, 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

[THE MEETING WAS CALLED TO ORDER AT 9:15 A.M.]

P.O. TONNA:
I guess we're going to begin. Let's all rise for the Pledge of Allegiance led by Legislator Caracciolo.

(Salutation)

I guess, Henry, now we have the roll call.

(Roll Called by Mr. Barton)

LEG. CARACCIOLO:
Here.

LEG. GULDI:
Here.

LEG. TOWLE:
(Not Present)

LEG. CARACAPPA:
Here.

LEG. FISHER:
(Not Present)

LEG. HALEY:
(Not Present)

LEG. FOLEY:
(Not Present)

LEG. LINDSAY:

Here.

LEG. FIELDS:
Here.

LEG. ALDEN:
Here.

LEG. CARPENTER:
Here.

LEG. CRECCA:
(Not Present)

LEG. NOWICK:
Here.

LEG. BISHOP:
Here.

LEG. BINDER:
(Not Present)

LEG. COOPER:
Here.

LEG. POSTAL:
Here.

P.O. TONNA:
Yes.

MR. BARTON:
Twelve present.

P.O. TONNA:
Thank you very much. Okay. I'd like to take a moment on behalf of Legislator Fred Towle to introduce our Clergy of the day. It's Pastor Wright from Yaphank Presbyterian Church. Pastor Wright, thank you very much.

PASTOR WRIGHT:
Thank you. Let us bow our heads for an invocation. We may all stand, please. All Mighty God who art the sure guide and strong refuge of all who put their trust in you, we come to you today in prayer asking for guidance, help and direction. Bless our diverse community with honorable industry, sound learning and pure manners. Save us from violence, discord and confusion, from pride and arrogance and from

every evil way. Defend our liberties and fashion us as a people into a supportive community of caring neighbors and friends. Help us to take care of the poor, the homeless, the distraught and those who feel left out of the American dream.

Bless this Legislature and the individual Legislators that by wise legislation and faithful administration, the rights of all our citizens and neighbors may be protected and extended. We thank you for the diligence of our Legislators and their commitment to the needs of our county and its people. We also thank you for the labor of all county workers and their dedication to providing needed services to our greater communities.

Help us Lord to be sensitive to the needs of others and give us strength to make the right decisions. Hear our prayers and petitions, oh God, and grant us your wisdom. This we pray in your name. Amen.

P.O. TONNA:
Thank you very much, Pastor. Thank you. Okay. All right. Ginny, we'll do your proclamation before we get with the stuff.

LEG. FIELDS:
Good morning. It is a pleasure and I am very proud to introduce Stephanie {Eader}, who lives in Oakdale, and is a senior in Connetquot High School. And I'm just going to read a little bit of this proclamation, that Stephanie {Eader}, a senior at Connetquot High School is a student athlete who stands out through dedication, commitment, exceptional skill and unprecedented achievements.

Stephanie has competed in the discus on the varsity level since ninth grade. She won her fourth executive Suffolk County title in the discus. She went on to win the New York State Federation title in the discus by throwing a one hundred and thirty-one foot, ten inch toss six feet farther than her nearest competitor. She happens to be one of the best female high school discus throwers in the State history of -- State of New York history and she ranks fifteenth in her graduating class of four hundred and sixty-four.

She will attend Wagner College in the fall, and she's been awarded a scholarship for her athletic and academic abilities, something that is rarely achieved by an athlete who competes in one event.

She -- I'm very proud to present on behalf of the Suffolk County Legislature this proclamation to you, Stephanie, for achieving the notoriety of being the winner of New York State, and making Suffolk County very, very proud of you. So it is my pleasure to present this to you and congratulations and much good luck in the future.

(APPLAUSE)

LEG. FIELDS:
And, and she isn't even a big, big girl, look at her. Congratulations.

P.O. TONNA:
Good morning, everyone. Today we honor the dedicated workers of the Suffolk County branches of the U.S. Postal Service and their latest historical role, especially following the events of September 11th attacks.

On a daily basis, the Postal employees were on the front lines facing the challenges, processing and delivering the mail, despite the possibility of acquiring Anthrax. You know, in discussions that I've had with its District Manager, the Long Island District Manager, Tom Rosati, he helped me to understand that the Postal Services represents over a six billion dollar industry in Nassau and Suffolk County.

And when you think about one of the net negative effects of terrorist attacks and Anthrax, was the possibility of terrible economic depression. And so having the Postal workers, the employees of the United States Postal Service out on Long Island, and specifically here today to honor those in Suffolk County, to do the tremendous job that they did was really quite amazing. And I think, unfortunately, with so many different stories of heroism, it's been a story that we didn't hear that often, and it's one that was really critical.

So today I just want to, and first, Tommy, I'd like to bring you up. The Long Island District Manager, Tom Rosati, is an inspiration to all us who know him and all who work with him. Tommy is a dedicated -- decorated Vietnam Veteran. Undoubtedly, he brought his heroism and patriotism to bear during these trying times.

On behalf of the Suffolk County Legislature, Tom, I take great pride in presenting you, a valued member of Suffolk County, with this

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proclamation for dedication, service and beyond the call of duty. So, Tommy, congratulations.

(APPLAUSE)

MR. ROSATI:
Thank you very much. I would also like to make it very clear that the people that you're basically recognizing and honoring today represent the clerks, the carriers, the mail handlers, the supervisors, and they will take that back to their offices and we appreciate your acknowledgment. It is something that's just not a one time issue,

these people face these situations day in and day out. And I'm very honored to represent that and I thank you very much as well. Thank you, Paul.

P.O. TONNA:
Thanks, Tommy.

(APPLAUSE)

P.O. TONNA:
I think, if I'm not mistaken, each Legislator will present proclamations for the Postal Service. I'm going to do my two right now. I want to ask for Postmaster Barbara Guerin of Deer Park, Postmaster Ron Mirro of Huntington, and Dominick Bratta, Plant Manager in Melville.

I guess Barbara is not here, but just on behalf of myself as the Legislator in the 17th Legislative District, I want to commend you on the job that you've done and your employees. And the same thing with you. And the wonderful job, it's a large plant in Melville and just all the work that you guys have done. So congratulations.

MR. BRATTA:
Thanks a lot.

MR. MIRRO:
Thank you.

P.O. TONNA:
And then I think Legislator Caracciolo is next, right? Legislator Caracciolo.

MR. BARTON:
Mr. Chairman, from the First District --

LEG. CARACCIOLO:
Speak up.

MR. BARTON:
From the First District, there are a number of post offices. From Cutchogue, it's Jean Fuentes; Southold, Charles Powell; East Marion, Linda Boken; Mattituck, Larry Canzone; South Jamesport, Joseph Matera; Calverton, Susan Jaeger; Upton, Jeannie Fornsel; and Riverhead, Robert Hill.

LEG. CARACCIOLO:
As Ralph just indicated, this is one of the larger groups we'll be dealing with this morning and it's my pride and privilege to recognize

each of you Post Masters on behalf of the residents of the First Legislative District. There are about ten other Post Masters that couldn't join us this morning that are also part of the First Legislative District, but on behalf of the residents from Middle Island to Fishers Island, along the North Fork and the Towns of Brookhaven, Riverhead, Shelter Island and Southold, I want to extend to you our heartfelt thanks particularly during those trying moments in September, October, November when Anthrax became really a part of America's life, Americans' lives.

So on behalf of the people you represent, your employees, we want to say thank you, and keep up the good work and keep us safe. Thanks again.

(THANK YOU IN UNISON)

LEG. GULDI:
For the second installment of the East End post offices, a few of the Post Masters from the South Fork have been able to join us today. I'd like to ask Joanne Armstrong of Bridgehampton, Carmine Pluchino of East Hampton, Sue Mosblech of Eastport, Michael Rupolo of Hampton Bays, Yaira Rodriquez from Quogue, Kathy Mirando from Remsenburg, Linda Liehr from Sag Harbor, Walter, oh, boy, Marsicovetere?

MR. MARSICOVETERE:
Marsicovetere.

LEG. GULDI:
Marsicovetere. Thank you, sir.

P.O. TONNA:
Supervisor in Riverhead.

LEG. GULDI:
Patricia Gonce, Mike Curry, Sal Minardi, and Robert Hill to come forward, so we can present proclamations. I mean, people here have remarked on how many post offices there are on the East End. The difference is -- it really does highlight the differences in the Counties when there all -- there'll be other Legislators who together will be recognizing a single Postmaster. And I do appreciate how hard the East End Postal Service is, particularly given seasonal fluctuations, but I do have to pick on Sal Minardi, because Sal has the dubious distinction to trying to route mail to three different addresses for George Guldi all within his same post district. It results in some interesting deliveries.

P.O. TONNA:
Does the trailer have an address?

LEG. GULDI:

A trailer -- the trailer has an address, but it hasn't got a post office box yet, thank you very much. So the mail hits the kitchen, it ends up in the law office, it's wonderful.

LEG. TOWLE:
Who's sending you mail anyway?

P.O. TONNA:
The IRS.

LEG. GULDI:
How did you know? Okay. I'm going to put my glasses on, so I'll stop reading people's names badly. Kathy Mirando, Remsenburg.

P.O. TONNA:
I would just say just hand them, yeah.

LEG. GULDI:
Thanks. Yaira Rodriquez, Quogue. Sal, I know I'll pay for that.

MR. MINARDI:
You will.

LEG. GULDI:
You know, Sal, I have an express mail, can you take it with you?

LEG. TOWLE:
Postage due.

LEG. GULDI:
Patricia Gonce, Thanks. Paul Tonna. No, wait a minute. Joanne Armstrong, Bridgehampton.

MS. ARMSTRONG:
Thank you.

LEG. GULDI:
Heather? Heather {Ray}, Sag Harbor. Sag Harbor has two zip codes.

MS. ARMSTRONG:
We do?

LEG. GULDI:
Yes, you do. It confuses me. One for the boxes, right?

MS. ARMSTRONG:
No.

LEG. GULDI:
No?

(SOUTHAMPTON SAID IN UNISON)

LEG. GULDI:
Southampton, that's right. And Riverhead needs two zip codes.

MR. MINARDI:
There you go.

LEG. GULDI:
Walter?

MR. MARSICOVETERE:
Thanks for the recognition.

LEG. GULDI:
Thank you. Carmine.

MR. PLUCHINO:
Thank you.

LEG. GULDI:
Michael?

MR. RUPOLO:
Thank you very much.

LEG. GULDI:
Thank you. And Michael Curry, Watermill. I didn't get my Michaels confused, did I? And Sue. There you go.

MS. MOSBLECH:
Thank you.

LEG. GULDI:
Everybody got one?

MS. MOSBLECH:
Yeah, I think so.

LEG. GULDI:
I've got another dozen in the box for the people who couldn't make it here. And I'm glad to recognize the Post Offices, not just since 9/11, but for what you face and deal with every day. I commend you and encourage you to continue your great work. Thank you.

(APPLAUSE)

LEG. TOWLE:
Good morning. I'm still trying to wonder who is sending mail to Legislator Guldi, but maybe we can find that out later this afternoon. I'm very pleased to honor Postmasters. I have three of the Postmasters from the Third Legislative District. The first I'd like to invite up is the Postmaster of the Mastic Post Office. We also have the Postmaster of the Medford Post Office. And last, but not least, with us this morning, the Postmaster of the Mastic Beach Post Office.

P.O. TONNA:
Take a picture with them Freddy.

LEG. TOWLE:
Thank you. Congratulations.

(APPLAUSE)

LEG. CARACAPPA:
Good morning, everybody. It's my pleasure to introduce the two Postmasters that have joined me from my district here today from Selden, Joseph Terranova, and from Centereach, Peter Puzzo. It's been said already by the Presiding Officer Tonna and Legislator Caracciolo and Guldi, so I won't -- I'll try not to repeat what's been said. But although we recognize what happened after September 11th in the Postal Service, we also should continue to recognize what the men and women of the Postal Service have done for us for so many years, and will continue to do for so many years. Their job is not an easy one, and the mail service is one of the most essential services that we as American citizens have the privilege of having, and also to have it done so professionally that we just take it for granted. Usually, when something is done so well, we do take that for granted. And I'm proud and happy that today we recognize those who do their job extremely well. And their motto that we know so well, I won't try to repeat their motto, through rain, driving rain, snow, sleet, dark of night, and I don't know the rest of it, but I got it close, I got most of it, we should never forget that.

And, also, I'd just mention that with the Selden and Centereach Post Offices, they're very proactive in the community. I know at the Centereach Post Office, we've had breast awareness -- breast cancer awareness days, where we've met mothers and sisters, and all the women from the community who come through the doors at the Centereach Post Office and greet them with a little reminder that they should get checked up and have a mammogram. And it's that kind of outreach through a -- through a government agency of the Post Office that makes us all proud. So without going on any further, I'd just like to

present Peter with his proclamation, as well as Joseph.

(APPLAUSE)

MR. BARTON:
Legislator Lindsay.

LEG. LINDSAY:
Good morning. Could I have Harold Aukland from Bohemia Post Office, Thomas Manzi from Sayville, Celina Lopez from Holtsville, and Michael Ciano from Holbrook.

The only thing that I'd like to say is the events of last Fall were meant to disrupt our society, they were meant to throw our whole world in turmoil, and thanks to our Postal Service and the men and women that work for the Postal Service, they thwarted that plan, they didn't let that happen. They kept delivering the mail, they kept doing their job under very extreme circumstances, and today is just a small way of us saying thank you to you. I missed one. I'm sorry. I missed Vicky Wilson from Bayport. Please, forgive me.

MR. BARTON:
Legislator Foley, your district's next.

LEG. FOLEY:
Yes.

(APPLAUSE)

For the Post Offices within the Seventh Legislative District, I'd like to have the following Postmasters step forward: Mike Sanfilippo from Bellport, Michael is here, John Cifelli from the Patchogue Post Office, and Don Milbrandt, who is the new Postmaster of Blue Point. If we could also have Rosemary Molinari from Medford. Please step forward. For the record, we also have Michael Ciano from Holbrook and Celina Lopez from Holtsville, which is combined, correct?

MS. LOPEZ:
That's correct.

LEG. FOLEY:
Okay, very good. You've got a beautiful new post office.

MR. BARTON:
From District Nine, Legislator Fields.

(APPLAUSE)

LEG. FOLEY:
And, Ladies and Gentlemen, on behalf of the constituents of the Seventh District, I'd like to thank you and your workers for the fine work that you do day in and day out for the residents of the Seventh District. Thank you.

LEG. FIELDS:
Good morning. Some of us share in our districts post offices, so I'm just going to mention the names of some of the post offices in my district, but some of them have already received a proclamation. Donna Rebecca from Oakdale, Thomas Manzi from Sayville, Harold Aukland from Bohemia, George Kearnes from East Islip, and Stan Wojciechowski from Islip Terrace. On behalf of the residents in the Ninth District, we would like to thank you for everything that you have done and for the work that you proved we could do in the 9/11 problem that we had throughout the State of New York. Thank you very much.

(APPLAUSE)

MR. BARTON:
From District 10, Legislator Cameron Alden. Okay. In District 10, we have three Postmasters from Brentwood, it's Frank -- from Brentwood, we have Frank Capozzoli, from Islip, we have Herman Santiago, and from East Islip, we have George Kearnes.

LEG. ALDEN:
I'm going to be very brief, but, again, just to echo what some of the other Legislators and what the Presiding Officer has said, that under very, very difficult situations and circumstances, you guys have just come through and continue to come through for our neighbors and us on a daily bases, so thank you very much. Congratulations.

(APPLAUSE)

MR. BARTON:
From District 11, Legislator Carpenter.

LEG. CARPENTER:
No, 12, District 12.

MR. BARTON:
Okay. Now we're going to move on to Smithtown. In District 12, Legislator Andrew Crecca, and from District 13, Legislator Lynn Nowick.

LEG. NOWICK:
Henry, you called all the names already, right?

MR. BARTON:
No.

LEG. NOWICK:
Okay.

LEG. CRECCA:
Sorry, guys.

LEG. NOWICK:
Give him the names.

MR. BARTON:
From Nesconset, we have Carol Penzi; Smithtown, James Welsh; Commack, Rich LoSquadro, and from Kings Park, Ciro Mastropaulo.

LEG. NOWICK:
On behalf of the Suffolk County Legislature, we'd like to congratulate you and thank you for your hard work, your dedication. You have pulled off administrating a post office during the worst of times and we appreciate it. I know I do and I know my Co-Legislator, Andrew Crecca, does. I congratulate you.

LEG. CRECCA:
And I'll just that --

(APPLAUSE)

-- I love the mail, especially around campaign time, but, no. I just -- our local post offices do such a great job in Smithtown. Using them a lot, I know that. And in these very difficult times, they really kept the mail service at its best and its peak, and we want to just take this opportunity to say thank you and recognize the great service we have in Smithtown and the surrounding area. Thanks.

(APPLAUSE)

MR. BARTON:
From District 14, Legislator Bishop. Legislator Postal is joining Legislator Bishop.

LEG. BISHOP:
Good morning. Gentlemen, thank you for coming down. I think Legislator Caracappa and Legislator Lindsay said very well that the -- I don't know if you could hear that outside, Joe Caracappa said that because the Postal Service runs so efficiently and it's such an important part of our daily lives, that we tend to take it for granted, and Legislator Lindsay pointed out that terrorists, be they

foreign and domestic, haven't missed that point, and that's why they sought to disrupt the mail service, because it is so important to our daily lives. And the grace of the Postal Service in not allowing potential disruptions to occur and to continue to work effectively and efficiently is something that we certainly appreciate. So, on behalf of the Suffolk County Legislature and the 1.4 million residents we represent, we have proclamations, and Legislator Postal would like to say a few words.

LEG. POSTAL:
Yeah. I know that many of us had the same experience. During the Anthrax threat, having been at the post office and seeing Postal Service employees continuing to do the outstanding job that they always do, in the face of not only potential danger, but actually threats to their lives, was really meaningful to so many of us. I remember seeing postal workers taking mail from mailboxes wearing latex gloves, and thinking about what it means to go to work in the morning and not know if you're going for come home with a deadly disease. So we don't always say thank you, I'm sure, at the post offices, you rarely hear thank you, and you generally have to deal with some people who are not in the best of moods and are not having such a great day, but you do it with grace, and you do it with courtesy, so we're taking this opportunity to say thank you from the County Legislature.

(APPLAUSE)

MR. BARTON:
District 18, Legislator Cooper. From Legislative District 6, Legislator Martin Haley.

LEG. HALEY:
Now I know the Postal Service is difficult at best to run the mail service under normal circumstances, let alone the circumstances that have happened over the past year. I'd like to make a presentation to Tom Mercurio, Miller Place; Maria Scanna, Mount Sinai, and Joe Sokolski, Rocky Point. You gentlemen here? There they are? How are you? Congratulations. How are you doing buddy? All right. Let's see, what do we got? Joe? How are you doing, Joe? Congratulations. Tommy, there you go. And Maria? Maria's not here today. Thank you, Mr. Chairman. Congratulations.

MR. BARTON:
We're going to go back to Huntington, Legislator Jon Cooper from District 18.

LEG. COOPER:
I wanted to thank two of the post offices that are here from the 18th District. We have six altogether. But my representatives had to

travel more than any other representatives to get here, as did I, so I wanted to thank you. I know firsthand the threat posed by Anthrax at my own company. We set up a $20,000 system to sterilize the mail before our employees handled them, because of the concern over Anthrax to the health of our employees. And this lasted about six months, until the threat began to subside. So I know the risks that were being faced on a daily basis by postal employees, and I have tremendous respect for your dedication during those very trying times. So it's migrate pleasure to give these proclamations to Scott Ericson from the Greenlawn Post Office. Scott, thank you very much.

MR. ERICSON:
Thank you.

LEG. COOPER:
And to Ron Mirro from the Huntington Station Post Office. Ron, thank you very much.

MR. MIRRO:
Thank you.

(APPLAUSE)

P.O. TONNA:
I'd like to recognize from East Setauket, Anthony Fontana; from Port Jefferson Station, Edward Stietzle; and from Stony Brook, Anthony Bosco. Hi, Gentlemen. Unfortunately, Legislator Fisher is not here yet, but I figured, you know, she has a little more hair, a little more attractive, but, you know, I figured why not, we'll -- Port Jefferson Station?

LEG. CARPENTER:
Paul she just walked in.

P.O. TONNA:
Oh, she just walked in. Okay. Vivian, I'm giving proclamations on your behalf. I'm glad you just walked in. So, as you could tell, she does have more hair and is much more attractive. Okay.

LEG. FISHER:
Unfortunately, my car was on automatic pilot, I went to Hauppauge.

P.O. TONNA:
I already gave it to Edward, just to recognize --

LEG. FISHER:
Okay. Thank you. Edward Stietzle from --

MR. STIETZLE:
Right.

LEG. FISHER:
Stietzle from Port Jefferson; Anthony Bosco from Stony Brook.

MR. BOSCO:
Stony Brook. Thank you. Thanks very much.

LEG. FISHER:
And Anthony Fontana from East Setauket.

MR. FONTANA:
Thank you very much.

LEG. FISHER:
Thank you. Thank you for all the good work that you do.

P.O. TONNA:
Okay. Before we begin the public portion -- I think we're all done, right? Yeah? Okay. Before we begin the public portion, I just want to -- I just want to thank my staff. And we don't do that publicly too often, but Barbara Warsaw and Virginia Acker for working with Tom Rosati, writing to the Post Office, drafting, and putting all the proclamations together. To all the District staff who assisted with this program. To Clark Gavin and BJ McCartan, to Tommy Donovan. But most of all, and is she around? Where is she? Where's Meghan? She's short, blue. Meghan, where are you? All right. This is what happens. I'm only going to give one complement a lifetime. Meghan, come here, just --

LEG. CARPENTER:
A proclamation for Meghan.

(APPLAUSE)

P.O. TONNA:
I don't have a proclamation. This is to Meghan, who is always thinking of -- she's got a difficult clientele to work with, being the 17 other Legislators and an absolute rat Presiding Officer. So, just, Meghan, thank you so very much for all the work that you do for all of us and recognizing so many good people in Suffolk County. Thank you.

MS. O'REILLY:
Thank you.

(APPLAUSE)

P.O. TONNA:
Okay. Maxine, can we start with the public portion? Thank you.

LEG. CARPENTER:
Before we do, Madam Chair, if I could.

D.P.O. POSTAL:
Legislator Carpenter

LEG. CARPENTER:
I would just like to make a comment on behalf of the Women's Caucus. It was really very gratifying to see so many women Postmasters.

P.O. TONNA:
One other thing, too. Ways and Means, where's the Chairman of Ways and Means? We have one of the Judge candidates who actually appeared

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at the Ways and Means Committee. He, unfortunately, has to --

MS. BURKHARDT:
It's a she.

LEG. FIELDS:
She left. She left.

P.O. TONNA:
No, there's a he. Paul -- yeah, okay. But I just -- there's somebody here. If we have any -- if there's any Legislators who have specific questions to ask outside of the committee process, the committee voted it out 4 and 0, and I just wanted to -- I asked the candidates to be here, but they can't be here in the afternoon, and I'm just trying to give respect. Does anybody have any questions that they wanted to specifically ask? Paul, how do you say your last name?

MR. HENSLEY:
Hensley.

P.O. TONNA:
Hensley. Is there anybody who has maybe any questions or something? Okay. I just don't want it, when we're voting on it, "By the way, why isn't he here," and, you know --

MR. HENSLEY:
I'll come back.

P.O. TONNA:
No, that's okay, you don't have to. Thank you very much. Thank you. Well, just give us, maybe one of my staff, a beeper, just in case

somebody does have a momentary lapse. Okay. And then that would be great. Thank you.

LEG. POSTAL:
Okay. We're going to begin the public portion. The first speaker is Mary Schneider. Each speaker has three minutes and then can respond to questions from Legislators.

MS. SCHNEIDER:
Good morning. Thank you for this time. This is not the first time I am voicing my concerns about the motel situation on Montauk Highway.

LEG. POSTAL:
I'm sorry, but I don't know if you're speaking -- you have to speak directly into the microphone.

MS. SCHNEIDER:
Okay. I'm sorry.

LEG. POSTAL:
Is the mike on?

MR. BARTON:
Yes.

LEG. POSTAL:
Okay. Go ahead.

MS. SCHNEIDER:
This is not the first time I am voicing my concerns about the motel situation on Montauk Highway in Southampton. However, I am now concerned not only for the safety of the children living in the substandard conditions, but for the safety of my children and the many other children in my neighborhood as well.

On Saturday, June 15th, 2002, a baby --

LEG. POSTAL:
Go ahead.

MS. SCHNEIDER:
-- a baby swan was stoned to death and another left barely alive at the hands of children living in an emergency housing motel. Horseshoe crabs are being sliced open and left to die. A nine year old boy was physically attacked in his own home. Two elderly women were assaulted in their own yards, one verbally and one physically. An elderly man was harassed for money on his morning walk by a group of kids from the motel. A man carrying his ten month old son was hit in the head with a rock.

Children from the motel are playing chicken in the middle of the night on Montauk Highway. I witnessed three children balancing on one bike and falling towards an oncoming car that swerved in time to avoid hitting them. Several weeks ago I came around the corner, a group of eight to ten children ran in front of my car from behind the bushes of one motel. Fortunately, I was able to swerve and avoid hitting anyone. My children were in the car with me.

Bikes are being stolen, vehicles and boats are being vandalized and stolen. There have been many incidents on buses, including a choking one for which I have the police report.

I am presenting to you forty-three police reports from January 12th, 2002, through May 31st, 2002. Ironically, not one incident I just mentioned is included in these reports. Also missing are two incidents that occurred on Memorial Day Weekend, a knifing and an armed robbery of a local Hess Station, both by residents of motel. Of these forty-three, only four are from neighbors, the rest are from the motel residents themselves.

Obviously the families DSS is placing in these motels are crying out for help. I went before the Suffolk County Housing Task Force on May 7th and the Suffolk County Social Services Committee on June 18th to let them know about my concerns. At the Suffolk County meeting last Tuesday, Sylvia Diaz, a Social Services Administrator, stated that many of the families placed in emergency housing are there because they're not welcome in shelters. Now ask yourself, why aren't they welcome in shelters, I ask you why are you allowing them in residential neighborhoods without security?

On Friday, June 21st, two representatives from DSS, Dennis Nowak and Roger Barbaro, told the Southampton Town Board that security was present at the Southampton Bays Resort and Olympia Motel as of June 19th.

However, since that time, two of my neighbors have had their cars broken into and the police have responded to the motels four time. And last night, I'd like to add also the police were there from eleven to two and this morning.

Mr. Nowak and Mr. Barbaro also stated that no other neighborhood has complained of problems as a result of an emergency housing motel. I am well aware of other neighborhoods that have complained and are having problems because of this situation.

Should a serious tragedy occur as a result of this current motel situation, the media will know that the parties responsible, the Suffolk County Legislature and the Department of Social Services were warned of the possibility of a tragedy.

LEG. POSTAL:
Ms. Schneider --

MS. SCHNEIDER:
And today I ask you --

LEG. POSTAL:
Mrs. Schneider --

MS. SCHNEIDER:
-- please give the time necessary to help make the situation a bit safer for everyone. Thank you.

LEG. POSTAL:
Thank you.

LEG. GULDI:
Ms. Chairwoman, I have a question of the speaker.

LEG. POSTAL:
Question, Legislator Guldi?

LEG. GULDI:
Yeah. I'm concerned about the most recent developments given that the Department has by letter advised the -- as you know, as we discussed at committee, I have introduced or laid on the table a bill, and I was looking for the number, to compel security to be provided at all emergency shelter motels. And the -- since I wrote that bill there, I've seen a letter from the Department directing the operator of the two hotels in Southampton to provide security as of the date in July and indicating that the Department would be providing security in the interim.

MS. SCHNEIDER:
Yes.

LEG. GULDI:
The concern I have is your statements about what's been going on since that security has been in place and whether or not the efforts that -- to change these regulations in the bill that's being laid on the table are going to be adequate. So could you expound on that, please?

MS. SCHNEIDER:
Yes. I actually called the police lieutenant last night since, to ask what has happened since June 18th since DSS has had security there. Before the incident last night, he said there were four responses from Southampton Town Police to the motel since their supposed security has

been there.

Last night, two nights ago at 9:30 I know the police were there, I heard them, and then last night from eleven to two a.m. there were several police officers, Southampton Town Police Officers there. And I -- the reports, I couldn't pick them up until nine o'clock today, so I don't have them.

LEG. GULDI:
So you don't have those. Which lieutenant were you speaking to, do you remember?

MS. SCHNEIDER:
Lieutenant James.

LEG. GULDI:
Lieutenant James. Okay.

MS. SCHNEIDER:
And again, I don't know what the incident was.

LEG. GULDI:
At committee you testified that you had been by the facility a number of times when they -- the Department had stated that they -- that they've been advised by the operator that someone was on duty 24 hours a day. You corrected that misimpression.

Since security has been there, have you been by and had an opportunity to observe their presence or non-presence?

MS. SCHNEIDER:
I actually was in the motel Saturday morning and I did not see anyone there. That was around eight o'clock Saturday morning. And last night I drove by around ten to ten. The lights were on this time in the lobby, but I did not see anybody in there. Usually when I go by at night, the lights are off. So I personally have not witnessed security there or in the neighborhood.

LEG. GULDI:
I don't have any other questions. Thank you.

MS. SCHNEIDER:
Thank you.

LEG. GULDI:
Thanks for being there.

MS. SCHNEIDER:
You're welcome.

LEG. POSTAL:
Thank you. The next speaker is Lara Brown.

MS. BROWN:
Hi, good morning. My name is Lara Brown. I am here today to talk to you about the County's involvement in placing Suffolk's homeless in motels and its effects on the community.

I have lived behind the Southampton Bays Resort Motel for approximately ten years. The last three years this motel has been a so-called temporary shelter for Suffolk's homeless. I emphasize so-called,because the families placed in these motels stayed for long durations violating Southampton Town Code.

Of the eleven motels in Suffolk County used for such practices, three are in Southampton Town alone. Southampton accounts for approximately 10% of the County's population, yet houses approximately 40% of the County's homeless.

The motel that borders my property currently houses 80 children. Now I ask you, would you want your neighbor to have 80 children? These 80 children and their families are living in double-occupancy rooms with no kitchens. The children run unsupervised at all hours of the night. These motels are located on Montauk Highway where auto speeds reach well over fifty-five miles per hour, yet I have observed children in their diapers walking along the highway unsupervised. My husband has had to stop his car in the highway in order to avoid running over a group of children no older than five or six years old playing the game of chicken.

These children rarely attend school and continuously roam the neighborhood unsupervised. No sane person would consider this a healthy environment to live in. With overcrowding and poor living conditions, sprouts crime and an overall decrease in the quality of life to the surrounding community.

My community has been a victim to assault, robberies, including armed robbery, trespassing on a daily basis, the housing of a sex offender breaking his probation, and just recently the killing and mutilation of wildlife. My community is under siege with noise and garbage and Suffolk County is responsible.

Let me summarize. Suffolk County has saddled Southampton Town with a disproportionate number of homeless who are living in incredible substandard housing conditions. The surrounding communities are victimized and frustrated as they watch their property values plummet.

One would think immediate action would ensue, yet none has. One would think this is a numbers crunch, but Suffolk County spent $28 million

dollars last year in this venture, including 3 million dollars alone in taxi rides. I find this quite curious, but now I am to understand that because of some bureaucratic loophole, it is easier to spend the 28 million dollars than to actually solve the problem. Apparently, this is due to the majority of the money being State and/or federally subsidized.

The practice of housing homeless in motels has occurred for over 15 years now, and according to your own sources reach similar crisis proportions

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in the early nineties, yet no County or State legislation has ever been passed that would close this government loophole of waste. One would think this is genuine opportunity for a savvy politician to save taxpayers 28 million dollars a year. In fact, most legislation put forth to help the homeless situation has been voted down while County legislation has passed a not-in-my-backyard law regarding the building of shelters.

LEG. POSTAL:
Miss Brown, your time is up. Thank you.

LEG. GULDI:
A question for the speaker.

LEG. POSTAL:
Legislator Guldi.

LEG. GULDI:
Yeah. Could you please complete your remarks? It's a question.

LEG. POSTAL:
It was a question.

LEG. GULDI:
Thank you.

MS. BROWN:
Just a short -- this is insanity. The only person who makes out is the slum landlord motel owner who makes four thousand dollars a month per room. This crisis needs to be a top priority with the County and immediate and permanent solution is absolutely necessary for everyone involved. Thank you.

LEG. POSTAL:
Thank you. The next speaker is Sid Bail.

MR. BAIL:
Good morning. My name is Sid Bail. I'm President of the Wading River Civic Association, and I'm here with some area residents of Wading River

and Shoreham to discuss LIPA's decision to put ten emergency 20 megawatt generators in various locations. I just want to briefly discuss five or six areas of concern.

One, as a Suffolk County resident, part of the reason for these emergency generators is problems with cables in Nassau County, but despite that fact, all ten generators are going in Suffolk County. More parochially, as a local resident, seven of the generators, 70% of these emergency generators, are going in a very small area.

For the purpose of segmenting their application to avoid more strict Article 10 procedures and etcetera, they have created -- LIPA has created the fiction that there's a Wading River site and there's a Shoreham site. If any of you are familiar with the area, it's all on the same property, probably less than three quarters of a mile from each other.

LEG. GULDI:
Is it --

MR. BAIL:
Yes.

LEG. GULDI:
A point of clarification on that point, if I may. The Village of Shoreham does not include the LIPA site in Shoreham, does it not?

MR. BAIL:
No, it does not.

LEG. GULDI:
So both of these sites, the Shoreham site and the Wading River site, are on the single parcel of land that lies in the unincorporated portions of Brookhaven?

MR. BAIL:
Yes, you're correct.

LEG. GULDI:
So that -- I mean it's not, it's not just a fiction, it's a fallacy?

MR. BAIL:
Yes.

LEG. GULDI:
Thank you.

MR. BAIL:
Okay. Another thing is -- another area of concern that the location

is -- has no provisions for gas, so these will be diesel fired. And, in fact, if we do a little rough math, there are five hundred and forty megawatts. If we count in the existing peak loader, KeySpan's old technology from the 1980's, the new PP&L plant that LIPA has contracted on the site, and the hundred and forty some megawatts that these peak loaders -- these truck-mounted generators would produce.

Another concern is the lack of environmental due process. Last year we got a quicky environmental assessment from LIPA, and -- kind of like a drive-by environmental review. What LIPA is essentially doing in this time around is fast tracking the fast-tracked process. And they've -- they're even trying to reduce the public comment period of time for the Public Service Commission from 21 days to seven days.

As a ratepayer, this is costing 25 to $30 million to lease these units, and at the same time, LIPA is telling us and the community that these units may never be used at all, which I really find hard to believe.

I also -- I would like clarification, maybe someone from the County could give me whether this falls under the County's emission limits for C02, because the only thing they're monitoring for is NOx emissions. Okay. Thank you very much.

LEG. GULDI:
I have a couple of questions.

MR. BAIL:
Yes.

LEG. POSTAL:
A question from Legislator Guldi.

LEG. GULDI:
Yeah. The -- we spent sometime on this in the Energy Committee and we've asked CAP to get some more specific data with respect to it. I see Gordian Raacke is in the audience. And, Gordian, will you be speaking today?

MR. RAACKE:
Yes.

LEG. GULDI:
All right. He'll be speaking later.

MR. BAIL:
Thank you.

LEG. GULDI:

The concern I have was the, the fallacy of splitting the Shoreham/Wading River lot is that, I think is an effort by LIPA to avoid the added megawatt aggregate power consequences of their application. And the concern that was raised caused me to go out past the site in Wading River right after our Energy Committee meeting. When I was there, I saw huge levels of construction going on and I wondered if anyone has seen any components for these temporary generators arriving at the site prior to the comment period and hearings even closing?

MR. BAIL:
I personally haven't seen them, but from conversations I've had with LIPA officials, they've, they've been putting them in place.

LEG. GULDI:
So, yeah, so they're being -- yeah, my concern was they're being placed without even benefit of the public comment period, much less approval by the Public Service Commission.

MR. BAIL:
Yes.

LEG. GULDI:
So, I mean one of the things that I think is incumbent upon us is to get on the site and see if they're proceeding that way. But the fundamental question that I raised in committee that really has to be answered, and it's one I'll direct to you, is -- the problem is that with the Cross Sound cable out, the aggregate projected load for Long Island is extremely close to the maximum generating capability.

Prudent operations requires you to, on any electrical load system, to have a 20% reserve. That reserve doesn't exist absent the peak

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generators that were -- the emergency backup generators that LIPA is looking at. In fact, even with those generators, the margin won't exist.

And the reason that that's prudent is if you have a system failure, a cable short, a generator go down during a peak demand period and you don't have additional capacity, you can lose the entire system and shut down the entire grid.

The question for you as a Shoreham/Wading River resident is if the numbers come out that way, if the numbers come out where it's clear that if LIPA doesn't get authority to operate -- to set up and have ready for operation these emergency generators somewhere in the system, that the Island risks a blackout this summer during a peak heating -- a peak air conditioning or heat period, would you still object to their placement anywhere in the County?

MR. BAIL:
That's not an easy question.

LEG. GULDI:
No, I know, but that is the fundamental question.

MR. BAIL:
Yeah. That's why we were reluctant to speak out this thing, but as I said, the main reason that we're, and we told LIPA from the get go when they told us that we were going to speak out in opposition, because we were worried that there weren't adequate safeguards for the health and safety of local residents, but I am really cognizant of what you said.

LEG. GULDI:
Yeah.

MR. BAIL:
But I think two things that should be do -- they talked about a ninety day period that they might be applied, and that would have to be firmed up. And also, something should be done in terms of continued environmental monitoring, CEM's, because basically what they're doing is they're just going to keep track of the number of hours that the plants burn, that's pretty much their monitoring.

LEG. GULDI:
Yeah. I understand the concerns about monitoring, I'm trying to get to the threshold question. I don't think we get to the concerns about monitoring and a termination date until we get to the threshold of, yes, this is absolutely necessary and prudent. If we get over that threshold, one of the things that we noted in the preliminary application is their temporary emergency generating facility has no termination date at all --

MR. BAIL:
Right.

LEG. GULDI:
And that's a substantial concern. But the -- but assuming we get over the threshold question, the questions then become environmental monitoring and termination. Are you in accordance with -- are you in accord with that?

MR. BAIL:
Yes, yes. And, but like the prudent thing would be to have an energy master plan, and LIPA doesn't have an energy master plan, that's why we're all here.

LEG. GULDI:
I think that we're actually, we're in a pre-energy master plan. I think

what we need is an energy clue at this point, because it's not that we don't have a plan, we seem to be running in a clueless system.

MR. BAIL:
Okay. Thank you very much for your attention. And as I said, you know, it's hard for us to speak out on this because, you know, I don't want it dumped in anyone else's backyard, I don't see any profit to doing that, but there are certain realities where we felt we had to speak out. Thank you.

LEG. GULDI:
Okay. Thank you for coming forward.

LEG. POSTAL:
Mr. Bail, Legislator Fisher has a question.

LEG. FISHER:
Hi.

MR. BAIL:
Hi. How are you?

LEG. FISHER:
Okay. We just had an Energy Committee, Advisory Committee public hearing last week here in Riverhead in this very room, and Gordian Raacke at that meeting indicated that -- was it you, Gordian, who mentioned that LIPA had given -- no, it was somebody from LIPA had said that they were going to have a master plan, a draft of a master plan prepared by July 31st. And also {C} will have their master plan draft ready by the end of this summer. So I hope that when we get those master plans, those drafts, that you will be there. Do you get the sustainable Energy Alliance E-mails?

MR. BAIL:
Yes, I do.

LEG. FISHER:
So I hope that when you get that, you'll be part of the process when we look at these drafts, because you're absolutely right, the master plan is key here, so that we can -- we can have the kind of scrutiny that we need when LIPA proposes power plants, because wouldn't you say the biggest problem here is that they're trying to circumvent the procedure?

MR. BAIL:
There's a book about the whole Shoreham thing, why the whole Shoreham thing went down the tubes. And the author of it, the conclusion was it was corrosion caused the plants not to open. And by corrosion, she meant corrosion, trust. LILCO went from a trusted name in Suffolk County to a

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pejorator and the same thing may happen to LIPA and I think it's prudent that they do develop a master plan.

LEG. FISHER:
Sure, because this is part of the same strategy that we're seeing with the peaking units that are at 79, so that they're just below the threshold of 80, so that they can circumvent that.

LEG. POSTAL:
Legislator Fisher, question?

LEG. FISHER:
Okay. Thank you for being here.

MR. BAIL:
Thank you.

(APPLAUSE)

LEG. POSTAL:
Next speaker is Kathy Ayers Lanzillotta.

MS. LANZILLOTTA:
Thank you. It's a pleasure to speak to you again today on behalf of the Suffolk County Quality Consortium representing 24 of the voluntary not-for-profit drug and alcohol treatment and prevention providers in Suffolk County.

I want to speak to you on behalf -- on the Sense Resolution Number 30 regarding dedicated beer tax. I understand this resolution is being tabled at this time, but I wanted to take the opportunity to speak again as I know that you're considering amendments to the resolution.

The Budget Review Office had prepared a summary document for your consideration, and I just wanted to point out that if we added 12.5 cents per gallon of beer, we would generate 3.7 million dollars. This equates to less than two cents per can or bottle of beer, which is an amendment from the current resolution which is five cents per can and bottle.

The federal tax on beer is about fifty-eight cents a gallon. New York State tax on beer is 12.5 cents per gallon. The average State tax on beer is 24 cents per gallon. Therefore, if we were allowed in Suffolk County to impose another 12.5 cents per gallon, it would only bring the tax up to the equivalent of the average State tax. This is not an undue burden and it would bring a revenue stream into our service delivery system that is greatly needed.

The average age of onset of alcohol use, I've said these statistics before, has decreased in one generation, kids are starting to drink at a much younger age. We have to have the prevention and treatment services

out there to prevent the problems up front.

Beer is cheap. You can buy a 30 case -- 30 cans of beer for twelve dollars right now. That equates to only 40 cents a can of beer. You add two cents per can, kids are going to come up with that money. I just put a dollar under my son's pillow for the tooth fairy, and he's eight years old, sixty cents is not a lot of money.

The tax burden, as I said before, would be heaviest by the people that are the high users of beer and alcohol. Eighty percent of the alcohol that's bought is bought by twenty percent of the population. It's a prepaid health plan. Every dollar spent on treatment saves seven dollars in the criminal justice system.

Please keep in mind that the Rockefeller drug laws are probably going to be amended. It almost passed this session. If that happens next year, we are going to be hit similarly to the way we were hit with the deinstitution of the mentally ill. We have to get our service delivery system standing ready and there has to be the resources available.

I spoke on this issue on October 25th for the first time and it was because the Talbot House Program run by Catholic Charities was facing this year a hundred thousand dollar deficit and the agency can't come up with that money to keep it going. We don't pay our people well enough. My nurses are paid a lot less than the public health nurses.

If the resources aren't there from someplace, our system is going to start crumbling, we're going to have more crime on the streets. This resolution would give us an opportunity to bring a revenue stream in to put the money right back to where it belongs. Thank you.

LEG. FOLEY:
Thank you.

LEG. POSTAL:
Thank you. The next speaker is Stuart Astor.

MR. ASTOR:
Good morning. I wish to speak in support of Sense Resolution Number 30 also. I represent the Long Island Recovery Advocates, LIRA, an organization identified with the interests and concerns of the very large community of persons in recovery from alcoholism, drug dependence, addictions and mental illnesses in Suffolk and Nassau Counties.

We estimate the population in recovery just from alcoholism and substance addiction in Suffolk County alone to be upwards of forty thousand tax paying residents. We hope to be able to show you much of our constituency at a national recovery month rally to be held in September

on a date to be announced.

Because they are in recovery, our members are generally invisible, unlike the much smaller number of active alcoholics and addicts who monopolize our attention when they stumble around the streets or come into the hands of the public -- the criminal justice system. These are people who own homes, hold jobs, send their children to school, and sometimes, like myself, complete full careers as sober individuals, retire and enjoy the fruits, both sweet and bitter, of advancing age.

I'm here today to add LIRA's support to the resolution proposed by Ms. Fields for a dedicated sales tax on beer in Suffolk County with the proceeds from such a tax used for the prevention and treatment of addictive illnesses. Certainly, LIRA takes this position as a logical extension of its desire to add to the already substantial population of

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persons in recovery here in Suffolk.

But since September 11th, we have been even more concerned with the potential after effects locally of that great national tragedy. In Oklahoma City, the only place in our country to have undergone anything like New York's catastrophe, it took as many as five years for both direct and indirect victims of the Murrow Federal Building bombing to seek help in counseling centers, rehabilitation facilities PTSD programs and 12-step organizations. And then --

LEG. POSTAL:
Go ahead. Please go ahead.

MR. ASTOR:
And then even five years after the disaster, treatment agencies were jammed beyond their capacity.

As representatives and members of our County's recovery community, we know that for us, "been there, done that" is not a boast, but a curse. LIRA stands foursquare behind any proposal that will add power to the forces of prevention and treatment after September 11th, 2001, and before the other shoe created by that disaster in New York City drops here in Suffolk.
Those are the reasons persons in recovery on Long Island support the proposed beer tax. We hope to see many of you at LIRA'S rally late in September. Thank you.

LEG. POSTAL:
Thank you.

LEG. FOLEY:
Thank you.

LEG. POSTAL:
The next speaker is Janet Walerstein.

MS. WALERSTEIN:
Good morning. My name is Janet Walerstein and I'm the Executive Director of Child Care Council of Suffolk. And I'm here to address you this morning on Resolution Number 1593, which is -- which supports child care professional development.

The Child Care Council of Suffolk has held a contract to administer the funds in September 2001. We at this point do not take any administrative funds. It is entitled the EARNS Program, which stands for Educational Advancement Rewards Now in Suffolk.

This is a program to retrain -- retain qualified staff in child care so that we have the skill level to be able to work with young children. This is not about salary per se, but a recognition of professional skill -- professional skill level attained and ensuing a career ladder to stop the flow of teachers leaving child care for the financial gains and respect in other fields.

One of the worst situations that a young child can experience is constantly having a new person caring for them every other week, day or

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month. This is what is happening in child care. The turnover rate is about forty-five percent, creating an insecure world for infants, toddlers and preschoolers.

Not only that, but the lost time for these youngsters cannot be recouped. What we know about brain development, this is a critical time for learning -- for learning to occur and readiness for school.

We have approximately five hundred teachers we have given stipends for professional development due to the EARNS Program that was passed by this Legislature. Only five have left their place of employment, one for another center, two moved out of state, one is on disability, and one in maternity. That is a great testament to this program working.

Sixty percent of all these professionals have a BA or a BS or higher, forty percent accredited in early childhood, forty-nine percent of participants are making less than twelve dollars per hour, seventy-five percent less than fifteen dollars an hour. So this is a working program.

This program needs a little help to get through for a commitment that was promised by this body. We are so pleased that Suffolk County Legislators saw fit to provide support to an urgent situation, our children of working families here in Suffolk. Please don't turn your back now. We

are in a critical juncture and need you to support Resolution 1593. Thank you.

LEG. POSTAL:
Thank you. The next speaker is Linda Devin-Sheehan.

MS. DEVIN-SHEEHAN:
Good morning. I want to thank you for in 19 -- in the year 2000 doing the fiscally and socially responsible thing by approving funding for the child care EARNS Program. It was approved for funding in 2000. No funding was available for this program until the end of 2001. There were some funds left over that then got passed over to the year 2002, but they were insufficient to maintain this program.

There's no more important investment that you can make than in the future of our children, and you know that. And that's why I believe you have supported this legislation in the past. I'm asking you to support the Resolution 1593, to continue support for this program.

This program is based on research, it has been very carefully developed. It's modeled after a program that has been demonstrated to be successful in improving the quality of child care, and also in contributing to the economic development of communities, because parents will stay in work, their attendance will be better and the entire society profits from having quality child care.

The cost of quality child care, however, is not cheap and you can not keep passing the costs on to the parents. The parents of Suffolk County can't afford that. So we're asking for you to also contribute to the cost of quality by supporting this resolution for the sake of the children, their families and for all of us in Suffolk County. Thank you.

LEG. POSTAL:
Thank you. Next speaker is Ken Drange.

MR. DRANGE:
Good morning, Ladies and Gentlemen. My name is Ken Drange and I'm here to represent the Shinnecock Hills Coalition, two of them already spoken this morning, both Lara and Mary.

The reason I wanted to address you this morning is first, ten years ago I came here as the Executive Director as the first non-caucasian Executive Director on contract to a Hispanic agency. We addressed public policy then. I worked with Fred Pollert and Joseph Poerio, where we addressed both the financial and legal issues and started new programs, such as an alternative high school for drug or substance abuse children, expanded a WIC Program, seniors' program, food nutrition program, etcetera. So I am

familiar with the effectiveness and application of public policy and the good it can do.

However, I'm here today to address the issue of homelessness in Suffolk County. Last week Lara and Mary addressed the issue with you about how Social Services has presented a program where a hundred and sixty-seven homeless were being housed and paid for by Suffolk County. Of that number, two hundred and ninety-nine as of last week were in shelters where they are supervised and have most of their social service needs addressed.

The other hundred and sixty-eight are put in emergency shelters called motels. Of that number, we had seventy-two families and their children, which averaged three to four per family. There were two thousand family members in various stages of both shelters and emergency housing. We had the bulk of them compared to any other town in Suffolk County. We had over forty percent of them.

Now, not only are they not supervised, we have no direct aids for them. They're not near any food outlets, they're not near any washing machines, there's no social worker, there's no public transportation for them. They're left to prey on the community itself, which Mary and Lara have eloquently spoken to.

However, the major policy is it costs over four thousand a month per family unit. That includes taxis and busing to schools and food, five to six thousand per month. Excuse me, if I'm inconveniencing you by speaking.

Our people are being assaulted, our quality of life is going down while this money is being wasted. A house in our communities in Long Island for a two bedroom home costs twelve fifty-seven. Twelve fifty-seven, and you're spending six thousand dollars a month per family unit in emergency housing. Are you nuts? Are you nuts to approve this garbage going on? It's my tax dollars, it's your tax dollars.

Plus, our community is suffering. We're the ones whose quality of life is degraded because we can't take our children out for a walk. My son and my grandson were pelted with stones when they're walking one block over to my home. That's ludicrous.

Since December or January of this year there's been over forty-three police reports at that one motel alone, five hundred feet up the street from me. That does not include community complaints where there have been arrests because of break-ins. You're going to hear about personal assaults, knife fights, things being stolen, birds being killed, boats being set free. Our quality of life is being affected. Are you going to wait until the first few people are killed before public action is taking

place?

Permanent housing or more shelters are needed. This is not a problem that just came on the radar screen. Enforcement of existing laws is absolutely essential. That includes security guards, as you have at shelters. It includes the requirement for kitchens, which these motels do not have. It includes counselors at these facilities. And also, no dumping in one community where we pay the brunt of the price taxwise and quality of life wise.

Children's activities. As Mary has mentioned, children are roaming the street. Give me a break. What must someone do, two or three children be run over and then they are charged with reckless endangerment when it's the parents who are not supervising their kids.

We need placement of food stores or food facilities for these families. We need cleaners. In other words, don't inflict their general problems on our community. It should be spread out and public policy should be modified and changed to reflect the needs of these very needy, dysfunctional families. Right now they are unsupervised, the worst of the worst. Those rejected by the shelters are placed in motels and we bear the burden of that. That is ludicrous.

Are you waiting till knife fights now are inflicted on the residents in the community? We are prisoners in our own home. We dread the weekends. Well, now that school is out, we dread the week too, because most of us are at work and we're wondering who's going to be invading our territory.

LEG. POSTAL:
Mr. Drange, your time is up, but Legislator Fisher has a question for you.

LEG. FISHER:
Thank you for coming this morning. We had heard about this problem during our committee meeting last week, and Social Services had made a statement that when there was a complaint, that there was a response to that complaint within 24 hours. Can you give me your, for example, if there was a complaint that there was a child who assaulted someone, that there was a response to that by Social Services within 24 hours?

MR. DRANGE:
Forgive me for saying this, but we're talking out of hundreds, and I'm not exaggerating, out of hundreds of complaints, not just within the facility itself, because that often is a complaint that originates there between families. Those in the community are more familiar with, for example, I called the police when I witnessed across the street from me a car being burglarized by three teenagers. I called the police and told them if you want to catch them, do not use your sirens, but come up the following street. They came with sirens blaring, I watched them go up

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the street. And I spoke with the officers and said I can identify them and they ran into that motel. There was no follow-up.

With my son, he called the police and he said, can you identify them, and he said no, they were throwing stones from behind the fence. My son had a scar and blood on his forehead and he was carrying my ten-month old grandson. This is just quality of life that members of this community are facing every day.

LEG. FISHER:
So what you're saying there was no response when -- I just wanted that on the record because one of the items that we had requested from Social Services was that --

MR. DRANGE:
They're unfamiliar with it, they personally are unfamiliar with it, and that was part of our discussion.

LEG. FISHER:
But we need to have security, we need to have -- if it's going to be a shelter, then it -- you need all of the support --

MR. DRANGE:
That is correct.

LEG. FISHER:
That a shelter provides.

MR. DRANGE:
The infrastructure is not there. The structure that exists is a community and we are the prey, P-R-E-Y, and that is unfortunate. I don't think that's good public policy.

But more importantly, from your perspective, since you are trusted with our money, our tax money, that is poorly spent when you spend up to six thousand a month per family when there is housing available for rent on average for a two bedroom of twelve-fifty throughout Suffolk County. It is poor public policy not to use that.

And what will happen then is there will be dispersal throughout the community, normalization of a family environment where there is a home where there are going to be services provided as appropriate within the community, but not to gang up and have 80 children and 40 or 50 families in one motel and then to prey upon the members of that community.

In Southampton there are four hotels along a one and a half mile stretch where we have literally hundreds of parents and students involved with absolutely no restaurants, food stores, no cleaners, no infrastructure

and very limited public transportation.

Who do you think pays the price for that, aside from the budget that you've allocated? We do. We are suffering every day, not only in our taxes, because of the extra expenditures for this, but our quality of life, the value of our homes. We have residents who sometimes rent out for the summertime. They can't rent it when they see children pelting cars and people.

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And animals, they've killed animals in our community. We have swans that habitat our community in the water areas. They're being used as target practice by some of these children. Lara spoke very eloquently about children lying in the streets playing games of chicken. Her husband, for example, came home one afternoon and she -- he sees five children lying in the street waiting for the first to break. Fortunately, he saw them, not thinking it was garbage that had fallen off a truck, and he stopped, and when he looked closer, he saw it was actually children in the street. Must someone be killed before action is taken? Now, I propose several different things, including security guards, infrastructure, etcetera, but a longer term solution must be dealt with.

LEG. POSTAL:
Mr. Drange.

LEG. FISHER:
Thank you.

LEG. POSTAL:
Your time expired and you can only respond to the questions that was asked to you. Thank you.

LEG. FISHER:
Thank you.

MR. DRANGE:
Thank you.

LEG. CARACAPPA:
Thank you.

LEG. POSTAL:
The next speaker is Maureen O'Connor.

MS. O'CONNOR:
Good morning. Can you hear me? My name is Maureen O'Connor. I'm the Director of Advocacy Services for the Coalition on Child Abuse and Neglect, and I'm here to speak to you this morning regarding Resolution Number 1734, designating contract agency for educational component of

Universal Child Sexual Abuse Reporting Policy for Suffolk County.

As many of you know, the Coalition on Child Abuse and Neglect serves as a center for child abuse prevention and child victim advocacy on Long Island, established in 1979. We have 23 years of experience serving the Long Island community. When CCA and Executive Director Cindy Cavallo spoke at the June 11th Legislative hearing earlier, she noted that CCAN will support any appropriate efforts that turns a spotlight on this problem. Unfortunately, while we support the concept of a bill like 1734, we can't support the designation of a single agency as the contract vendor. It's not a reflection on the selected vendor agency whatsoever. Our objection would apply to our agency as well, if it were the sole provider of such services.

The issue of training and education around child sex abuse is complicated and confusing. It requires trained professionals to teach others how to

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identify and report this crime. Child sex abuse cannot be separated from other forms of child abuse. As you can imagine, it is very difficult for any child to disclose when he or she is being sexually. It leaves no obvious marks, bruises on a child, and is rarely done in a setting where others will see it, so we're left with underreporting of sex abuse cases.

It is common for child sex abuse to be linked to other kinds of abuse, such as physical, child witness to domestic violence, parental substance abuse and neglect. For example, we know that sex abuse accompanies physical abuse in 35% of female cases and 50% in male cases. These more obvious forms of abuse are more readily reported and open a door for child welfare professionals to uncover sex abuse, if present.

As indicated by a speaker at the Legislative session on June 11th, some agencies on Long Island, while having significant experience with child sex abuse, also have a broader expertise, including all areas of abuse and neglect. Because we at CCN know, excuse me, that sex abuse is often linked to other forms of abuse, it is imperative that training on the identification and reporting of sex abuse include all forms of abuse and neglect, so that unreported cases of sex abuse do not fall through the cracks.

Additionally, those agencies on Long Island with this expertise need to be included, not only in the training that would be provided through this bill, but also included in the design of that training. There needs to be a partnership amongst those agencies to provide the necessary comprehensive overall training that will be meaningful to this issue. This will ensure that those businesses holding contracts with Suffolk County will receive the most thorough and comprehensive approach to the identification and reporting of child sex abuse. Partnership among those providing training will help us protect even greater numbers of children.

Thank you.

LEG. POSTAL:
Thank you very much, Miss O'Connor. A question from Legislator Caracappa.

LEG. CARACAPPA:
Sorry. What agency were you from?

MS. O'CONNOR:
The Coalition on Child Abuse and Neglect.

LEG. CARACAPPA:
And where do you work out of, where are you based?

MS. O'CONNOR:
We're based in Garden City.

LEG. CARACAPPA:
Garden City, Nassau County.

MS. O'CONNOR:
Yes. Well, we're not a Nassau -- we're not a Nassau County agency, we're a Long Island agency based in Garden City.

LEG. CARACAPPA:
Are you -- are they a line item in the County budget, Suffolk County? Why would we even consider Nassau County? Paul or Budget Review?

LEG. POSTAL:
The Budget Review Office might be able to tell us. It's a Coalition for Child Abuse and Neglect.

MS. O'CONNOR:
Coalition on Child Abuse and Neglect, yes. We currently provide services in --

D.P.O. POSTAL:
The question was whether that's a line item in the budget, Jim, in the Operating Budget.

MS. O'CONNOR:
We're currently providing --

LEG. CARACAPPA:
Wouldn't you know that --

MS. O'CONNOR:

Who?

LEG. CARACAPPA:
-- if you are --

MS. O'CONNOR:
I'm sorry?

LEG. CARACAPPA:
Are you a contract agency for the County of Suffolk?

MS. O'CONNOR:
We don't receive Suffolk County funds, we're providing -- we do a program out in the William Floyd School District for kids who have been sexually abused and their nonoffending siblings.

LEG. CARACAPPA:
But you're not a Suffolk County contract agency for the County, no?

MS. O'CONNOR:
Not currently.

LEG. CARACAPPA:
Not currently.

MS. O'CONNOR:
Right.

LEG. CARACAPPA:
Okay. Why would you be against Parents of Megan's Law at least being --

MS. O'CONNOR:
Oh, we're not against –

LEG. CARACAPPA:
-- the lead agency as at this point to provide --

MS. O'CONNOR:
Oh, we're not against Parents for Megan's Law at all.

LEG. CARACAPPA:
Okay. Then why are you speaking out against the --

MS. O'CONNOR:
I'm speaking out, saying that collaboration really would provide a more quality product for training for people out there in the community on the topic of sex abuse, and we think that Parents of Megan's Law would have a lot to offer to the table, as well as other agencies. You have a lot

agencies who do this work, who have a broader perspective on abuse and neglect. And, again, again we know that sex abuse is so linked to these other forms of abuse and neglect, why not use the other resources that you have.

LEG. CARACAPPA:
Are you aware that this bill, if passed, doesn't preclude other agencies from becoming a contract agency as well to provide the same service?

MS. O'CONNOR:
That would -- that's wonderful, then.

LEG. CARACAPPA:
I'm just bringing it to your attention. I'm asking you. I guess you didn't know that.

MS. O'CONNOR:
Yeah.

LEG. CARACAPPA:
Did you know that under the law passed, that we -- the resolution passed at the last general session, sponsored by Legislator Cooper, that under that bill, we should have an agency to provide the punitive aspect of that bill, which is education, within 60 days?

MS. O'CONNOR:
Right.

LEG. CARACAPPA:
This Legislature goes on break after this meeting and it's imperative that we have at least one agency in place --

MS. O'CONNOR:
Right.

LEG. CARACAPPA:
As per our recommendation from Counsel, so --

MS. O'CONNOR:
Again, our concern is really that it only -- that it be offered up to other agencies to do the training, again, because a broader perspective

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would really have a lot to offer, as far as understanding the issue.

LEG. CARACAPPA:
I'm almost positive, and I'll bet my house on it, that there'll be resolutions coming forward naming other agencies that will be available to the contract agencies that would be eventually forced to do this

aspect of Jon's bill, so this does not preclude other agencies from being put forward by a resolution. And if you read Legislator Cooper's resolution, the contract agency that's going to do the education component has to be enacted by -- via a duly resolution --

MS. O'CONNOR:
Oh, yeah, we're not saying that --

LEG. CARACAPPA:
-- enacted resolution by this Legislature --

MS. O'CONNOR:
Yeah.

LEG. CARACAPPA:
-- and that's what this bill does, so -- and we need to get someone in place almost immediately.

MS. O'CONNOR:
All right. I'm not saying that we had to do it, we want other agencies to be involved, that's all.

LEG. CARACAPPA:
Okay.

MS. O'CONNOR:
Not that we had to do it, we just want there would be a broad perspective offered. Again, we know that --

LEG. CARACAPPA:
I'm pretty sure there will be.

MS. O'CONNOR:
We know that sex abuse is linked to these other forms of abuse and neglect and we want other resources to be brought to the table.

LEG. CARACAPPA:
Thank you.

MS. O'CONNOR:
Thank you.

LEG. POSTAL:
Thank you very much. Our next speaker is former Suffolk County Legislator John Foley.

(APPLAUSE)

MR. FOLEY:
May I sit at the table, Maxine?

D.P.O. POSTAL:
Certainly.

MR. FOLEY:
Thank you. Chairperson Postal and members of the Suffolk County Legislature, I appreciate the opportunity to be here to visit with you and to make a few comments about the Suffolk County Community College, which, obviously, as you know, is an institution dear to my heart. The Community College is in desperate need of new leadership and a new infusion of blood, you might say educational blood, to help it realize its potential, as one former administrator who not -- cannot be named, obviously, but to realize that potential that this institution has before it.

I'd like to take this opportunity, also, to compliment Legislator Fisher for her investigation and disclosure as to the $100,000 being expended on an item, which arrived, namely a circular, brochure, which arrived too late to be effective at that particular time. And, hopefully, she will continue to pursue that question, because there are other questions which might be interrelated, namely as to where was the person who is a Vice President of the Community College during that particular time and who would be in a position to exercise oversight.

Now a cursory examination of Newsday this morning indicates, for example, that some people view this particular question of representation as being a partisan one. And I would suggest to you, that is one of the worst pieces of -- worst kind of yard stick that can be applied to this kind of situation. The Community College and the educational programs that it embraces should be beyond the question of the partisan, because the partisan has a tendency to increase and to become more enveloping.

It has also been pointed out that there's a question of institutional knowledge. But I would much rather prefer to talk about historical knowledge, and we'll do that as quickly as possible because of the time frame, but historical knowledge is extremely important to us, and from that we must take a look at the questions before us.

And incidentally, parenthetically, institutional knowledge still can be found in certain members of the Board of Trustees, such as Mr. Hazlitt or Mr. Jerry, {Cain}, or, for example, Mr. Dennis McCarthy. So there is a residuum of knowledge there already, and to use at that as an Orwellian reason why certain appointments must take place or should take place flies in the face of reality.

Now, having said that, some of the historical knowledge that we have before us is that, and you know and you can find out if you don't, but you know who the person is that led the fight against the 1.5 million

dollars that you, as a Legislative body, had appropriated for the purpose of reducing the ratio, of improving the ratio between adjuncts and full-time staff. That never took place and it never had the opportunity to go to work, because the pitch was, and I was there when that person entered the room late coming back from a meeting on this question, the pitch was let it be done in the budget and it was never really truly down in the budget by any means. So let us take a look at this other question entirely.

On the question of the Wenkel Report, I dare say that report has not been brought to the attention of this particular body. If it has, it is not reflected in minutes. And that Wenkel Report, and I mention his name as no way of criticizing Mr. Wenkel, but it does indicate that the dislocation of classroom schedules on the Western Campus is going on, and that particular dislocation will require the, let's say, construction of bubbles over certain portions of the Western Campus. That has not, as far as I know, has not been reported to you people, and it should be, and only the President and the Chairman, you might say, are -- can be held accountable and responsible for that.

There's a question of control here that's before us, and I'll do this very quickly --

D.P.O. POSTAL:
John, I'm sorry, your time is up, but Legislator Foley has a question for you.

LEG. FOLEY:
Mr. Foley, are there other concerns you have about the Community College that you wish to share with us, so we can make an informed decision about any appointments to the Board of Trustees?

MR. FOLEY:
You know, I will bring up two factors, and I would put them under the heading of control. It's reflected in the minutes of the Community College that if it were not for the fact that the students of the Eastern Campus actually revolted, there would have been only one, only one graduation. And those people came to the meeting and it's reflected so in the minutes. Now, somebody's going to tell you, "Oh, yes, we can have a" -- "we'll have a committee and look into this." Now, there's another move towards control under this particular genre, if you will, namely to reduce the number of newspapers, student newspapers to one newspaper, and that's, again, with Orwellian language, is being done so-called to improve, to improve the newspaper. So we have to be very careful of these particular things.

And I will leave with you, I will leave with you a 50 cent piece, because, as one person pointed out to me, if you look at this coin and

put the Chairman of the Board of Trustees on one side and the Vice President in question here on the other side, on the obverse side, as one person who must remain nameless also said, you would -- if these were -- if these appointments were to go through as proposed, you will be only one step away from having a new President, namely the current Vice President of the Community College, and that would be a most dangerous thing. That would tarnish the crown of the Community College. Thank you very much.

LEG. POSTAL:
Thank you.

(APPLAUSE)

We're going to move to a presentation from Suffolk County Community College, which you'll note was scheduled for 11 o'clock.

LEG. BISHOP:
What?

D.P.O. POSTAL:
It's on your agenda. I don't know if --

LEG. FISHER:
I'm looking for members of the Suffolk Community College.

LEG. POSTAL:
Is there anyone here from the Community College? If not, we actually are a few minutes before 11. So I think we'll have one more speaker and then we'll anticipate that there will be representatives from the College. Our next speaker is Dorothy Schroeder.

MS. SCHROEDER:
Thank you very much. I feel like I've gotten in under the gun.

LEG. BISHOP:
You have.

LEG. FIELDS:
Is your mike on?

LEG. FOLEY:
No. Under your thumb, the switch.

MS. SCHROEDER:
Oh, that thumb. Hi. My name is Dorothy Schroeder and I am here representing the Child Care Council of Suffolk. I am a member of the EARNS Advisory Committee. I am also an Associate Professor of Early

Childhood Education at Suffolk County Community College and at Empire State College, and in a former life, I was the Day-Care Director.

In the book, "The Irreducible Needs of Children, What Every Child Must Have to Grow, Learn and Flourish," the authors discussed the ways child care workers meet the educational and emotional needs of children. The first irreducible need discussed is the need for ongoing relationships by an educated consistent and dependable primary care-giver.

As a former Day-Care Director, I used to dread Mondays, because that was the day my staff would come in and announce that over the weekend, they had found a better paying job and was leaving the day-care center. Although this was disruptive to me, because it meant that I once again had to advertise, hire, train and give orientation to a new staff member, it was even more disruptive to the children in my center who always questioned me, where did their favorite teacher go and how come she was no longer working with them. In fact, I remember when I was a Day-Care Director, my son called me very excited. He was 15 years old and he was working in Howard Johnsons and that he had just gotten a 25 cent an hour raise. That 25 cent an hour raise meant that at the age of 15, for making ice cream cones, he was making more money than my head teacher who, had her bachelor's degree. Was there any doubt it anyone's mind why she left soon thereafter?

I am very proud to say that, as an educator in the Community College system, I have had students come to me this year and say, "I am so glad that I am finally getting recognized for the education that I'm getting. Through the EARNS Program, they are rewarded for staying in their child care center and for continuing their education. We have to remember that five hundred students have continued getting their education, because they have received the stipend from EARNS. Those 500 recipients represent at least 5,000 children who have had a consistent care-giver, because you have made it possible for them to stay in their field.

I urge the members of the Suffolk County Legislature to continue funding this important project, Resolution 1593. I have with me today a child care recipient and I hope that you would have time to hear her. Thank you.

LEG. POSTAL:
Has she filled out a card, Ms. Schroeder?

MS. SCHROEDER:
Yes, she has.

LEG. POSTAL:
Thank you.

LEG. FISHER:
Okay. If I could just ask a question, Madam Chair. I'm sorry.

LEG. POSTAL:
Yeah, but first I'll take a motion from Legislator Fisher, seconded from -- by Legislator Caracciolo, to extend the public portion. All in favor? Any -- go ahead.

LEG. FISHER:
Thank you, Madam Chair. Dorothy, thank you for being here today. You know how important this issue is to all of us who care about early childhood education. But I wanted to ask you as a specialist in this field what the attitude is on the national level regarding early childhood education and child care.

MS. SCHROEDER:
Thank you for asking that question. I think never before has early childhood education come into the forefront of everyone's being, from the President on down, urging the extension of Headstart programs and the amount of research that has been done most recently, particularly about the brain and how it develops in the earliest years. Everyone is agreeing that we should be spending more money educating children during the first five years of their lives. And if we did that well, we would not have to spend money in compensatory programs when the children hit high school.

LEG. FISHER:
And you're absolutely right. We have spent money on higher level remedial work when children are older, whereas we could have prevented that if we had worked earlier.

There were -- in the committee where this particular piece of legislation

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was heard, one of the criticisms was that putting taxpayer money in this kind of pay subsidy was something that he was not comfortable with. However, how is the fed government dealing with child care issues? I know that there is now a bill in Congress and there is a companion bill in the Senate. And you don't have to know the names of the bills.

MS. SCHROEDER:
I know. I was going to say, I don't know the exact names of the bills, but I do know that --

LEG. FISHER:
Okay. You don't have to know the exact names of the bills.

MS. SCHROEDER:
Child Care Development Block Grant.

LEG. FISHER:
Exactly. And what does the Child Development -- the Child Care Development Block Grant do.

MS. WALERSTEIN:
Subsidies and quality.

LEG. FISHER:
Okay.

MS. WALERSTEIN:
Which is the --

MS. SCHROEDER:
I should yield the microphone to Janet Walerstein.

LEG. FISHER:
I'm sorry. It's the Peanut Gallery again I hear.

D.P.O. POSTAL:
Janet, when you -- when you speak from back there, the stenographer can't record what you're saying.

LEG. FISHER:
Okay. And what she's actually -- I'm sorry, Dorothy. I was asking you a question to which I knew the answer, which is that it's providing funds, the very funds that -- types of funds that we're asking to provide here in Suffolk County. So that's being done on the federal government level and on the state government level. Okay. Thank you.

LEG. CARACCIOLO:
Madam Chair, I have a question.

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

LEG. CARACCIOLO:
Yes. Mrs. Schroeder, could you provide-- give us a sense, rather, of the demographics of those who participate in child care services?

MS. SCHROEDER:
Are you talking about the parents who buy the services or the staff who work in the services?

LEG. CARACCIOLO:
Both.

MS. SCHROEDER:
I'm sorry. I am not as prepared as I would have been had I known you were going to ask that question.

LEG. CARACCIOLO:
Okay. Perhaps you can take that question with you and be kind enough to send me a memo. Also, you mentioned there are 500 recipients and 5,000 children --

MS. SCHROEDER:
Right.

LEG. CARACCIOLO:
-- enrolled in these programs. Of the 500 recipients, what is their typical longevity with their employer?

MS. SCHROEDER:
We can only say what their longevity is through receiving these grants. I do have information about that, but I'm afraid it would probably take too much time right now for me to dig it out.

LEG. CARACCIOLO:
Again, I'd be happy to review that at a later date, if you can enclose that as well. Basically the recipients, the child care providers, the teachers, what is a starting salary level, and how does it progress, and will it be, you know, the maximum?

MS. WALERSTEIN:
Seven-fifty an hour and --

MS. SCHROEDER:
Yeah, it starts at about 7.50 an hour, $7.50 an hour for a person with a four-year college degree.

LEG. CARACCIOLO:
And is there a maximum pay scale?

MS. SCHROEDER:
The recipients that are in our program, the maximum I have is $14 an hour.

LEG. CARACCIOLO:
And under the EARNS Program, the stipend they receive per individual is how much?

MS. SCHROEDER:
It depends on the level of their education, the number of credits that they have received, and it very specifically gives credence to people who have gotten advanced credits in early childhood. In other words, they

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can't just go to a college, get a --

LEG. CARACCIOLO:
Four-year degree.

MS. SCHROEDER:
For credit in anything. We want to make sure that these are specifically early childhood courses.

LEG. CARACCIOLO:
Do you have a table that breaks down the different pay levels and stipends for those individuals?

LEG. FISHER:
It's in the resolution.

MS. SCHROEDER:
Yes, I do, but I understand that you do have it or I can present it.

LEG. CARACCIOLO:
Okay. So what is a typical stipend paid to an individual?

MS. SCHROEDER:
It varies between $1,500 and $4,000.

LEG. CARACCIOLO:
And do they work a 40-hour work week?

MS. SCHROEDER:
Yes. There is -- I was going to say most child care workers work more than 40 hours a week, but there was contingency for people -- it was prorated for people who work less than 40 hours a week.

LEG. CARACCIOLO:
And in terms of annualized pay scale, if you factor in 7.50 an hour times 40 hours a week, plus a $1,500 stipend, what would be the typical annual salary? If you don't know, we can calculate that. It's obviously not very high.

MS. SCHROEDER:
I would say it's under 20,000 a year. It's not a whole lot of money.

LEG. CARACCIOLO:
It's not a lot at all. Okay. Thank you very much. And I will look forward to that information.

MS. SCHROEDER:
Thank you.

D.P.O. POSTAL:
Thank you, Miss Schroeder. We're going to interrupt the public portion for a presentation from Suffolk County Community College. I see -- yes, I saw Mr. Ricioppo, Mr. Stein.

LEG. FISHER:
I believe everyone is here.

D.P.O. POSTAL:
And I'd like all Legislators to please return to the auditorium for the presentation from Suffolk County Community College.

LEG. FISHER:
Madam Chair.

D.P.O. POSTAL:
Legislator Fisher.

LEG. FISHER:
Yes. The Presiding Officer had also invited representatives from the Purchasing Department and from the Department of Law, so it's --

D.P.O. POSTAL:
Think that someone is here from the Purchasing Department.

LEG. FISHER:
Yes, they're all here.

D.P.O. POSTAL:
Okay.

LEG. FISHER:
And Law. So we would ask all of them to come forward.

D.P.O. POSTAL:
Okay. What -- yes. Can we ask the representative from the County Attorney's Office, from Purchasing, and from the Community College to come up and take seats at the table?

LEG. FISHER:
Apologies to the Clerk's Office.

MR. BARTON:
Oh, no, no problem.

LEG. FISHER:
Okay. Madam Chair.

D.P.O. POSTAL:
We may need some additional chairs. It looks like we will definitely -- and we see Mr. Flaherty, I believe. Could we have -- there's a chair around here.

LEG. FISHER:
He's just going to come behind the horseshoe there. While we're waiting for the other Legislators --

D.P.O. POSTAL:
Go ahead, Legislator Fisher.

LEG. FISHER:
-- to come to the horseshoe, Madam Chair, my Aide has distributed some background material to all of the Legislators. And the reason that we

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have this written for you, this written format, is that I had -- well, the Clerk's Office had published a notice of a public hearing May 8th, and most of the parties involved from the Community College did not attend that meeting. And so I would like if everyone could just briefly review the written materials that we've given out. You can understand why we've asked all of the parties involved to come here, because there had been remarks made by the Purchasing Department and the Department of Law at the May 8th public hearing. There had been some discussion regarding this catalog at the March 14th Education and Youth Committee meeting, which left a number of questions. And so this is why we wanted all parties to be at the same place at the same time before the full Legislature.

D.P.O. POSTAL:
And if I could just -- it seems to me, in reading the material that you've distributed, the concern is regarding a publication which was printed and mailed to the public, and also ads that were taken in outside publications. And there are -- there was, I guess, concern about how the events that came to be came to be. And, obviously, the College was involved, there was involvement by the Department of Law, involvement by Purchasing.

And I think the best way for us to start is if we could begin with Mr. Stein and just ask everyone to, please, introduce yourself and tell us where you're from. I don't mean where you live.

MR. STEIN:
Charles Stein. I'm Chief --

LEG. FIELDS:
You have to turn it on.

MR. STEIN:
Charles Stein, Chief Financial Officer of Suffolk Community College.

MS. ERHARDT:
I'm Karleen Erhardt, Director of Publications at Suffolk Community College.

MR. RICIOPPO:
Eric Ricioppo, Vice President for Marketing and Public Ph.D., Suffolk County Community College.

MARJEANE MURPHY:
Marjeane Murphy, Purchasing agent.

MS. PARRY:
Cynthia Parry, Assistant County Attorney.

MR. FLAHERTY:
My name is Ed Flaherty, I'm an Assistant County Attorney.

D.P.O. POSTAL:
Ed, can you just move up to the table if you're going to participate in the presentation, so that the stenographer can record what you say?

MR. FLAHERTY:
Absolutely.

D.P.O. POSTAL:
Okay. Obviously, we've received material. I think we all know what the area of concern is. Mr. Ricioppo, would you like to begin?

MR. RICIOPPO:
Sure. We're talking about the course -- course schedules, correct?

D.P.O. POSTAL:
Yeah.

MR. RICIOPPO:
Okay. The course schedules, as you know, last year, the College changed it's way it distributes the course schedules. This course schedule for many years was printed and distributed in Suffolk Life, which went directly to all households in Suffolk County. And then last Fall, we changed the way we distributed the course catalogs more back to a direct mail piece, which we had done in previous years. There were some problems in previous years and we switched to the format in Suffolk Life, and now we switched back to this format.

This course schedule traditionally is and has always been for continuing education and noncredit courses. When we decided to switch back and do a direct mail piece, we also included day courses. And the reason we did that was to give people just general knowledge of some more of the courses that we've used, that we have at the College. However, the course schedule itself has never been a piece to recruit day students. It's always been for evening and continuing ed students. And now, since we were not being publicized in Suffolk Life, we were going to a direct mail piece, that we had to start and go through the whole process in bidding and working with the County Purchasing Department.

So what I'd like to do now is to ask Karleen, who handles publications and responsible for the course schedules, to maybe explain some of the steps that she had taken, and then, I guess, we could hear from County Purchasing as well.

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

MS. ERHARDT:
The course -- can you hear me now?

D.P.O. POSTAL:
Yes.

MS. ERHARDT:
The course schedule -- the course schedule has always gone out the first week in January, because we don't like it go into the -- get in with the Christmas mail. This year, because we went back to the direct mail format, we were on, to begin with, an extremely tight production schedule. When we used to produce it in Suffolk Life, we would start work on this course schedule the beginning of November. Because of the way the fiscal system works now, our fiscal year at the College, we

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cannot put anything out to bid until September 1st, which is the beginning of our fiscal year. Nothing can go onto the IFMS System. County Purchasing then requires three months to do their part of the processing and to get it to the printer. And I -- I've been doing publications at the College for 17 years and I believe this is not a realistic course schedule. I think that our publication schedule simply does not jibe with our fiscal year. I think that was really the basic problem.

We ran into -- we lost several days because of the Christmas and New Year holidays. The printer who run the job, who was awarded the job, was in New Jersey. This was the first time they had done the job. We're talking about a ninety-page booklet, over a half a million copies of a ninety-page booklet. They found that they were -- they ran into some

delays when it got to the binding process. And so these kinds of delays, which are not untypical of publications, it's rare that there's not some sort of a delay here or there in a publication, and given the extremely tight time that we had to get this out, it arrived late at some homes in Suffolk County for the day courses. It did arrive in time in some other areas. I know the East End did receive this booklet in time for residents to register for day courses. So that's an overview of what happened with that course schedule.

D.P.O. POSTAL:
I guess I'd -- I think that I'd like to hear from Purchasing with regard to this three-month period, and what takes place if the process can't begin until September, the start of a fiscal year. And if there's a three-month period for bids such as this one to come to fruition, was -- is a point at which we get a projected date for receipt of the product?

MS. MURPHY:
I'm not sure I understand exactly what you mean. The three months is --

LEG. BISHOP:
You have to speak in to the microphone.

MS. MURPHY:
Oh, I'm sorry. The three months is an outside, and that's for certain --

LEG. FIELDS:
Turn it on. You have to turn it on.

D.P.O. POSTAL:
I think it is. I think it is on.

LEG. CARACAPPA:
Right on top. It's right on top of the microphone.

MR. RICIOPPO:
You've just got to get close.

MS. MURPHY:
Get close.

MR. RICIOPPO:
Yeah.

MS. MURPHY:
I just don't have a loud voice. Okay. First of all, I want to address the three months that Purchasing needs. That is a number that we put out for certain types of bids. Certain things take a little longer. Printing is one of them that takes a little longer for the actual vendors

to come back to us with a bid. We have to give enough time for them to give a bid, and also to have lead time for them to do the job and have it delivered when the date is on the purchase order. In this particular case, when we finally went out to bid on November 15th, it was all wrapped up and done by the end of December, so, obviously, that wasn't a three-month waiting for the College. It can be done and we did it in this particular case.

D.P.O. POSTAL:
I have -- you said, "Finally," you used the word "finally," "When we finally went out to bid," and you said November 15th. If the issue is that the College's fiscal year starts in September, why would you have received the bid on November 15th?

MS. MURPHY:
We didn't actually receive the request on November 15th, we received it on September 1st.

D.P.O. POSTAL:
What happened between September 1st and November 15th.

MS. MURPHY:
Okay. Due to an ongoing problem with Municipal Law, as far as restricting bids, we had a question about something that the College wanted to put on the top of the bid, so, therefore, which restricted the vendors to be within one day's drive of the College, so that someone from the College could go there. Okay. We had no problem, except we wanted it clarified with the County Attorney's Office. This is not something we normally put on any other bids. So on September 14th, we had a meeting at the County Attorney's Office to try to get it resolved.

D.P.O. POSTAL:
And when did -- when was it resolved, do you know, remember that date?

MS. MURPHY:
Well, as far as Purchasing is concerned, we've never gotten anything in writing to actually resolve it. I know the County Attorney feels it's resolved. On November 15th, I contacted the College and said if we don't get these bids, because there were six bids altogether, out, you will never get them in time for publication.

D.P.O. POSTAL:
I -- go ahead.

MS. MURPHY:
I'm sorry. Karleen sent me a memo stating, "Please take that restriction off the bids." We did. We put it out to bid December 25th. The purchase order -- on November 25th, rather. The purchase order was written on the 5th of December.

D.P.O. POSTAL:
I guess I would like to hear from the Department of Law. What happened from September 14th, when Purchasing inquired about that restriction on the request for bids? And I'm assuming that there was never a response that was received by Purchasing, you know, it was just that the College decided to remove the restriction, so that the material could be printed.

MS. PARRY:
As was discussed at the Legislative --

LEG. FIELDS:
Use the microphone, please.

D.P.O. POSTAL:
It's very hard to hear you, Cindy.

MS. PARRY:
Is this okay?

LEG. BISHOP:
No.

MS. PARRY:
Okay.

LEG. FIELDS:
Hold it right up to you.

MS. PARRY:
All right.

LEG. CARACAPPA:
There you go.

MS. PARRY:
As was discussed at the Legislative Committee meeting a month ago, the issue of a restriction as to geographic restriction was acceptable to the County Attorney's Office in the case of color print jobs. The particular issue that we're talking about today was not a color print job. So our opinion had not changed, and I think this is reflected in the minutes from the Legislative Committee meeting. Our opinion has not changed over the course of more than a year, that there has to be a compelling reason why a geographic restriction would be allowed. And for normal black and white jobs, that would not be sufficient. So I had said, if there was -- could be some demonstration in case law, whatever, that there was a reason to change this underlying approach, we would, of course, consider it, but I was unaware of anything to compel an approach, other than what our position had been for more than a year. So our position had not

changed.

D.P.O. POSTAL:
Who did you say that to? I mean, you said, "I said that if there was a compelling reason." Who did you say that to?

MS. PARRY:
For example, at the meeting in September, where Purchasing attended,

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Marje and Jean DiNunzio, and I was at a meeting in the County Attorney's Office, and the College had planned to attend, but, in fact, we ended up doing a telephone conference call with Steve and I believe Karleen. That would have been an example of when this was discussed. It was initially discussed more than a year earlier at the very first time it came up, at least to our attention, which was the 40th year anniversary, which was a color job. And in that case, Purchasing did not want the bid to go out with that sort of a geographic restriction, and requested a meeting between the College, Purchasing and Law. We held that meeting more than a year earlier, and in that case, we, the County Attorney's Office, said, if the College would like this restriction, it is reasonable in this color job, and it went out that way. So that's when it was first discussed, more than a year earlier.

D.P.O. POSTAL:
So that a year prior, there was an issue, a restriction, but it was a color job, so that it was made clear that under those special circumstances, the restriction was permissible.

MS. PARRY:
Right. And we were --

D.P.O. POSTAL:
However, if I under -- if I heard you right, in September of, I guess, 2001, you communicated that it was not permissible in this case where it was not a color job. Did I hear you correctly?

MS. PARRY:
The underlying concept of there has to be a compelling reason why a restriction would be inserted was reaffirmed in that discussion in September.

D.P.O. POSTAL:
Yeah. I guess that we're not questioning whether it's permissible under special circumstances. I guess what we're concerned about is the time frame, that that was made clear in September to whom, to Purchasing, to the Community College, or both?

MS. PARRY:

In that telephone conference call.

D.P.O. POSTAL:
Okay. So that it involved Purchasing and the Community College.

MS. PARRY:
Right.

D.P.O. POSTAL:
So that in September, it was clear that the bid could not go out without restriction.

MS. PARRY:
Unless something was brought to light that allowed a rationale for it to go out.

D.P.O. POSTAL:
Okay. I guess -- I guess I need to come back to the College. And I'd like to find out who at the College was --

LEG. GULDI:
Could I --

D.P.O. POSTAL:
Legislator Guldi, go ahead

LEG. GULDI:
Yeah. Could you yield for a second, because I'm having have a problem with the rational rationale for the distinction between permitting the restriction on the color job and not permitting it on a black and white job. There's a hoop you jumped through that I can't see.

MS. PARRY:
Oh, okay.

LEG. GULDI:
Give me the -- give me the rationale that underlies that distinction and what's the difference.

MS. PARRY:
All right. I would be happy to do that. With a black and white job, when you're looking at proofs, you're not looking at the quality, the shadings, I'm not in the print business, but the nuances of color.

LEG. GULDI:
No, but aren't you -- aren't you, in fact, looking at the nuances of gray scale for graphics and other aspects of black and white printing?

MS. PARRY:
My understanding, based on discussions with the College representatives, was that it was critical in a true color job, where you might want to have somebody on site to review it.

LEG. GULDI:
Yeah, all right. I understand that they said that. What I'm looking for is what's the -- the rationale for the distinction then is that the Law Department heard the College say that on a black and white print only job, it's not as critical as checking color faithfulness on a color job.

MS. PARRY:
I understood the issue to be color. This is the first time anyone's raising it in terms of nuances of gray and black and white, so this is new today.

LEG. GULDI:
Yeah. Well, see, I mean, was the reason for -- the reason I'm asking the question, was the reason for the rationale because a black and white job you can fax and look at the mechanical? Because a color job you can scan and put on the internet and look at the mechanical. So I don't see a distinction between the black and white and the color job, and I don't see a rationale for that and I'm looking for one.

MS. PARRY:
I would defer to the College on this. If, in fact, you know, color can be scanned and it could be looked at on the computer at the College, then the whole issue goes away.

LEG. GULDI:
Well, except that -- except that the trouble, then, is you have the faithfulness of the rendering of the scanning and of the -- and as well of the reproduction at the receiving site, the same problem you would have with a fax or a -- or a scan of a black and white and gray scale. So I'm looking for a distinction here and I don't see one, and that's why I asked Legislator Postal to yield, so we could back to -- you know, deal with the fundamental question, because I don't see a response. Does the College have anything to add to that or --

MS. ERHARDT:
As far as color goes, this primarily was a black and white job, but the color -- the cover of this job was color. And so this is being sent out to all Suffolk County residents, we want to make sure that the color is correct on the cover as well. That's what -- that's to answer the question about.

MR. RICIOPPO:
Also, too, if you recall, Legislator Guldi, there are really two issues

here. It is the color, because you could get a color, proof and then they'll put the job back on the press. The register could be off, so you could see a color proof and then that's not the final product. But, if you remember, too, at your request, you had a real concern that a lot of the jobs that we generate here at Suffolk County Community College, a lot of the print jobs particularly were being done off the Island, out of the region, in other parts --

LEG. GULDI:
Yeah, I was concerned -- I was concerned when I looked two years ago that the request for the drive and inspection restriction on the bid was deleted by Purchasing and I wondered why, and I realize that this is a year later and you were lobbying for it. See, I could see a compelling reason for the -- for having someone on site to see the printing, regardless of color or black and white. That's why I was asking the County Attorney for the distinction, because I don't see one.

MR. RICIOPPO:
And we always wanted to reserve that ability to look at that job. We might not look at every single job, but there are particular jobs, as Karleen explained, and especially in large quantities, that we do want to reserve the right to be able to look at that job. And we felt that if a print job is being printed in Ohio, or South Carolina, or Alabama, that restricts our ability from looking at it and seeing the final product.

LEG. GULDI:
All right. I understand. The other concern, if -- or do you want it back, Maxine. The other concern I have --

D.P.O. POSTAL:
No.

LEG. GULDI:
-- is from the September 1 to the November -- the six weeks or even the four weeks in the discussion and articulation, and the lack of a written opinion for clarification from the County Attorney's Office. Is there a reason it wasn't reduced to writing or memorialized?

MR. FLAHERTY:
When -- it's my understanding of the meeting in September 14th is the County Attorney's Office expressed its concern that the geographical restriction was inappropriate for this particular printing job. At that point, that was our opinion and that's where we were. It was our understanding at that point that either there -- a compelling reason for it would be presented, which would result in a change in our opinion, or that the restriction would be recalled. There was no specific request for a written opinion at that point.

LEG. GULDI:
Okay.

MR. FLAHERTY:
We could have provided one, because our opinion had remained constant since the first issue was raised when we talked about color the year before.

LEG. GULDI:
All right. So for clarification purposes, in the County Attorney's opinion, assuming we're dealing with a color cover on a black and white print job, that the College wanted to see in proof and mechanical as it came off the press. Is that or is that not the special condition that meets the County Attorney's criteria to meet -- to permit the restriction on the bid?

MR. FLAHERTY:
It was and is our opinion that the nuances in the color would justify a geographical restriction, so as to afford the College the opportunity to review the initial run or the -- I guess the galley copies, whereas in the issue of black and white, the nuances were not so sophisticated that it would require or would justify the geographical restriction.

LEG. GULDI:
Regarding black and white printed material and the issue of gray scale in black and white graphics has not been addressed or presented; is that correct?

MR. FLAHERTY:
Say that again.

LEG. GULDI:
The issue of wanting to see gray scale in black and white graphics on a black and white print job, that issue has not been presented to the County Attorneys or opined on?

MR. FLAHERTY:
That was not a topic of the discussion. I think the topic of discussion was limited to the issue of color versus black and white.

LEG. GULDI:
Okay. Thank you. Thank you for yielding to me, Legislator Postal.

D.P.O. POSTAL:
Legislator Carpenter.

LEG. CARPENTER:
Thank you. I just want to get something straight here. It's the County

Attorney's position that you must follow General Municipal Law regarding these bids. However, if there is a compelling reason, then they don't have to follow the law -- not that they don't have to follow the law, but that they can, in fact, put a geographical restriction, and that it is the County Attorney's call to determine what a compelling reason is?

MR. FLAHERTY:
Well, since the County Attorneys ultimately must -- might be called upon to defend that decision, we have to look at the state of the law at that time and come to our best opinion as to what we believe is the appropriate restrictions, if any, and which restrictions are most defensible.

LEG. CARPENTER:
But --

MR. FLAHERTY:
And, in this case, we felt that the geographic restriction for a black and white printing job would not be defensible, whereas, with a color job, it would be defensible, because it had a particular articulable reason for the geographic restriction.

LEG. CARPENTER:
And, boy, are you a good attorney. That was a whole bunch of legalese, more than I cared to hear. But I want to say something. I think that the issue of compelling reason, you need to know what you're talking about. And I guess that's where expert witnesses come into play when attorneys are representing clients and there is subject matter that has to be discussed and defended that they may not have knowledge about. And I would venture to say that when you have a job of over a half a million copies and it's ninety pages long, whether it's black and white or color is immaterial. To me that is a compelling reason, by sheer quantity and size of the job alone, to have someone who is available during the run of the job to do a press check, because whether it's color or black and white, ink can offset. A pressman can turnaround, and before you turnaround, you know, 50,000 copies or 20,000 copies can go by where a page is blank. And if someone isn't looking at it, if someone isn't doing press checks, it's going to be going out wrong. So I think that you might, you, the collective County Attorney's Office, might want to even visit our own County's print shop and see what is involved in the printing process before you make a decision of what is and is not a compelling reason.

LEG. CARACCIOLO:
Madam Chair.

D.P.O. POSTAL:
Legislator Lindsay, and then Legislator Caracciolo.

LEG. LINDSAY:
Yeah. My question's for the Attorney's Office as well. And is time frame a compelling reason?

MR. FLAHERTY:
Time frame could very well have been a compelling reason.

LEG. LINDSAY:
Well, of you -- if we had to get something out for -- a question of whether it's viable or not, I mean, if the catalog -- you know, we get the best price in the world and it comes out a month after the class has started, what good is it? Would that be a compelling reason, time frame?

MR. FLAHERTY:
I think you can build into the specs a restriction as to it must be ready by such and such a time, so --

LEG. LINDSAY:
No. My question is --

MR. FLAHERTY:
And geography and time are not necessarily --

LEG. LINDSAY:
Well, if we had assurances about a geographical printer located near here that we could do the accuracy checks and whatever, can be built into a compelling reason, because of the time frame, the rushed nature of this job. I mean, could you make a case about that?

MR. FLAHERTY:
Under some circumstances, it could be built into it, but as easily, a -- perhaps not as easily, but certainly a printer from Ohio might be able to meet the same time restrictions, depending on when the bid goes out. Now, of course, this -- and there are public policy concerns which are reflected in this --

D.P.O. POSTAL:
Ed, I'm just going to ask you to try to be closer to the microphone.

MR. FLAHERTY:
I beg your pardon. There are public policy concerns where within some limits you can give preference to your local vendors. But once those -- you get beyond those public policy limits, which are built into the legislation this Legislature passed, then we have to look at if vendor "X" in Deer Park says, "I can have it done by Thursday next," and vendor "Y" says, "I can have if done by Thursday next, only I can do it for half the price vendor "X", then you have to really go to the preservation of the County funds.

LEG. LINDSAY:
So your answer's no, time can't be used as a compelling --

MR. FLAHERTY:
It can be. Again, it's like any other thing. Under some circumstances, it can, but if --

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LEG. LINDSAY:
Under these circumstances.

MR. FLAHERTY:
But in and of itself, it is not.

LEG. LINDSAY:
Under these circumstances.

MR. FLAHERTY:
I would say not.

LEG. LINDSAY:
Would say not.

D.P.O. POSTAL:
Legislator --

MR. FLAHERTY:
Because the Jersey printer who ultimately got the bid said, whether he did or not, but said, in his response to the bid, that he could produce the items within the required time frames.

LEG. FISHER:
Would you yield?

LEG. LINDSAY:
And he didn't? And he didn't?

MR. FLAHERTY:
I don't know the particulars of what happened after the bid, Legislator --

LEG. FISHER:
Would you yield?

LEG. LINDSAY:
I'm not sure about the particulars either, all I know is that the catalog went out late.

D.P.O. POSTAL:

Legislator Lindsay, Legislator Fisher is asking if you'll yield.

LEG. FISHER:
I just wanted to ask you could yield.

LEG. LINDSAY:
I'm done.

LEG. FISHER:
Just for a quick question about the same thing.

D.P.O. POSTAL:
I have a list, so it's up to Legislator Caracciolo if he would yield to Legislator --

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LEG. FISHER:
Would you mind, because --

LEG. CARACCIOLO:
Go right ahead.

LEG. FISHER:
Thank you.

D.P.O. POSTAL:
Thank you.

LEG. FISHER:
Because I think that this becomes a moot point when you hear who -- what kind of bids were received and what -- how many people on -- how many companies on Long Island were capable of doing this job, Marjeane? How many bids did you get?

MS. MURPHY:
In my estimation, we only got two bids from Long Island. And for the mailing house, we didn't get any from Long Island.

LEG. FISHER:
Okay. And wasn't there one from Long Island that later pulled back their --

MS. MURPHY:
I'm sorry, yeah. There was one from Long Island who, after he actually thought about it, decided that he couldn't possibly do the mailing for this, so he withdrew his bid and we were left with just the vendors that actually received the award.

LEG. FISHER:

Okay. I thought that was an important point here, because a lot of this might be moot, the geographic restriction, because we had to go outside of the geographic area based on how many bids were -- the types of bids that were received.

D.P.O. POSTAL:
Legislator Caracciolo.

LEG. CARACCIOLO:
Thank you. Okay. This question's for Purchasing. How many printers do we have on the vendor's list for this type of publication?

MS. MURPHY:
On the list, I would say there is about 60.

LEG. CARACCIOLO:
Six-0?

MS. MURPHY:
Yes. Yes, sir, six-0.

LEG. CARACCIOLO:
So we solicited 60 vendors for this particular --

MS. MURPHY:
In particular case, we actually solicited forty-five, because there are some that I know that can't do this type of a job.

LEG. CARACCIOLO:
Okay. That's understandable. Of the forty-five, how many were local Suffolk County --

MS. MURPHY:
The majority of the forty-five are local. There were maybe five that I actually use as vendors who are nonlocal.

LEG. CARACCIOLO:
And out of the total that you solicited, how many responded?

MS. MURPHY:
Three.

LEG. CARACCIOLO:
Three. Was that primarily because of the size and scope of the work to be performed?

MS. MURPHY:
Right, yes, it is.

LEG. CARACCIOLO:
And the timetable perhaps?

MS. MURPHY:
The timetable. The specifications are very hard on these kind of jobs, so they do tend to say, "No, thank you, we don't want to bid on them."

LEG. CARACCIOLO:
What type of binding was involved, was it a spiral bind, was it glue?

MS. MURPHY:
No, it was a saddle stitch.

LEG. CARACCIOLO:
Saddle stitch.

MS. MURPHY:
Yes.

LEG. CARACCIOLO:
Okay. So we had three responses. The bids went out in a timely fashion?

MS. MURPHY:
When we got the okay, they went out immediately the -- everything was written. On November 15th, everything went out. The bids were opened on November 25th and the purchase order of cut on December 5th.

LEG. CARACCIOLO:
Okay. I want to go back to the Chair's question at the beginning of this dialogue, and that deals with, because the College financial year starts in September, apparently, we cannot begin a process until that actually is in place?

MS. MURPHY:
I wouldn't say that it's entirely true. If the College had come to us, we could have put it out as we did in another case, put it out under a purchasing requisition, and then, when they actually put their bids in, then we would turn the number over to their bid. We actually had one this year that we did that.

LEG. CARACCIOLO:
Okay. Let me back up, then, and ask the question to the College. At what point is the College in a position to have a substantial draft of what it is that will be contained, as far as information, in the course catalogs?

MS. ERHARDT:
The information that will go into the course catalog is -- could be ready

in the summer.

LEG. CARACCIOLO:
Okay.

MS. ERHARDT:
Yes, June, July, yes. Because ninety-nine percent of it is course listings, and those course listings have already been printed in another course schedule we do internally for our own student. That's just a very totally news print job, and that comes out in March or April, and that's for our currently enrolled students who get the opportunity to preregister. So in the spring, the classes, the class list is available, yeah.

LEG. CARACCIOLO:
Okay. So you know the sections, the parts.

MS. ERHARDT:
Yes.

LEG. CARACCIOLO:
You know the campuses, the course work, the instructors.

MS. ERHARDT:
Uh-huh.

LEG. CARACCIOLO:
That's all lined up well in advance of September.

MS. ERHARDT:
Yes, yes.

LEG. CARACCIOLO:
What harm would there be, then, to prepare the bid and submit it, as we just heard from Purchasing, through a purchase req prior to September?

MS. ERHARDT:
Well, that's what -- that's what we are going to do this year, because we just started last -- with last fall was the first time we went out again with the booklets that get mailed directly. I wasn't really aware that we could do that ahead of time. Everything that I had been told from various business offices was that we were not permitted to put anything onto the IFMS System until September 1st.

LEG. CARACCIOLO:
Okay. But --

MS. ERHARDT:

I have learned differently since then, and we are going to proceed on an earlier schedule.

LEG. CARACCIOLO:
So we can avoid this issue in the future. But let's speak about the issue before us, because, as I read the Chair of the Education Committee's memo, the concern is that there were approximately $100,000, a little bit more than that, of taxpayer funds that resulted in wasteful spending, simply because the catalog was not received by the end user in a timely fashion. What effect did that have on enrollment course participation, etcetera? I understand enrollment is up this year, so was there a real practical effect as a result of this catalog arriving late?

MR. RICIOPPO:
Well, Legislator Caracciolo, as I explained earlier, traditionally, any time we've done this catalog, whether it's been an insert in Suffolk Life or directly mail piece that we put out prior to Suffolk Life, it was always for continuing education noncredit courses. There really -- I don't think you can determine there was any negative effect on the spring enrollment, because it was up more than 5%, close to 6%. So, again, most of the people that get this, these are for Suffolk County residents who would look at something and say, "Oh, that sounds like a good course. I'd like to take that."

LEG. CARACCIOLO:
Well, what percentage of our enrollment at the three campuses are involved just in continuing ed and noncredit courses?

MR. RICIOPPO:
I can get those numbers for you. I don't know the continuing education off-hand, unless Mr. Stein does. Do you know any?

MR. STEIN:
I don't know that offhand.

MR. RICIOPPO:
Okay. We can get that for you.

LEG. CARACCIOLO:
I mean, the majority -- pardon me. The majority of our students are part-time or full-time --

MR. RICIOPPO:
Credit, yeah.

LEG. CARACCIOLO:
-- credit.

MR. RICIOPPO:
Correct.

LEG. CARACCIOLO:
Credit course, seeking some type of certificate or degree.

MR. RICIOPPO:
Correct.

LEG. CARACCIOLO:
Correct, okay. So this is not a major population area that's part of the College enrollment.

MR. RICIOPPO:
No. It's more as a service to Suffolk County residents, to make residents aware of the noncredit courses and the evening course schedule they could take, very similar to what Nassau Community College does as well.

LEG. CARACCIOLO:
Okay. Now, I will go where a lot of people like to skirt around and avoid. So you know me, I go right to the --

MR. RICIOPPO:
Right to the -- cut right to the chase.

LEG. CARACCIOLO:
Right to the chase. Okay? Because the undercurrent there really has do with you, Eric, and your leave, sabbatical at Stony Brook, the office that you are in charge of being left without a supervisor, and all of those inferences, that somehow or another your lack of presence resulted in perhaps this taking place. I want to give you an opportunity to respond.

MR. RICIOPPO:
Sure.

D.P.O. POSTAL:
Before you respond, Eric, those microphones really don't help amplify what the speakers are saying, so it's really important that everybody on this side try to restrain themselves and not engage in conversations. Please, let's have some order, so that we can hear what's being said. Thank you. Go ahead, Eric.

MR. RICIOPPO:
Okay. Well, as you know, I just completed my doctoral degree at Dowling College. And in the early Fall, I had requested a sabbatical leave, as is done by many colleagues at the College, both in the unions and exempt employees, to write the dissertation, because it takes a whole lot of concentration and time. That was not granted. What the President did,

instead, beginning in January was for select days, which he's outlined in a memo that was sent out, that he altered my work schedule that allowed

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me to do some library research in the mornings and then get to my work site in the afternoons. In return, I worked an extended day and also worked Saturdays and Sundays. This incident here occurred in September, November. I did not have the adjusted work schedule until February, so I was there the whole time.

LEG. CARACCIOLO:
In doing so, I would imagine he acted within his duties and responsibilities to the institution, and this was not unprecedented, was it?

MR. RICIOPPO:
Not at all. Not at all.

LEG. CARACCIOLO:
I mean, there were other individuals in recent years and recent times

MR. RICIOPPO:
Oh, yes. And he --

LEG. CARACCIOLO:
-- that would have been afforded the same types of opportunities?

MR. RICIOPPO:
Correct. And he continues to do that, with the belief that the College mission is also to encourage employees who are seeing higher -- seeking higher degrees to be able to attain that.

LEG. CARACCIOLO:
Now, your Ph.D. is in what area?

MR. RICIOPPO:
Educational Administration.

LEG. CARACCIOLO:
Okay. Coming back to this issue, I heard the response already, that going forward, we're not likely to revisit, because we now know we can submit a purchase requisition. Is there anything we need to know in terms of going forward as to whether the method of printing and distribution will be changed, or anything else that's contemplated to deal with this in a different manner?

MR. RICIOPPO:
Not that I'm aware of. The only thing that would change, it would be budgetary restrictions.

LEG. CARACCIOLO:
What is the advertising budget for next year, the proposed budget?

MR. RICIOPPO:
Well, the budget has been broken down in several sections, direct advertising and marketing, I believe, and Mr. Stein might be able to correct me, around 400,000? Right.

MR. KLEIN:
Four hundred eighty-nine thousand dollars.

MR. RICIOPPO:
Right. Four hundred and eighty-nine thousand is what we use for direct marketing and advertising.

LEG. CARACCIOLO:
And how does that fair with the present year, 2002?

MR. RICIOPPO:
The same.

LEG. CARACCIOLO:
Same, so --

MR. RICIOPPO:
Same amount.

LEG. CARACCIOLO:
The amount is the same.

MR. RICIOPPO:
Correct.

LEG. CARACCIOLO:
And how do you envision -- you know, I've been a stickler for this over the years. How do we envision allocating that $489,000?

MR. RICIOPPO:
Well, again, we come up with a proposal that we present to the Marketing Committee at the College, which is forwarded on to the President, and we adjust that each year, depending on the types of campaigns and all that we look to do. For example, the President was concerned this year that our summer school enrollment was lower than other colleges in previous years, so we put together a direct mail campaign and advertising campaign that had very positive results, increasing our summer enrollment. So, again, it --

LEG. CARACCIOLO:
As you recall, I'm a strong advocate of direct mail.

MR. RICIOPPO:
I know you are.

LEG. CARACCIOLO:
So that's encouraging.

MR. RICIOPPO:
That's probably the reason we did that this year.

LEG. CARACCIOLO:
Well, I don't know, but I'm glad to hear that you're doing it --

MR. RICIOPPO:
Yes.

LEG. CARACCIOLO:
-- and it's having positive effects.

MR. RICIOPPO:
Yeah. We have concentrated a lot more of our efforts in direct mail.

LEG. CARACCIOLO:
Okay. When will you have a plan to present to the Legislature with regard to that budget, that marketing budget?

MR. RICIOPPO:
Our plan is ready, so as soon as we meet in the committee, we'd be more than happy to -- you have a comment, John?

MR. KLEIN:
That plan has been submitted to the County Executive and the County Executive has forwarded the requested budget to the Legislature for its review, I imagine by the Budget Review Office, and the Budget Review Office has already received documents which outline the specific expenditures for the advertising budget.

LEG. CARACCIOLO:
Okay. So BRO has a copy of that and we'll --

MR. KLEIN:
Yes, they do.

LEG. CARACCIOLO:
Okay. I'd like to request, Fred, if you can hear me, or, Jim, you're back there, that you distribute copies of that to the members today.

Thank you.

D.P.O. POSTAL:
I have a list, Legislator Guldi. Legislator Foley.

LEG. FOLEY:
Thank you, Madam Chair. Back to County Attorney's Office for a moment. During this period, from the middle of September to the middle of November, was it impressed upon you by the College officials that there is a time line that needs to be followed in order to have the catalog in the homes of prospective students by a certain date in early January? Was that something that was just -- was mentioned in a cursory way? Was there any written memo on it? Was it a fact that was emphasized in that two-month period, particularly between the middle of September to the middle of November.

MS. PARRY:
I think the best way to answer the question is to just mention that during any time there had been a discussion on this topic, the -- I had the impression the College would have preferred to have restrictions put in on all of their jobs. And, I would ask Marjeane, I had the impression that Purchasing was adamantly opposed to restrictions on any jobs, including color.

LEG. FOLEY:
My question, though --

MS. PARRY:
So we had -- we have it --

LEG. FOLEY:
My question, though, is not so much about that. My question is, during all the discussions, from the first meeting in the middle of September to the middle of November, was it impressed upon you, not what your impressions are, but was it expressed to you by the College of how important it is to get the process rolling early in order to have the catalog printed and sent out and in people's homes by early January?

MS. PARRY:
All right.

LEG. FOLEY:
Was there that kind of --

MS. PARRY:
I'll finish --

LEG. FOLEY:

That kind of emphasis placed by the College on the timeliness of the whole process?

MS. PARRY:
I'll finish the second part of --

LEG. FOLEY:
Sure.

MS. PARRY:
-- why I began with that.

LEG. FOLEY:
Okay.

MS. PARRY:
Because of the extreme positions of the two departments, normally, Law would never be involved in a matter such as this. Purchasing puts on -- out bids every hour of the day. It was because of the extreme positions that we discussed over time, in order to have an exception to the general rule, there had to be a basis. And so, in this time frame in September, I had repeatedly said, and I think the minutes from the meeting, Legislative Committee meeting last month, reflect this, that if there was some rationale put forth, unique facts, a case that perhaps we had not been aware of, something that would sway our position --

LEG. FOLEY:
Right.

MS. PARRY:
-- we would do it, but that was not forthcoming.

LEG. FOLEY:
Now, you expressed that in September, correct?

MS. PARRY:
(Nodded yes).

LEG. FOLEY:
And for over the next two months, for eight weeks, there was no response from the College on that particular point?

MS. PARRY:
Right.

LEG. FOLEY:
Okay. Then my question then goes to Ms. Erhardt, but, particularly, let me go right to the top and the -- so to speak, and the minutes of the

meeting that was distributed, get to this issue, which is the person who has the ultimate responsibility is the Vice President for Marketing, not those who work with him. And the concerns that I had last year, and as I expressed to that committee, is that the very large increase that we gave to Marketing and Advertising, that those additional funds also translate into additional responsibilities for your office. So by stating earlier, Mr. Ricioppo that you weren't on sabbatical last Fall, which means you're on watch, so to speak, and this happened, and given the fact that one of the largest increases in the operating budget was in your shop, so to speak, why over that two-month period of time, as we just heard from the County Attorney's Office, this very important issue of whether to make an exception or not -- for two months the County Attorney's Office was giving the College the ability, the opportunity to make the case as to why they wanted the restrictions lifted or not. And to my way of thinking, that two months is why the catalog was as late as it was, because, over a two-month period, the College didn't give an answer, a definitive answer to the County Attorney's Office. But, again, the question becomes, why were you not directly involved in something as important as this during that period of time? And I will -- before you answer it, when you look at the answers given before, the answer you gave is, well, you weren't notified.

MR. RICIOPPO:
Correct.

LEG. FOLEY:
And the point that I raise, that given your position, given the million dollar appropriation for your budget line, that the additional monies means additional responsibilities, and that you, with the buck stopping with you, both figuratively and literally, that you should have been directly involved in this from the very beginning, so there wouldn't be this kind of delay. So why over that two-month period of time was there not a response given to the County Attorney's Office about that particular issue from your desk?

MR. RICIOPPO:
I think you also -- we really need to speak with someone who's not available today and that's Vice President Steve Schrier from the legal side. To my knowledge, I'm not aware of any correspondence or any decision that was made by the County Attorney's Office regarding this. And the first I learned of it, as was explained by Ms. Murphy, was on November 15th, when Karleen brought it to my attention that there was

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still a problem with this. And that's when I made the decision to remove the restriction from the bid and send it out immediately.

So, again, if these conversations took place with Mr. Schrier, and as far as I know, they did not, because we asked Mr. Schrier several times and

he said to us there was no decision yet from the County Attorney's Office.

LEG. FOLEY:
Just through the Chair, so Mr. Schrier mentioned to you that there's no decisions made by the County Attorney's Office?

MR. RICIOPPO:
Correct.

LEG. FOLEY:
All right. Now, with that being said, the fact is months -- weeks are going by, two months are going by. You, as in charge of this area, if there's no answer from the -- no response or no decision by the County Attorney's Office, then I would say that it's incumbent upon yourself to then move forward well before November 15th to say where do things stand. Let me put it a different way. When there's -- when we have newsletters as Legislators, or others have newsletters that we want to get out in a timely basis, there's a time line. You see that in all walks of life in County government. I would think that before the middle of November, that some alarm would have been -- gone off, particularly in your office, that, "Wait a second, we haven't gotten a response yet, there's no finalized bid document," by the middle of October. You know, I wouldn't wait two months to move on this. So, frankly speaking, whether you -- whether you were there or not, you're saying you were there, my concern is while you were there, this process went too far, went too long before there was an actual bid that went out. Now how do you intend -- you may have mentioned it already, but how do you intend to rectify this in the future?

MR. RICIOPPO:
Well, we conducted a meeting with the Purchasing Department to iron out any of these problems and try to prevent anything from occurring in the future. That's the best I could tell you. We've taken steps. There was a problem, we addressed it. And perfect evidence is the fact that the spring and now the summer catalogs are going out without incident.

D.P.O. POSTAL:
Legislator Guldi.

LEG. GULDI:
Yeah.

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

LEG. GULDI:
I have a question for Counsel at the Legislature and it relates to the issue of the restriction or nonrestriction on the bidding of County Community College print work to bidders whose facility is within one

day's driving distance of the College. It strikes me that that

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determination is a determination of policy, not of law, and that the -- I'm concerned that that policy decision is being made de facto by nonpolicy decision-makers. How can we, as a Legislative body, make the policy decisions? Should we do it by sense resolution or can -- should we do it by some substantive resolution, making a finding that because of the need to examine proofs, print progress, and the quality of the print job, that that restriction is a compelling restriction and appropriate to include in all color and black and white College print jobs?

MR. SABATINO:
If you wish for that to have a binding and legal effect on the College, the way to do it would be to make it one of the terms and conditions of the resolution that we adopt in August for the next Operating Budget, because under State law, you can impose terms and conditions on appropriations. And since this process is driven by the line item appropriation for advertising and printing, that would be the place to do it, if you want to have legal and binding effect.

LEG. GULDI:
That would be if I wanted to compel the College to do it. But what if the goal is not to compel the College to do it, but to give them the opportunity to add that specification to any print job that they in their discretion feel it would be necessary and appropriate for? Would that have to -- would that be in that funding appropriating resolution, or could we do that by a separate stand-alone resolution?

MR. SABATINO:
Well, when you say you want to give them the latitude, they --

LEG. GULDI:
To include it. See, the problem here isn't the College. The College wanted to include the restriction. Purchasing and the Law Department said no on what I consider to be a policy determination. How do we, as the Legislature, make the policy decision and then let the College do -- because they may have a short run print job that that -- or, for that matter, a huge print job that that -- that's not time sensitive, that that restriction isn't compelling for. So how do we give them the latitude to include the restriction when they want to? That's not what happened here.

MR. SABATINO:
Well, you're phrasing it a little bit differently now.

LEG. GULDI:
Uh-huh.

MR. SABATINO:
Listening to what transpired, Purchasing and the Law Department, in my judgment, acted correctly. I think they gave the right advice. I think your question from before was really the critical one, which is, you know, what was the basis, what was the rationale for -- you know, for this compelling distinction. I -- quite frankly, I personally wasn't overwhelmed or persuaded by the rationale that was given, which, in my judgment, further reinforces that what the Law Department and what Purchasing did was correct. So to say that you want to give latitude, the -- I mean, the latitude is there to the extent that they wish to

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ignore the advice that was given by Purchasing and -- you know, and the Law Department.

So, if you're -- you know, if you want to take this to another level, though, to make it something that's legal and binding, analogous to, for example, the Local Preference Law that we have on the books, which -- you know, which, at least on a uniform basis, allows -- allows you to give preference to somebody who's doing work in Nassau or Suffolk County, then my advice from before would be the way to go, which is make that a point of policy in that term and condition. But I can't -- I can't construct a way to just rephrase that they have latitude and -- because they're going to bump into the same situation, which is they're going to have latitude, but they're still going to have to take the latitude back to the Law Department and Purchasing.

LEG. GULDI:
Well, see, I --

MR. SABATINO:
I mean, the only way you're going to be able to knock that piece of the puzzle out of the equation is to -- you know, is to, in effect, do what we did when we passed our Local Preference Law, which is to say that, as a matter of policy, we're going to let Long Island be, you know, that compelling first -- you know, first point --

LEG. GULDI:
Well, actually, I think that the one-day drive isn't Long Island, one-day drive would be Connecticut and --

MR. SABATINO:
I'm just doing it by analogy. You're saying something in terms of more restrictive.

LEG. GULDI:
Yeah. Though -- actually, though, where I come out on the policy decision-making part of it is I found Legislator Carpenter's remarks to be particularly compelling. It's not just the color truthfulness that's

important in the printing, it's the quality of the print job, it's the quality of the run, it's the inking as it goes off the press. All of those issues could be important, particularly on a marketing type piece of literature like this literature for the College is.

So I disagree in terms of the compellingness. I found no distinction between the black and white and the color, and I found the ability to be at the -- to be at the presses and supervise the work to be compelling. So that's the determination that I think us, as policy-makers, should make, whether it is --

MR. SABATINO:
Yeah, but that's my point, though. Given the debate and the dialogue we're having, I mean, we're all intelligent people, we're listening to the dialogue, you know, you and I have reached different conclusions listening to the precise same testimony. So, I mean, in fairness to all of the -- you know, the participants, in particular, Purchasing and the Law Department, because they're -- they're placed in a position that we would be looking at this thing as a third party. I think the way to

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eliminate that is, if the policy-makers honestly, truthfully believe that maybe the magnitude of the printing, as opposed to the color distinction, is something compelling, then I would suggest that you make that distinction, make that decision. But don't leave it to people's discretion, because to the extent that you leave it to discretion, you're back to where we are today, which that all of us are looking at it and seeing it differently.

LEG. GULDI:
I understand your determination -- your just parsing the discretionary versus mandating it as part of the policy-making decision. I would like to have this Legislature squarely make a decision on that policy, and I'd like you to prepare a stand-alone bill to accomplish that result, file it in my name on the next billing -- on the next cycle, and we'll take it up in August and thereafter. And we, as policy-makers, will review the fax, we'll call the College in, and we'll vote it up or down, and we'll have a clear policy-making decision made by the elected representatives on the factual questions that underlie the determination. Could you, please, prepare that bill for me?

MR. SABATINO:
Right, but as a term and condition of the budget, so it will be legal.

LEG. GULDI:
Yes, but I'd like it to -- it prepared as a stand-alone bill and not folded into the --

MR. SABATINO:

Oh, no, it won't be --

LEG. GULDI:
And not fold it into the --

MR. SABATINO:
It won't be in an omnibus, no, but it will be one of the budget amendments to deal with the --

LEG. GULDI:
Fold it into a budget.

MR. SABATINO:
Yeah, right.

LEG. GULDI:
Fold it into a stand -- put it into a stand-alone bill, so we can --

MR. SABATINO:
Stand-alone bill, but part of the budgetary process, fine.

LEG. GULDI:
Fine.

LEG. FISHER:
Maxine, am I --

D.P.O. POSTAL:
Legislator Fisher.

LEG. FISHER:
Okay. I'd like to ask a question of Purchasing. Between September 14th and November 15th, did the College, at any time during that time period, make the very good compelling arguments that were made by Legislator Carpenter?

MS. MURPHY:
No. All they did was submit the six requisitions. All six had the stipulation on it. There was no distinction made of do any of the jobs. That's why we left it.

LEG. FISHER:
Did they communicate with you during that period of time, between September 14th and November 15th?

MS. MURPHY:
Only about specifications. We never talked about the resolution of the stipulation until I called Karleen on November 15th.

LEG. FISHER:
Okay. So it's very important here, Legislator Guldi, that -- Guldi, that no matter how good the compelling argument might be, there has to be someone there who is doing the work and presenting the argument, and there was no one at the College who was making that argument.

LEG. GULDI:
Will you yield?

LEG. FISHER:
Yes.

LEG. GULDI:
I'll bet, if we put it on the table as part of the budget cycle, somebody would be there to address it.

LEG. FISHER:
But we try not to have to micromanage the administration of the College. Legislator Caracciolo, you asked a question of Miss Erhardt regarding the time line. You said, "Are you now prepared with the" -- "By September, are you prepared with course descriptions, with sections," all of that pertinent information that's necessary in a College catalog. Last year, the budget did not hold their presentation of the catalog material, they had that at Purchasing in September. It was because of this question of whether or not to have this stipulation that this catalog was late, and it was because of the department's inability to present a compelling argument or make a decision for two months. For two months Mr. Ricioppo's department did nothing to move the process forward.

In my Education Committee, when asked, "Why, Mr. Ricioppo, did you not do anything," it was because he was not aware of it. It is on the record of my Education Committee that the Head of this department was not aware that there was a major or problem. The argument, did this affect enrollment, is a specious argument, because this is money that we

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budgeted for marketing and advertising. Are we going to say that the $100,000 is not wasted because enrollment did not drop? Then why have marketing? Why have advertising? We spent $100,000 on this, on this piece of literature going out to homes. What was the purpose? What was the expected result? If you think that it's a useless piece of information, and getting late to people makes no difference, then let's not waste $100,000 of taxpayers' money. Okay?

These arguments are specious. The College in the person of Mr. Ricioppo dropped the ball. For two months you sat, did not present an argument, did not follow up on a major project of your department. Marjeane.

MS. MURPHY:
Yes.

LEG. FISHER:
When you came to the public hearing, which was not attended by anybody from that department --

MS. MURPHY:
Yes.

LEG. FISHER:
-- you mentioned that there were more errors that came from this department than any other department with which you deal in Suffolk County.

MS. MURPHY:
Yes, that's correct.

LEG. FISHER:
Okay. What types of errors are you talking about?

MS. MURPHY:
Mainly, they're specification errors. We put things out to bid. We have to do addendums, we have to rebid, and then, in quite a few cases, they're canceled. After maybe two or three bids, then they're they cancel.

LEG. FISHER:
Does this cost the County money?

MS. MURPHY:
Of course, it does. Each bid, each time it does.

LEG. FISHER:
Each time this happens, it costs the County money?

MS. MURPHY:
Each time we have to rebid, each time we have to change or send an addendum out. I have backup, you know, if I could leave it would you, rather than read it, you know, out, if you would like.

LEG. FISHER:
Okay. Mr. Ricioppo, who oversees these specs that go to Purchasing?

MR. RICIOPPO:
Miss Erhardt.

LEG. FISHER:
You don't see them at all?

MR. RICIOPPO:
No, I do not.

LEG. FISHER:
What do you do as Vice President?

MR. RICIOPPO:
I have many responsibilities as Vice President.

LEG. FISHER:
Okay.

MR. RICIOPPO:
But I also allow --

LEG. FISHER:
There's no oversight?

MR. RICIOPPO:
I also allow the people who run the departments to run the departments.

LEG. FISHER:
But when there is an indication from another department in the County that your department is making so many errors that it is costing Suffolk County money, doesn't it behoove you, as the head of that department, to have more oversight?

MR. RICIOPPO:
Nobody has ever made any statements to me stating that this department has made egregious errors. And I think you'll find, if I let Miss Erhardt speak, that there seems to be a difference of opinion between County Purchasing and the College.

LEG. FISHER:
Okay. Miss Erhardt?

MR. RICIOPPO:
And there are reasons for changes in bids.

LEG. FISHER:
Miss Erhardt?

MS. ERHARDT:
I went back through my files and, you know -- first, let me say that I'm very concerned about this statement that Miss Murphy made about 75% error rate. It certainly is a major --

LEG. FISHER:
This is why I thought it would be important for all of you to be at the

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same place. It would have been perfect if you had been there at the public hearing when she made those statements.

MS. ERHARDT:
Yes. And, certainly, this constitutes a major problem. So I went back through my records for the last four years and I found -- I have records of 40 specifications which I put out to bid. I was able to find seven of those that on my records either needed an addendum or were revised. I really would need more specific documentation from county purchasing to know what -- what these other jobs are. I found there were several that had addendums and --

LEG. FISHER:
We could make that request that you send them a list.

MS. MURPHY:
I have them.

LEG. FISHER:
Oh, she has it.

MS. ERHARDT:
In one --

MS. MURPHY:
I have them.

MS. ERHARDT:
In one case we had -- I had put out specifications for a course schedule, the one that's done internally. And, again, because this was done three months ahead of time, we increased the number of classes. We had to increase the number of pages. There was another one where we had to make a change on a report that was being printed, because we had decided, again, after the three months, we would -- it was an alumni, featuring alumni, that we would like to include more. And so I am very concerned about this. But, as I say, I have no official documentation from the County as to which particular jobs these are. I have my documentation and I certainly want know what the problem is. Some of these specifications are the same ones I've been using for several years, and this spring is the first time I've heard of this major problem. So maybe it's a matter of just better communication. I know that Marjeane has told me that sometimes printers or vendors will have questions, which either she or I will answer. If these are going out to rebid, I'm not aware of it. So, as I say, I certainly want to clear it up, but I do need more feedback.

LEG. FISHER:
Okay. So if Purchasing could send that to Mr. Ricioppo, as head of the department. There is in everyone's packet a copy of an advertisement that appeared in two national magazines, Time Magazine and Newsweek. If you look at it, you will see that there are two misspelled words. This is an add for a College and it has two misspelled words. The word "University" is misspelled and the word "programs" is misspelled. Who has oversight over proofing this, Mr. Ricioppo?

MR. RICIOPPO:
That's Dennis Wrynn, our Director of Marketing.

LEG. FISHER:
Okay. And was there a chance to look at this copy before it went to the magazines?

MR. RICIOPPO:
I'm sure he did. It looks like it was a transposition on two letters.

LEG. FISHER:
Okay. So even if somebody has an opportunity to review, there can still be mistakes.

MR. RICIOPPO:
On this one in particular, I guess he was looking at a faxed copy, from the explanation I received, so, yes, there was an opportunity to make mistakes. You have to understand something, in publications or in anything that we do in my department, everything is visible. And to say that the people that work there are not going to make mistakes or that I'm not going to make mistakes is totally unrealistic. We make them every day.

LEG. FISHER:
No. We're just looking for oversight.

MR. RICIOPPO:
We try -- we're trying to minimize those, but in the same token, I have very talented and competent people that I in turn do not micromanage, and I allow them, as well, to handle their areas. Are mistakes going to be made? Sure. Do we like them? Of course not. And we take every measure to try to minimize those mistakes. That's the best I can tell you.

LEG. FISHER:
Okay. Thank you, Madam Chair.

D.P.O. POSTAL:
Legislator Bishop.

LEG. BISHOP:
Yes, hi. Good afternoon. Sending out a catalog for registration that hits the homes after the registration period closes is such, you know, a monumental error that it's almost a parody of bad government. So what I want to know is, from any department, any agency, has anybody been officially reprimanded, demoted, reassigned, or even terminated as a result of this? No, right?

MR. RICIOPPO:
No.

LEG. BISHOP:
No. I mean, why would they do that? The second question is --

P.O. TONNA:
Wait, wait. You're saying a spelling error, they should be --

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LEG. BISHOP:
No.

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

LEG. BISHOP:
I'm saying that sending out --

P.O. TONNA:
I don't know how many corporations you ran, but I just want to know.

LEG. BISHOP:
No, not the spelling error, Paul. If you --

LEG. FISHER:
The course catalog.

P.O. TONNA:
The catalog? Okay. I'm just trying to say, because I'm trying to get at what you're saying. I'm following you.

LEG. BISHOP:
I want to know if anybody was -- anything happened as a result of this, and, apparently, nothing happened. So the next question I have, what I really don't understand is you deliver the package, the bundles are delivered to the post office on what date, approximately, if not exactly?

LEG. FISHER:
I have that date.

MR. RICIOPPO:
Which one are you talking about, are you talking about the Fall?

LEG. BISHOP:
The catalogs, the catalogs, not the spelling errors.

MR. RICIOPPO:
Karleen, do you remember the exact date? You have to understand, too, in this new process, it's -- there are several steps involved.

LEG. BISHOP:
I understand how things are printed.

MR. RICIOPPO:
Right.

LEG. BISHOP:
We all run campaigns. You go to the -- you know, you pick it up from the printer, it's brought to the post office either by the printer or by yourself, not personally, well, by the College.

MR. RICIOPPO:
Right.

LEG. BISHOP:
When did that happen? When did it go to the post office?

MS. ERHARDT:
The mailing house, which was also in New Jersey, for it.

LEG. BISHOP:
Right.

MR. ERHARDT:
We're talking now the spring?

LEG. FIELDS:
Closer.

LEG. FOLEY:
Yes, closer to the mike. It's on.

LEG. FIELDS:
Get closer.

MS. ERHARDT:
We're talking now about the spring course schedule, which was originally

supposed to be delivered to a mailing house on January 4th, according --

LEG. BISHOP:
Right.

MS. ERHARDT:
According to the original specifications. That mailing house, because they're processing over a half million copies, takes between five and seven days. They receive -- they receive the booklets from the printer and then they have to process them --

LEG. BISHOP:
Right, right.

MS. ERHARDT:
-- according to the --

LEG. BISHOP:
When did they get it? When did the mailing house get it?

MS. ERHARDT:
They began -- the mail house began getting -- began getting them on the 23rd of January.

LEG. BISHOP:
Okay. And what's the closing date for registration?

MS. ERHARDT:
The closing date for registration, the one thing I don't have with me, I believe was -- it's a standard -- okay. The closing date for registration would have been the first week in February.

LEG. BISHOP:
Right.

MS. ERHARDT:
For day classes. Then for evening classes it's always a week later. For continuing education classes, in some cases it goes into March, depending on how many meetings there are of the various courses.

LEG. BISHOP:
It would seem to me that what fascinates me is not all this lack of communication, it's at this point, either phone calls in complete panic should have been made from the College to the mail house that, "You must get this to the post offices immediately, because it's going to be useless in another few days," or you should have said, "Look, we" -- you know, pull the -- pull the job, because you're throwing good money after

bad if you're paying postage on something that is meaningless, and that's what I don't understand. And it doesn't require an answer, it's just a statement.

MS. ERHARDT:
During those weeks in January, there are a lot of panicked phone calls made to New Jersey, trust me.

LEG. BISHOP:
Well, then I think you should get a new mail house.

MS. ERHARDT:
I made several panicked phone calls to both the printer --

LEG. BISHOP:
And a new printer.

MS. ERHARDT:
-- who told me said he was doing his best to get the binding done. He brought in an -- he brought in extra people over the weekend. And then there were panicked calls to the mailing house saying, "Please, get these out as fast as you can," which they were doing. Mea culpa. I don't know what more I could have done at that point, except to -- I feel that I truly did express to them the urgency of this situation.

LEG. BISHOP:
All right.

D.P.O. POSTAL:
Legislator Fields.

LEG. FIELDS:
I think the question was asked before, and maybe, before the end of the day, I would be interested in getting an answer, even if you have to make a phone call. How much money is generated for the evening noncredit courses, and how many students generally enroll in that?

MR. KLEIN:
I'll have to make a phone call.

LEG. FIELDS:
And, as far as -- I know Legislator Tonna commented that it -- I guess he thought it wasn't that big a deal.

P.O. TONNA:
No. No, I didn't say that.

LEG. FIELDS:

For the --

P.O. TONNA:
No, I didn't say that.

LEG. FIELDS:
What was it?

P.O. TONNA:
I said the sarcasm, as far as -- I mean, was there a policy change? Was there a policy change due to this? You don't have to fire somebody, but you can say, "How do we never do this again?"

MR. RICIOPPO:
Right. We took action.

P.O. TONNA:
Is there a memo?

MR. RICIOPPO:
We met with County Purchasing.

P.O. TONNA:
Was there a memo, "Please, let's make sure that next time"? I mean, that's --

MR. RICIOPPO:
I mean, we addressed it.

P.O. TONNA:
That is a change from firing somebody. It is a big deal.

LEG. FIELDS:
No. But was that responded to?

P.O. TONNA:
But fire, dismiss, you know, there are other options, too.

LEG. BISHOP:
Demote, terminate, reprimand --

LEG. FIELDS:
But we didn't get an answer, did we? What was the result?

P.O. TONNA:
Right. That's what I think is the pertinent question, what was the result.

LEG. FIELDS:
Let me ask the question, okay? Thanks.

P.O. TONNA:
Well, you put me in --

LEG. FIELDS:
No. I was asking --

P.O. TONNA:
-- and categorized me as saying something --

LEG. FIELDS:
Right.

P.O. TONNA:
-- I didn't say.

LEG. FIELDS:
No.

P.O. TONNA:
Okay. Go ahead, ask the question.

LEG. FIELDS:
When this ad came out with the misspellings, whose fault was that?

MR. RICIOPPO:
Again, the Marketing Director handles the placement of advertisements, and also was involved with the proofing. So, when I learned of the mistake, we sat down and we reviewed it, and we changed the procedure to involve -- to involve more people proofreading ads when they're placed.

LEG. FIELDS:
That's what you've done. Who was the -- who was -- who's fault was this? Who was in control of what --

MR. RICIOPPO:
I don't look to -- I don't look to place blame all the time.

LEG. FIELDS:
Oh, you have to, you're an administrator.

MR. RICIOPPO:
Yeah, but if I'm going to say one person --

LEG. FIELDS:
How do you correct a mistake if you're not --

MR. RICIOPPO:

I sat down with the person who handled that, and, like I said, we changed the procedure to allow more people in the proofreading process. So now we're going to catch -- if this was ever to occur again, I would hope two or three people looking at it, then, would catch the mistake.

LEG. FIELDS:
You know, if this were an ad for a donut shop, to me it would be, "Okay, big deal, let's talk to them and let's make sure it never happens again." But for a college to have this kind of an ad go out is more than embarrassing, and it really is inexcusable. And your comment, Eric, about micromanaging, you're a manager. You're not a micromanager, you're a manager, and the duties of a manager are to make sure to oversee what's going on and not be told after the fact, and then come back to the Legislature and say, "It's not my job to micromanage." It is your job, you're an administrator.

MR. RICIOPPO:
Right. But my job is also to allow the people that I have working for me do their jobs as well to the best of their abilities.

LEG. FIELDS:
And if we, as a -- as a Legislator, if I let my Aides do whatever they want to do and never have any oversight, then I would not be a Legislator. And any administrator --

MR. RICIOPPO:
But do you see everything that your Aide does? That's the point, is that you also have to be able to judge your time and balance your time and your responsibilities, so that --

LEG. FIELDS:
When all is said and done, I think --

D.P.O. POSTAL:
Can we, please, have some order?

LEG. FIELDS:
-- I would have balanced my time an awful lot better than this. This is to me inexcusable.

D.P.O. POSTAL:
Mr. Stein.

MR. STEIN:
On the question of how much is generated, Legislator Fields, for the current year, we're estimating that for noncredit without State aid is $273,000, approximately. Noncredit with State aid is 213,700, approximately. Noncredit courses, ESL, approximately $800,000.

LEG. FIELDS:
I couldn't hear. What was that? I'm sorry. What was that? He was talking to me.

MR. STEIN:
You asked a question as to how much money was generated --

LEG. FIELDS:
Right.

MR. STEIN:
-- by noncredit courses. For this year, we're estimating, for noncredit

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courses without State aid, approximately $273,000. Noncredit courses with State aid, approximately 213,700. Noncredit courses, ESL, approximately $800,000.

LEG. FIELDS:
How many students?

MR. STEIN:
I only have the dollars here.

LEG. FIELDS:
Thank you.

D.P.O. POSTAL:
Legislator Lindsay?

LEG. LINDSAY:
How much did the Time in Newsweek Advertisements cost?

MR. RICIOPPO:
I don't have the exact figure, Legislator Lindsay. It was approximately $2,400 apiece.

LEG. LINDSAY:
The local -- we -- I should have asked you this first. The local newspaper on the campus quoted the one ad at 29,494?

MR. RICIOPPO:
No. I'm sure the reporter probably made a mistake by calling the publication and asking what an open rate would be on a full-page national ad. We don't buy the full-page national ads, what we buy is the regional portion. So that ad appears in Newsweek --

LEG. LINDSAY:

It says a Time advertising representative stated that a one-time full-page color advertisement for educational institution in New York State edition of Time.

MR. RICIOPPO:
That's not what we pay.

LEG. LINDSAY:
Okay. So you paid 2,400.

MR. RICIOPPO:
About $2,400, right.

LEG. LINDSAY:
That makes me feel a lot better.

D.P.O. POSTAL:
Legislator Haley.

LEG. HALEY:
I think it's a shame we've spent so much time talking about all of this. One of the difficulties, and especially at the College, is having to deal

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with -- you know, you have a Board of Trustees who tends to run the College on a day-to-day basis, and then when you do your budgeting or you something, then you got the County Exec's branch looking at you, then you've got the Legislative branch looking at you, and then you have to come here and deal with nobody paying attention to what anybody's doing, because everybody's talking, so I know it's very difficult for you. But it's pretty simple. I mean, I know there's a process where you've included a number of individuals and County Attorney's as well, and every time you add another department, sometimes that lends -- could lend to troubles or even the compounding of troubles. And it seemed to me that that was the situation here, there was a compound of issues or things that took place that caused this problem. Are you comfortable enough in saying that something like that will not happen again?

MR. RICIOPPO:
Yes.

LEG. HALEY:
Okay. And you've done so, probably because you have made some corrections or had some discussions, and done what you thought was necessary to make sure that you don't have to come back here again for the same issue, right?

MR. RICIOPPO:
Right.

LEG. HALEY:
That's what I thought. Thank you, Mr. Chairman.

D.P.O. POSTAL:
Legislator Cooper.

LEG. COOPER:
I apologize if this question was asked already. When it became obvious that the catalog was going to be mailed late, was any consideration given to extending the deadline for registration for the day courses?

MR. RICIOPPO:
Yes. The President extended it and waived the late fee.

LEG. COOPER:
Thank you.

D.P.O. POSTAL:
Legislator Fields, you had a question.

LEG. FIELDS:
Yes. How would anybody know that?

MR. RICIOPPO:
Once they were to call to enroll.

LEG. FIELDS:
But if I'm reading that and I realize that the cutoff date happened and I just got it, I'd say, "Okay, I missed it."

MR. RICIOPPO:
But, again, I just wanted to go back to my original statement when we first started. The piece itself, we added in the day courses. For the last previous 20 something years that this piece has been used in some format has only been evening and continuing ed courses. Those courses don't start until -- these ones, not until February, and, also, in March, as Karleen explained. A lot of times, if you drop the piece too early, and that's why we had that certain schedule, people wouldn't focus on it right away. I decided to add in the day courses, again, because it was a small additional cost and it would give people an understanding of some of the other courses that we offer.

LEG. FIELDS:
But, again --

MR. RICIOPPO:
We'll probably change that going forward then.

LEG. FIELDS:
Yeah. But, again, if there's an error and it's late and the -- and you're trying to -- and you're trying to appeal to the general population, and that was the intent of the ad, to appeal to perhaps people that have never come to the college before, then that's your audience, that's marketing and that's your job. To find out that it was late, and I'm the general population, unless I read it again that it's been changed, I have no way of knowing, so I'm not going to make that phone call. The average person's not going to make that phone call, so you really do lose the people that you intended to market to. Would it have cost a lot of money to put an ad in the newspaper, let's say, to say that public notice or a notice that the school sent out the brochure late and that the time has been extended?

MR. RICIOPPO:
Depending on the publication. And, again, as Miss Erhardt explained earlier, in some areas, it wasn't as late as other areas. Again, it's also depending on when it's dropped at the post offices, how the post offices distribute the catalogs. There are a lot of different elements that are involved in the --

LEG. FIELDS:
When did you find out that it was late?

MR. RICIOPPO:
Well, it was brought to my attention in January when we found out when it was going to be delivered. There were other -- several delays, as we explained. The date was pushed back another week than we had originally in our specifications.

LEG. FIELDS:
You knew, though, before it went out that it was going to be going out late?

MR. RICIOPPO:
No. Once I found out it was going to be late, sometime into January.

LEG. FIELDS:
Did we ever hear an answer about was there a memo sent out to anybody in the department? It was Legislator Bishop's question.

MR. RICIOPPO:
On the catalog?

LEG. FIELDS:
On the errors on the catalog, on any of the mistakes that any of the departments have made, was there ever any kind of discussion?

MR. RICIOPPO:
Formal memo? No. We held meetings. Yeah, sure, we held discussions. We held meetings and reviewed what had gone wrong, and then we had taken actions to correct that.

LEG. FIELDS:
No memos were sent out or anything?

MR. RICIOPPO:
No. I didn't find those necessary.

LEG. HALEY:
Thank you.

MR. RICIOPPO:
You're welcome.

D.P.O. POSTAL:
Legislator Fisher. Vivian. Vivian.

LEG. FOLEY:
Notwithstanding the difficulties with the advertising, I hope that the College won't be reluctant in holding any spelling bees in the future by any of the high schools in the area.

LEG. FISHER:
Just a quick question. Okay.

P.O. TONNA:
Oh, it's after Legislator Fisher.

D.P.O. POSTAL:
Yeah. If Fisher will yield --

P.O. TONNA:
No, no, no. It's Fisher.

D.P.O. POSTAL:
No. She'll yield.

LEG. FISHER:
I'll yield to you.

P.O. TONNA:
I do want to say one thing, that -- and I'm glad that you're here.

Generally speaking, we like to handle these things within committee, and

this is actually a little precedent-setting. I would ask that the representatives of the Community College, when asked to come to a committee, even if it's a special hearing --

LEG. FISHER:
It was a special hearing --

P.O. TONNA:
Yes.

LEG. FISHER:
-- and they didn't come.

P.O. TONNA:
They didn't come. Okay. I would just ask that just go; okay? Send your representatives. This is -- this is what the Legislature does. It's a check and balance mechanism. When you make a mistake, some are big mistakes, some little mistakes, some things that you think are little mistakes are big mistakes, some things that you think are big mistakes are little mistakes, whatever it is, you have -- there are times when you're going to be asked to be held accountable. This is one of those things, and when talking with the Chairperson of the Education Committee, we think this is a big mistake. We think when you're -- when you're thinking about the idea of sending out catalogs to people in a timely basis, this should be basically by rote for the Community College. If there are administrative issues with the County Attorney's Office and the College, or whatever else, these are the times that we should work these things out. Maybe they should be presented proactively to the Chairperson and the Committee of Education.

All that I'm asking for is, in the future, I would like to make sure that there is a commitment from the Community College, County Attorney, or anybody else, to work with the Chairperson of that Committee and to be able to understand that accountability is one of the things that the Legislature does. Nobody likes it. Everybody would much rather have a benevolent dictator, as long as they're on your side, but the fact is that's not how this system works. So, I would just ask, in the future, I want a much more receptive audience to the Chairperson of the Education Committee, and I think, you know, understand you're going to be held accountable, period. Thank you. Legislator Fisher.

LEG. FISHER:
Thank you, Mr. Chair. There are a number of issues that are very critical here, and I think transparency in government is one of them. After -- a few days after the public hearing, which was held in Hauppauge, which was not attended by the Administration of the College, I attended a 25th Anniversary celebration at the Eastern Campus and there were Trustees of the College at that party who had no idea what had been going on with all of this. And that was unfortunate that the Trustees were not in this loop. I think that's critical.

During the period where between the end of January and March, when we had the Education Committee meeting on this, and May, when we had the hearing, I received many calls, Mr. Ricioppo, and which is why I've been looking at this so carefully, from people who told me that you were not

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working, that you were not there. And that truly concerned me, because one of the thing that -- and I'm telling you that I received many calls.

MR. RICIOPPO:
Why didn't you call me and ask me?

LEG. FISHER:
I did ask you at the Education Committee meeting --

MR. RICIOPPO:
That I wasn't there?

LEG. FISHER:
-- where you were. I asked you when we met privately before the Education Committee meeting when we met in the conference room. I said, "I'm getting complaints that are not there." Legislator Fields, in her questions, asked you, and I believe some of the other Legislators have asked you about oversight. If you have special hours -- and, by the way, there members of the Board of Trustees who said they didn't know about this special arrangement that you had for special hours and were concerned that they had not authorized that kind of special arrangement. Maybe they don't have to. That should be clarified with them. But if someone is in a supervisory position, then I believe that person should be working at the -- during the hours of the people whom he is supervising --

MR. RICIOPPO:
Which I was.

LEG. FISHER:
-- and maybe that's part of the problem.

LEG. FISHER:
Well -- and, again, the explanation --

LEG. FISHER:
Well, you just said you were working Saturdays and Sundays and afternoons.

MR. RICIOPPO:
I said that I had an adjusted schedule on specific days, that I came in a little bit later, starting at, let's say, eleven or twelve o'clock and

worked later hours, and also on Saturdays and Sundays to process paper work and do other things to maintain. At no time was I absent. Just check the attendance records. Check with the President of the College. Anyone who has told you --

LEG. FISHER:
You maintain a log of attendance, is that what you're saying?

MR. RICIOPPO:
I sure do.

LEG. FISHER:
Okay. That's very necessary, and that was part of the reason why we had the public hearing, because these allegations had been made by -- but you

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were not there.

MR. RICIOPPO:
But all you would have to do is call me and ask me and say that people are saying this. I'd be more than happy to respond at any time.

LEG. FISHER:
Okay. We discussed this in the conference room before the Education Committee. We have discussed this earlier. The concern here is oversight, the concern here is the quality. This is Suffolk County Community College. We represent Suffolk County here around this horseshoe, and it reflects upon all of us when the quality that comes out of that College is below what it should be. And so we ask for oversight, and we ask that anyone who was in a supervisory position supervise.

P.O. TONNA:
Okay. Thank you very much. Thank you for your attendance, thank you for your time. We are going to recess for lunch. I will say we have still a number of cards.

LEG. FISHER:
And I'd like to thank Purchasing and the County Attorney's Office, who has come to every one of the meetings, thank you very much.

P.O. TONNA:
After the public hearings, there will be the public portion. We still have about eleven speakers to twelve speakers and we'll conduct that in this afternoon. Yeah, 2:30, after the public hearings.

LEG. COOPER:
Paul, I wanted to remind the members of the Energy Committee that we're having a special committee meeting.

P.O. TONNA:
Meeting recessed for lunch.

[THE MEETING WAS RECESSED AT 12:30 P.M. AND RESUMED AT 2:30 P.M.]

D.P.O. POSTAL:
We're going to begin public hearings. Will all Legislators please come to the auditorium for the public hearings? Madam clerk, has the -- have the public hearings been publicized?

MS. JULIUS:
Yes, they have, they're duly filed and have been in proper order.

D.P.O. POSTAL:
Thank you. The first public hearing is regarding the Suffolk County Community College budget. I have no cards on this public hearing. Is there anyone who would like to address the Legislature on this hearing? Hearing no one --

LEG. CARACCIOLO:
Motion to close.

D.P.O. POSTAL:
Motion to close, Legislator Caracciolo, second by Legislator Carpenter. All in favor? Any opposed? The public hearing on the Suffolk County Community College budget is closed.

Public hearing regarding a local law -- public hearing regarding Introductory Resolution Number 1696, a local law to toughen fines for item pricing violations within Suffolk County. I have a card from Patricia Brodhagen. And each speaker during the public hearing has five minutes. Patricia?

MS. BRODHAGEN:
Good afternoon.

D.P.O. POSTAL:
Good afternoon.

MS. BRODHAGEN:
My name is Pat Brodhagen and I'm the --

D.P.O. POSTAL:
Excuse me, Pat.

MS. BRODHAGEN:
Yes.

D.P.O. POSTAL:
Hold on a minute. Can we have some order? It's very hard to hear, and if people in the audience, Legislators are speaking, we can't hear the speaker at all, so, please, let's have some order. Go ahead, Pat.

MS. BRODHAGEN:
Thank you. My name is Pat Brodhagen. I'm the Vice President of Public Affairs for the Food Industry Alliance of New York State, and who the Food Industry Alliance is the trade association of the grocery industry. So I'm here today on behalf of our members who have stores in Suffolk County, most of which I think you're all familiar with, King Kullen, and Pathmark, and IGA, and Key Food, and Waldbaums, Stop and Shop, the list goes on. Traditional supermarkets comprise our members. And, of course, item pricing is our own special responsibility, so I've come today to speak on behalf of our members in opposition to Intro 1696, which is a proposal to fairly dramatically increase the fines for item pricing violations.

I do at the outset, though, want to commend Legislators Alden and Postal for calling attention to certain classes of retailers who they found to be ignoring the item pricing law entirely, as, again, I think most of you know, item pricing requires that individual little price sticker on a lot of things that we sell, all foods, all paper products, all health and beauty aids, and all detergents and laundry -- you know, cleaning items and whatnot, and in Suffolk County, it requires any retailer who sells those products to affix that price sticker.

I think you also know that our position is that in this modern day and age, that price sticker has become redundant because of shelf pricing and scanning. But that -- I didn't come today to talk to you about that, I

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want to address the specifics of this bill, which would increase the fines for failing to get those stickers on each and every product. And what it does do, and what Legislators Postal and Alden did, and we thank them for that, was call attention to the fact that there are a lot of new competitors in the marketplace that didn't used to be there that are head to head with supermarkets and do, in fact, carry a lot of the products that we carry. They're general merchandise retailers and they're drug stores in particular, and it makes for an interesting life, but they're required by the law to price, too, and I think what you've found is that they're not.

So we understand that the rationale for higher penalties is to improve compliance with the law, requiring those price stickers, particularly among those retailers who blatantly ignore the law. Our problem is that we feel it's going to unfairly penalize those retailers, such as those I represent and who are really making a good faith effort and always have to stay within compliance.

Just so you understand the job, the enormity of the job of stickering. In a conventional supermarket, you could be looking at 30,000 individual categories, so like Heinz Ketchup, thirteen ounces, that's one. There's like 30,000 of those in a grocery store and that could comprise a million -- it could comprise up to three million individual packages. Under the law, each and every one of those individual package needs that sticker put on it. That's a job that gets done usually in the middle of the night by help in the store. It's time consuming and a difficult job, especially when you consider the number of price changes in any given week and the items going on and off sale. So that perfection isn't so much a function of not trying and having big heavy penalties hanging over our heads, it's a question of not being able to be perfect in such an environment with such a job to do. So what the higher penalties will do for those of us who are making that effort to comply is simply increase the cost. And the problem isn't that the customer doesn't know the price, because state law requires that the price be disclosed on the shelf, as well as on that sticker, so each item has that price under it on the shelf. So it's not that customers don't know what it costs, it's that there's some stickers missing.

And, again, just so you know, in each one of those product lines, if however -- there could be 48 cans of peas, a certain size and brand. You only have to be missing three stickers to count for a violation. So the new penalty would be $150 for those missing stickers, which is the equivalent of $50 a sticker. And I guess from where we sit, we're just saying the punishment should fit the crime. So, in summary, we don't think that higher fines are called for, that they will penalize retailers who are making an effort to comply. We'd like to work with you to get at what you've identified is the real problem.

D.P.O. POSTAL:
Pat, your time is up. There is a question. Whoever has a cellular phone or a beeper that's on, please turn off the phone or the beeper while you're in the auditorium. Legislator Carpenter.

LEG. CARPENTER:
You mentioned that the newer retailers or the category of retailers that weren't there before are not necessarily complying. Could you venture a

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guess as to why?

MS. BRODHAGEN:
Well, really, I can't speak for them. I didn't do -- we haven't done any research, you know, as an association, but it was called to attention in -- by other Legislators in the press release that they're not stickering at all. You know, I don't -- I think, truthfully, a lot of those retailers are unaccustomed. They do business -- some of them are

national companies. Item pricing is not required very many places, and so they may well be unaccustomed to complying with local law.

LEG. CARPENTER:
Okay. I guess I really need to direct that question to perhaps the Office of Consumer Affairs to know if they've done any outreach with the kinds of retail establishments that were not maybe there when the law was first instituted to know whether or not they're educating them as to what the laws in Suffolk County are.

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

MS. BRODHAGEN:
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 1696? Hearing no one, I'll make a motion to close, seconded by Legislator Carpenter. All in favor? Any opposed? 1696 is closed. Public hearing regarding Introductory Resolution Number 1735, a local law to reform capital project implementation process. And I have a card from Robert F. Carlino. Mr. Carlino?

MR. CARLINO:
That's me. Thank you and good afternoon.

D.P.O. POSTAL:
Good afternoon.

MR. CARLINO:
My name is Robert Carlino. I'm the director of the Long Island Contractors Association. Our firm represents over 150 companies here on Long Island that are engaged in the heavy construction industry, that would be contractors, suppliers, subcontractors and affiliated industries. I'm just going to read a brief statement and take any questions you may have.

The Association has reviewed I.R. 1735 and applauds the Legislative intent expressed in this resolution. Clearly, we agree that the expeditious movement of projects to completion is an in the common interest of both the public and the construction industry. We are concerned that the resolution as drafted does very little, if anything, to address the five points or problem areas mentioned in Section 1 regarding the Legislative intent of this resolution. We believe the -- this is a little funny, this microphone. Sorry. We believe this resolution would add additional requirements or process that already

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languishes project without any additional help. The amendments called for by I.R. 1735 will add an additional Legislative authorization than is presently required to appropriate funds. Should the Legislature not meet twice during a given 45-day period, my contractors would have the right to withdraw their bids. At that point, the County could either award to the second lowest bidder or incur the cost and the delay of rebidding the project. Further, we believe that once uncertainty is introduced into the bidding process, bidders tend to increase prices to cover the risk of delayed project starts. Therefore, for the reasons stated above, the Association opposes the adoption of I.R. 1735.

D.P.O. POSTAL:
Thank you.

MR. CARLINO:
Thank you

D.P.O. POSTAL:
Is there anyone with a question? Thank you very much.

LEG. BISHOP:
Recess, please.

LEG. FOLEY:
Second the motion.

D.P.O. POSTAL:
Well, first, let me ask if there's anyone else. Is there anyone else who would like to address the Legislature on this public hearing? Hearing no one, motion to recess by Legislator Bishop, second by Legislator Foley. All in favor?

AUDIENCE MEMBER:
Quickly. Wait, wait.

D.P.O. POSTAL:
Oh, sorry. Did you want to address the Legislature on this public hearing, Linda, or somebody?

AUDIENCE MEMBER:
There is someone who had signed up to speak this morning.

D.P.O. POSTAL:
No. We -- at the end of the morning session, when we adjourned, we announced that the public portion will continue at the conclusion of the public hearings. So people who didn't get a chance to speak this morning will have an opportunity as soon as we complete the public hearings.

There was a motion to recess and a second. All in favor? Any opposed?

1735 is recessed.

I have a motion from Legislator Crecca, seconded by Legislator Lindsay to set the date of June 27th, 2002, at 10 a.m., in the William H. Rogers Legislature Building, Hauppauge, New York, for a public hearing regarding Suffolk County Community College budget. Actually, did we -- we closed that. Yeah, that's --

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LEG. CARPENTER:
No. But is there a need for two hearings?

LEG. POSTAL:
Is there, can the Clerk tell me --

LEG. CRECCA:
The June 27th meeting, is that supposed to take place?

MR. BARTON:
Yes, we have to have two public hearings.

D.P.O. POSTAL:
Okay. Then I think we closed the first public hearing today on the Community College budget. We would have to second --

LEG. CARPENTER:
Second.

D.P.O. POSTAL:
All in favor? Any opposed? The public hearing regarding the Suffolk County Community College budget is reconsidered. And there's a motion to recess by Legislator Carpenter, seconded by myself. All in favor? Any opposed? Public hearing on the Community College budget is recessed .

Now, I had a motion from Legislator Crecca, seconded by Legislator Lindsay, to set the date of June 27th, 2002, at 10 a.m., in the William H. Rogers Legislature Building in Hauppauge for the public hearing regarding Suffolk County Community College budget, and to set the date of August 6th, 2002 at 2:30 P.M. in the William H. Rogers Legislature Building, Hauppauge.

P.O. TONNA:
June 27th?

D.P.O. POSTAL:
August.

P.O. TONNA:
Wait. June 27th?

LEG. CRECCA:
Yeah, that's for the public hearing.

LEG. CARPENTER:
Just for the public hearing.

D.P.O. POSTAL:
That's the public hearing.

LEG. CARPENTER:
There has to be two public hearings for the Community College budget, one in Riverhead, one in Hauppauge.

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LEG. CRECCA:
We did the one in Riverhead this morning.

P.O. TONNA:
Fred, I mean, there's all -- is this a General meeting of the Legislature?

D.P.O. POSTAL:
No.

LEG. CARPENTER:
No, it's a public hearing.

D.P.O. POSTAL:
It's just the public hearing on the Community College budget.

LEG. CRECCA:
It's a public hearing.

LEG. BISHOP:
Which you'll chair as Presiding Officer.

LEG. CRECCA:
Which you'll chair as Presiding Officer.

P.O. TONNA:
Well, I'm sure Lynn Nowick will be there, but outside of that -- no, I'm joking.

D.P.O. POSTAL:
At any rate, the motion included setting the date of August 6th, 2002, at 2:30 p.m. in the William H. Rogers Legislature Building, Hauppauge, New York, for public hearings regarding Introductory Resolution Number 1770, public hearing regarding Introductory Resolution Number 1776, public

hearing regarding Introductory Resolution Number 1784. All in favor? Any opposed? The date of the public hearings is set.

We're going to go back to the public portion. Okay. Our first speaker this afternoon is Chris Smith.

MR. SMITH:
As you know, Suffolk County enjoys a multimillion dollar shellfish industry of which my organization, Cornell Cooperative Extension of Suffolk County, actively supports. As part of this effort, two years ago, we were able to initiate a program where individuals could join in our facility effort at Cedar Beach and begin to garden shellfish, oysters specifically. As part of this effort, the individuals are given 2,000 oysters to garden, of which they give back 50% to the local municipality and to Suffolk County. Those 50% of those oysters go to creating spawner sanctuaries that contribute towards proliferating the public shellfish beds. This --

D.P.O. POSTAL:
Can you just -- can we close those doors, please? Just hold off until we get the doors closed, because there's noise interfering with your statement. Go ahead.

MR. SMITH:
As part of this effort, this organization has created a group that is very active in trying to help us in garnering resources and different types of help, and we have 200 volunteers now that are working at our lab at Cedar Beach in helping us spawn, nurse and grow out shellfish, and as part of this effort, they have been able to garner the resources to create a recipe book, which is just tremendous. And they would like you to have a complimentary copy, which I have here for you, of the shellfish recipes in thanks of all that Suffolk County does for us and appreciate everything that you do. I'm not sure how to distribute those .

D.P.O. POSTAL:
I'm going to recognize Legislator Fields.

LEG. FIELDS:
I purchased this book about a month ago, and for everyone who is going to receive one, it is an excellent cookbook.

D.P.O. POSTAL:
Thank you. Our next speaker -- our next speaker is --

MR. SMITH:
Oh, I had one other -- one last thing.

D.P.O. POSTAL:

Oh, okay. I'm sorry.

MS. SMITH:
No, that's okay.

P.O. TONNA:
Hey, that's it. You gave the cook book out, you're out.

MR. SMITH:
But please enjoy the cookbook, there's some great recipes in there. Tom Williams wasn't able to make it. He was here this morning, but had an important meeting this afternoon. He asked me to briefly mention support for Introductory Resolution 1169-2002, implementing Suffolk County Water Quality Protection and Restoration Programs. Myself, Bill {Sanek} and Tom met with Bill Shannon of DPW, and we had a sense that Bill really had a vision for the entire program, including natural resources, the road runoff work, the shellfish restoration and submerged aquatic vegetation components of that program, and we would just like to voice our support for that resolution. Thank you.

LEG. HALEY:
Thank you.

LEG. FOLEY:
Thank you.

D.P.O. POSTAL:
Thanks. And as Chris said, Tom Williams was here, but he left. Our next speaker is Lori Harrison. Sorry.

MS. HARRISON:
Harrison.

D.P.O. POSTAL:
Yes.

MS. HARRISON:
Hello. My name is Lori Harrison. I have an Associates Degree in Early Childhood Education and a Bachelor's in Elementary Education. I work for an organization called SCOPE, which has before and after school child care programs. The before school hours are 7 a.m. to 9 a.m., and the after school hours are 2:30 p.m. to 6 p.m.. Working parents can have a safe and supervised place to leave their children instead of them leaving them unattended.

I am here today to urge you to pass Resolution 1593, Child Care EARNS Program. What the EARNS Program has provided for me is to look into purchasing a health care plan, which SCOPE does not provide. When I

received my first installment in January, I was elated and excited. I am extremely disheartened and upset when I received the letter two weeks ago stating that the EARNS Program was to be put on hold. I have been in the child care field many years and I've always had to work two jobs to be able to support myself and stay in the Child Care Agency Program. This program is extremely important to me.

Some of my colleagues have furthered their education, which then they incorporate into their programs. The EARNS Program enables educated and qualified workers to stay in the child care field and to further their education. I would like to thank you for being the Legislature that saw fit to put the EARNS Program into the budget. I also would like to urge you to continue your wonderful support for the Child Care EARNS Program. Thank you.

LEG. HALEY:
Thank you.

LEG. FOLEY:
Thank you.

D.P.O. POSTAL:
Thank you very much. The next speaker --

LEG. CARPENTER:
Max. Max.

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

LEG. NOWICK:
Max, just one quick question.

D.P.O. POSTAL:
Question -- there's a question by Legislator Nowick.

LEG. NOWICK:
Just, in this program, what is the threshold of money that you can make

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before you can utilize it?

MS. HARRISON:
There isn't. It's just depending on your education. It could be from 1,500 to 3,500.

LEG. NOWICK:
But what I wanted to know is how do you become eligible?

MS. HARRISON:
Anyone that's in the child care field, and depending on how much education you have.

LEG. NOWICK:
Okay. Thank you.

MS. WALERSTEIN:
There is a threshold, 42,000.

MS. HARRISON:
Oh, I'm sorry.

MS. WALERSTEIN:
It's a maximum that you earn, so that it's a starting -- it's a starting teacher's salary.

D.P.O. POSTAL:
Okay. You have to speak into the microphone. If you don't use the microphone, then the stenographer can't record what you say.

MS. WALERSTEIN:
She can handle it. You know what it is, right?

MS. HARRISON:
Right. The starting salary is no more than $42,000, the starting teacher's salary.

MS. WALERSTEIN:
So it's below that.

LEG. NOWICK:
It's below that.

MS. HARRISON:
Below, yeah.

LEG. NOWICK:
That's the threshold I was talking about. Thank you.

MS. HARRISON:
Okay. Thanks.

D.P.O. POSTAL:
Our next speaker is Tim Rumph. Tim Rumph? Not here. Evelyn, Evelyn Castiglione.

MS. CASTIGLIONE:

Good afternoon, Ladies and Gentlemen. My name is Evelyn Castiglione, and I was asked by my daughter, Claudette Lanasa, to read to you her letter describing this past year. We realize she is one among many with similar stories. Let me begin. This is her letter, now.

"June 2002. So" -- it's entitled "The Nonmonied Spouse." "So, if you think you're doing the right thing for you and the children, think again. If you think being in an abusive manipulative marriage is bad, wait until the Suffolk County court system and the lawyers get to you. I finally got the guts to leave in April of last year after 15 years of marriage and three boys under 12. What started out as a domestic violence situation has turned into a sad turn of events, when it's obvious the nonmonied spouse can buy off anything and everyone he wants, including the children. But, of course, I can't prove it."

"My separated husband, from now on known as my ex, ran a very lucrative limousine business, which he started in 1994. He also had a cocaine habit that haunted our relationship for years, not to mention lots of anger and outbursts. My ex-husband was giving my sons one too many shoves into the wall, kicks up or down the stairs, or choke-holds to their necks. I finally had the guts to file a police report. Child Protective Services came and interviewed the children. My oldest son had talked to the school psychologist, his therapist, and the counselors at VIBES, where I was participating in a Domestic Violence Awareness group. My older son had also found marijuana in my husband's brief case numerous times."

On April 23rd, 2001, my lawyer, Mike Schlussel, said, "Get off your ass and change your life." With that, I gave him $4,000 to start my divorce and did not even receive a written retainment agreement. He filed for an order of protection and a Family Court petition to have my ex-husband answer the Court. The Sheriff had to come and remove my ex-husband from the marital residence. This took two days to do, because they parked in marked cars right in front of our home. The kids and I waited it out at my sister Linda's house. Our court date was a few days later. That is when my lawyer served my ex-husband with divorce papers. My lawyer served my ex-husband on the grounds of cruel and inhuman treatment. The fight had just begun.

I managed to arrange a few supervised visits, my family volunteered to help, and conversations between my children and their father until forensics came in. This included making a birthday cake from the kids and holiday cards and gifts from the children. After two months, we set up supervised visitation at Smart Parenting in Deer Park. My lawyer had kept me in the dark about how many choices and issues that I had during the proceedings. For close to $300 per hour, I should have had a say in the way the divorce was going to be handled." Can I continue, please?

D.P.O. POSTAL:
Well --

LEG. HALEY:
Yeah.

MS. CASTIGLIONE:
Please.

LEG. HALEY:
Do you have more to add?

D.P.O. POSTAL:
Normally, your time is up, but you may ask a question, Legislator Haley.

LEG. HALEY:
Yes, I ask -- I wanted to ask if she had more to add.

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

MS. CASTIGLIONE:
Oh, yes, I do, unfortunately. For close to $300 per hour, I should have had a say in the way the divorce was going to be handled. My ex-husband's attorney picked the business evaluator and the forensic psychologist. A law guardian was also appointed. My ex-husband was ordered to pay the carrying charges on our home, and I receive only $100 a week from him for the three boys. I am a Suffolk County employee making $95 a week take home, but, initially, only took the job for health benefits, because my husband wasn't providing them."

"After the divorce papers were served, I was stalked, harassed, burglarized and vandalized. It is still going on. I have over 30 police reports and two contempt of court orders. He was ACOD'd in Criminal Court. Some acts of vengeance included breaking in the house, stealing home furnishings, scratching the car, cutting wires to a car in the garage, slashing my bike tires and hoses, gluing locks, stealing mail, breaking windows and locks. The alarm system, the sprinkler system, and an air conditioning system were all sabotaged, as well as electrical systems all around our home. The Phone Company may have found a tap, but would not put it in writing. He poisoned our beautiful yard that I had painstakingly cultivated for 15 years. If it wasn't poisoned, it was yanked out or cut down."

"Last August, I had to put fifteen hundred dollars on my credit card to update the alarm system and fix the air conditioning unit when the temperature reached 104 degrees upstairs where the boys and I slept. Whatever windows I couldn't have alarmed for financial reasons, I personally screwed them shut."

"Other problems. My children and I had to stay away, order in place, so he couldn't come into the house. He came into the house the first day we were back in our home. He was arrested for this. He also had the children in his car down by the park last July when we went for a walk, despite the fact that the stay away order was still in place. I had seen him run across my front porch one night, and even had a witness to this, but the witness changed his story, because he realized that my husband was not one to go against. He and his family constantly drive by the house to spy on me. In September, a friend of mine saw him and the lady who lives behind me also saw someone who fit my husband's description run through her yard. Two weeks later, that friend's windshield was smashed in front of my house. One of the nights that I was burglarized, my

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sister Irene drove over to my house because the alarm had gone off and the perpetrator was still in the house. The motion detector upstairs was still going off, indicating that someone was in the house. She locked herself in the car and called the police again. Already 40 minutes had past when the police were called again. The thief went out the dining room window, leaving a trail of goods behind. The police finally came two or three hours later."

"On August 17th, 2001, a Friday, we had gone to Family Court. My lawyer made me get up in front of the Family Court Judge and told me to just agree to everything that was asked. As far as I knew, I had nothing -- I had thought I was just getting an extended order of protection. The Judge said, "It's a good thing both lawyers are working things out, because if it was up to me, what I say stays for one year." I remember leaving court with my sister Irene thinking, three hours and all we did was extend the order of protection for three more months? But then I noticed at the bottom that it said that my ex could have unsupervised visits, only if Doctor so and so said he could. My sister and I questioned my lawyer at length about that and he assured us there was no way that Mr. Or Doctor so and so could possibly let that happen. I signed the order, because my lawyer instructed me to."

"My children at that time had only three or four supervised visits. After court, the children went to Smart Parenting for their visit with their father. When I picked them up, they told me they were going on vacation with their father the very next morning. I was devastated. How could this happen? I called my lawyer, I called the doctor, I called the law guardian, and even tried to call my Judge. No one was available on that Friday evening. Maybe that's why my court date was changed from Thursday to Friday. I was out of my mind trying to find out what to do, but did not come up with any solutions. When my lawyer finally got back to me at 8 p.m. that night, he said, "You agreed to the order." I said, "You told me they would never get -- grant unsupervised visits. Why didn't you let me know that Doctor so and so would allow this." Both the doctor and the law guardian said they knew about this decision at 10 a.m.

that morning and did not understand why I was not told. If I didn't let the kids go, my ex-husband threatened to have me arrested. As a last resort, I called the police and showed the officer an indicated CPS report that I had just received in the mail Friday. My husband" -- okay.

"This was the first time I realized that my lawyer might not be on my side. He had received this report also and did not use it that day, and I don't know if every presented the CPS evidence to our Judge. After discussing this with him around the second week in September, I stayed with my lawyer, because he showed me a motion that he was going to file, and he made several promises that day, and in the subsequent months, that, unfortunately, he never did accomplish. Here is a partial list. That motion subsequently never made it to court. We made depositions that he never showed me. Didn't do my husband's net worth statement. The ensuing court dates through the year went as follows: More visitations for my ex and nothing for me. Whatever his lawyer asked for, my lawyer pretty much just went along with it."

I had asked the law guardian why hadn't my kids been put in counseling. He told me that my husband's lawyer denied it. My 2001 Chevy Van that was court ordered for my use was in repossession because of nonpayment by

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my ex-husband. On the day before repossession, my husband sold it. He now makes no payments on my vehicle or my car insurance, against court order. My lawyer did nothing about this. The hair sample drug test that my lawyer promised was never done, possibly because of my lawyer's negligence. The drug test was crucial for the beginning of my case."

"The grounds for my divorce were changed from cruel and inhuman treatment to constructive abandonment without my knowledge. Our Supreme Court Judge never found out about my over 30 police reports to the contempt of court application I had made on my own behalf in Family Court, because my lawyer did nothing to stop the harassment. My lawyer and my husband's lawyer told me the Family Court Judge couldn't try my ex in Family Court, because he was ACOD in Criminal Court for that one particular incident. But my lawyer didn't even take this opportunity to let the Judge know about the other contempt charges or police reports. As if that is not enough, Todd, who happens to be my husband's best friend, who I believe also has a cocaine problem and lives upstairs from me, cannot be evicted, because my husband owns the house and pays the mortgage. Todd changed the locks and gave my ex-husband and in-laws the key, along with the monthly rent. My lawyer had me sign for the payment of the deposition before getting my ex-husband's signature, so I am now being sued by Alliance Reporting Agency for depositions I never saw in the amount of $530. The deposition was totally wrong and my lawyer insisted I sign it right away."

"My husband's business was not and still isn't evaluated as of this June.

I called {Marcus Agency}and they had told me that the files were closed, that the lawyers were making another deal instead. At court I questioned my lawyer on a few issues, and he got mad at me because I wouldn't sign the liberal stipulation. He was rude to me and cursed at me in front of my husband's lawyer and my ex-husband and my sister, Linda.

D.P.O. POSTAL:
Mrs. Castiglione.

MS. CASTIGLIONE:
This is not the first time -- there's not much more.

D.P.O. POSTAL:
You know, I understand, but with Mr. -- Legislator Haley's permission, I think we all have copies of the letter, which we --

MS. SCHNEIDER:
No, it's a little -- slightly different, a little shorter.

LEG. HALEY:
Are you almost done?

MS. CASTIGLIONE:
Yes.

D.P.O. POSTAL:
Where are you? Can you tell us which page you're on?

MS. CASTIGLIONE:
I'm on 5, and there's only this one and a little bit of this.

D.P.O. POSTAL:
Okay. So that there's six and half of seven left.

MS. CASTIGLIONE:
No. I only --

LEG. HALEY:
No. There's only half a page left.

MS. CASTIGLIONE:
One-and-a-half.

D.P.O. POSTAL:
Oh, I have --

MS. CASTIGLIONE:
Well, I told you, this is a revised copy to make it a little shorter, and

I'll read as quickly as possible.

D.P.O. POSTAL:
Well, it's up to Legislator Haley.

LEG. HALEY:
Please.

MS. CASTIGLIONE:
All right?

LEG. HALEY:
Please.

D.P.O. POSTAL:
Go ahead.

MS. CASTIGLIONE:
Thank you so much. Okay. At court, I questioned my lawyer on a few issues and he got mad at me because I wouldn't signed it. This is not the first time he intimidated. He told me I was fired and proceeded to make lunch arrangements with my ex-husband and his lawyer. My lawyer resigned from the Bar Association the next day. To date, I have not received my files or my husband's business records that I gave my lawyer, and he is now suing me for $17,000. This forced me to hire a new lawyer for my divorce and a second lawyer to defend myself from this suit. I have been in the court system for one year now. I have never seen or talked to my Judge, except for when I filed for divorce. My life is being worked out behind closed doors. When I brought up my concerns about my kids not going to church on Sundays when they were with their dad, I was ignored. Furthermore, they are allowed to watch violent, possible sexual movies and horror films while visiting their father. They have no restrictions. My children are being lavished with expensive gifts, vacations, and luxuries that I could even begin to think of while my ex-husband is telling me his business is nd slow and not doing well. You can figure that one out."

"I left my abusive husband for peace of mind and my children and myself.

I feel I may now be in jeopardy of my losing my children, because I am the nonmonied spouse and I can't pay to have my case restarted because of my first lawyer's inability to represent me. I was awarded custody by the forensic psychologist, but my ex has been fighting hard for equal visitation time and coparenting, which to me means he seems them almost more than I do, which makes it impossible for me to have any kind of regular schedule with them, and I think that is counterproductive to my children.

My divorce was turned into an everyday run-of-the-mill divorce after one year. We are being treated equally and that was not the case in our marriage. I was with the children 24/7 and he went out to support us. I am a school crossing guard that has almost the same schedule as our kids. My husband had, and I'm sure still has, a thriving limousine business with erratic hours, and with that excuse, he claims he can make his own schedule. He has the kids for extended weekends and dinner visits, and three weeks, because they want the" -- oh. "I am not only fighting my husband, but his parents as well, because they want the children, so my husband can have the family home that my husband and I bought from them in '87. I feel that my ex and my in-laws are slowly poisoning and manipulating my children's minds against me. They even went as far as to buy the house next door to me. My ex is waiting for the order of protection to be up, so that he might move into the house next door."

"In conclusion, what started out to be a genuine reason for me to break up my family, to protect us, is slowly turning against me. My children need therapy as well as myself. I was put on antidepressant anxiety medication that made me impulsive, aggressive and anxious in this already desperate situation. Now my therapist realizes that this is not the right medication for me. I was sane when I made the decision to get out of a bad marriage as I watched the anger escalate in our home. Now I just pray I can get through this. I have been living day to day, occasionally cleaning houses just to pay for the sitter and to put gas in my car to get to my crossing guard job. My credit card bills are at an all-time high. My home is not maintained, despite a court order to keep up the premises. I rely on family, friends and church for child care, food, clothes and support for us, thrift shops and outreach also. Now we are working out the final visitation schedule and I again am beside myself, because I am afraid the case can turn around when my ex-husband makes up lies about the questions and my ability as a mother in this time of crisis. My new lawyer advises that I should go with the deal, because if we go to trial, I can lose custody of my children.

So the question is, how does this happen to a devoted mom and primary caretaker of her children of 12 years? I was victimized in my marriage and now in my divorce. I was a loyal wife and asked my husband to get help numerous times in our marriage. I stopped asking when he stopped talking, not telling the truth, getting abusive in our home and using drugs again. I had no choice. I could not stay in that situation any longer, especially with the children getting older. I just hope that too much damage has not already been done. Thank you for your time. Thank you so much for listening.

D.P.O. POSTAL:
Thank you, Mrs. Castiglione.

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MS. CASTIGLIONE:

Thank you.

LEG. HALEY:
Thank you.

D.P.O. POSTAL:
First of all, Mrs. Castiglione.

MS. CASTIGLIONE:
Yes

D.P.O. POSTAL:
I would suggest that with regard to your daughter's former lawyer, that if she hasn't already contacted the Bar Association, she do so, or one of our attorneys here on the Legislature tells me that she could contact the Second Judicial Department in Brooklyn and file a complaint. So those are two avenues she can pursue. With regard to I think the heart of the problem, court reform, we have no jurisdiction, we, the County Legislature, over the court system. And I would suggest that you, she communicate with your State Legislators, because they have the ability to enact reform and we don't. So --

MS. CASTIGLIONE:
Okay, I understand.

D.P.O. POSTAL:
Legislator Nowick.

LEG. NOWICK:
Also, I wanted to ask you, your daughter makes $95 a week. Does she still -- is that her entire -- what is her annual income?

MS. CASTIGLIONE:
Well, not much.

LEG. NOWICK:
Because --

D.P.O. POSTAL:
You have to speak into the microphone, Mrs. Castiglione.

MS. CASTIGLIONE:
Oh, I'm sorry. Not much, because that's every -- every two weeks she brings home 150, or something, if --

LEG. NOWICK:
Because I don't know if you're aware, but the County of Suffolk has a Department of Social Services that might be able to help her in many ways, and I think it would be worth your while to contact them and talk to them and tell them the situation. Tell them about her income and tell

them where she is, because I think you'll find some help out there.

MS. CASTIGLIONE:
I think that's very good, and we will, if we haven't already. The problem is the children. We want them to have help, and we want to --

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LEG. NOWICK:
Go fast.

MS. CASTIGLIONE:
We want to work with them.

LEG. NOWICK:
Go to Social Services when you leave here. They have -- they have wonderful programs.

MS. CASTIGLIONE:
I wish she were here, because she's tried so many avenues and it hasn't worked. It really hasn't worked very --

LEG. NOWICK:
I'm sorry.

MS. CASTIGLIONE:
She has tried many avenues and many of them have -- the door has been closed somehow in her face.

LEG. NOWICK:
At Social Services?

MS. CASTIGLIONE:
For instance, our own Police Force who don't make the reports and laugh at her. The Detective --

LEG. NOWICK:
Well, I'm thinking more -- I'm thinking more about getting here some help.

LEG. NOWICK:
Her help now.

LEG. NOWICK:
It sounds like she does not have money. It sounds like she's living day to day and that's what we're here for, to help.

MS. CASTIGLIONE:
Right.

LEG. NOWICK:
And I think it's worth calling. I know she lives in my district and I think you really --

MS. CASTIGLIONE:
I just wish we had another answer for the legal part of this.

LEG. NOWICK:
They also have legal help there.

MS. CASTIGLIONE:
Really?

LEG. NOWICK:
Yes.

MS. CASTIGLIONE:
I will try Social Services.

LEG. NOWICK:
Yes.

MS. CASTIGLIONE:
Okay.

LEG. NOWICK:
And talk to them about legal help. Tell them your situation.

MS. CASTIGLIONE:
We will.

LEG. NOWICK:
You'd be surprised what they have.

MS. CASTIGLIONE:
Okay. Thank you so much.

LEG. HALEY:
Madam Chair.

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

LEG. NOWICK:
Yeah.

LEG. HALEY:
Madam Chair, just quickly, a quick question, ma'am.

LEG. NOWICK:
Excuse me. Just one quick question. You want to give him --

LEG. HALEY:
A quick question.

LEG. NOWICK:
I'm going to give you my card from my district office. Maybe we can help you out.

MS. CASTIGLIONE:
I would so appreciate that. Thank you all so much for your time.

LEG. HALEY:
Yeah. I have a quick question, ma'am.

MS. CASTIGLIONE:
Yes.

LEG. HALEY:
I have to put in the form of a question. Are you aware that there are some Legislators here that have, in fact, concerned themselves with the plight of unmonied spouses or nonmonied spouses and the process? Now you've talked about a process that it looks like it's taken a little over a year, where there has been a concerted effort, and it's {men} and family, to try to move that process at a faster rate because of it's impact on children. So it's not --

D.P.O. POSTAL:
Legislator Haley, you're stretching a question beyond belief. And I would suggest that you would -- if you would like to just consult privately with Mrs. Castiglione, that would be -- that would be fine.

LEG. HALEY:
Well, Madam Chair, yours was not in the form of the question and I didn't say anything. I'm finished, but you understand what I'm saying. Thank you.

D.P.O. POSTAL:
And I certainly understand that --

LEG. HALEY:
I understand.

D.P.O. POSTAL:
-- I didn't abide that rule.

LEG. HALEY:
Rules have to apply to everyone.

D.P.O. POSTAL:
But it's difficult --

LEG. HALEY:
Including the Chair.

D.P.O. POSTAL:
-- for me to leave this chair, frankly, to meet privately with her.

LEG. HALEY:
Oh. So you have -- you've got that latitude?

D.P.O. POSTAL:
Well, if you'd care to take the microphone --

LEG. HALEY:
No, it just --

D.P.O. POSTAL:
-- I would be delighted to do that.

LEG. HALEY:
It's the form of a question. I'd be more than happy --

LEG. CARACAPPA:
Don't do that, Max. Don't do that to us.

LEG. HALEY:
Don't do that.

D.P.O. POSTAL:
At any rate --

LEG. GULDI:
He'll get used to sitting over there --

D.P.O. POSTAL:
At any rate --

LEG. GULDI:
-- and then we'll all have had it.

MS. CASTIGLIONE:
Thank again.

D.P.O. POSTAL:
Thank you, Mrs. Castiglione. I'm going to make a motion to waive the public portion for two minutes. Yes, for two minutes.

LEG. FOLEY:
For what purpose?

D.P.O. POSTAL:
For the motion of --

LEG. BISHOP:
Second.

D.P.O. POSTAL:
-- approving Home Rule Message Number 8, which is a technical correction to a Home Rule that we previously approved. And the reason that I'm making this motion is because this resolution has got to get to Albany. As a matter of fact, the Clerk is going to Fed Ex it up overnight, because tomorrow is the last day that the Assembly will be in --

LEG. BISHOP:
Fed Ex is a nonunion company.

D.P.O. POSTAL:
Fed Ex is a nonunion company? Can you parcel post it? At any rate, I'm making the motion to waive the public portion for two minutes.

LEG. FISHER:
Second.

D.P.O. POSTAL:
Seconded by Legislator Fisher. All in favor? Any opposed? The public portion is waived. I now make a motion to approve Home Rule Message Number 8, seconded by Legislator Bishop. All in favor?

LEG. ALDEN:
Can you just give us a brief on-the-record --

D.P.O. POSTAL:
Okay. What this is, and we approved it previously, was a resolution to enable a church to be tax exempt for a parcel of property that they neglected to file for exemption on, and the State Legislature can act to grant them retroactive tax exemption. We approved the bill previously as a matter --

MR. BARTON:
18-0.

D.P.O. POSTAL:
For what reason?

P.O. TONNA:
No, no, no.

D.P.O. POSTAL:
Oh, no.

P.O. TONNA:
Something different.

D.P.O. POSTAL:
I'm sorry. We approved the bill to do that previously, but there was an error, and there was a dash and the letter "A" left off the bill number, so that this amendment corrects that by adding dash "A" to the bill number.

LEG. BISHOP:
This is important legislation.

D.P.O. POSTAL:
So there's a motion and a second. All in favor? Any opposed? Home Rule Message Number 8 is approved. Thank you.

MR. BARTON:
18.

D.P.O. POSTAL:
Now, we'll go back to the public portion. Our next speaker is Gordian Raacke.

MR. RAACKE:
I have some documents I wanted to pass around here. Thank you for the opportunity to address the Legislature this afternoon. I wanted to speak briefly about four points. I'll make this very quick, because I know we have a tight time limit here. The first point is at the request of the Economic Development and Energy Committee, I have submitted a number of requests for information, documents to the Long Island Power Authority regarding information on the proposed siting of the ten emergency generators on Long Island. We have -- there was a very tight time frame regarding comments on that before the Siting Board. The comment period was Monday. We had requested to get that information from LIPA by

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Wednesday. Unfortunately, we did not receive it until past Friday. However, the information indicated by LIPA is in the memo that is going -- is being distributed right now to you. It's been available to the Energy Committee, to the Economic Development and Energy Committee.

Very briefly, to summarize the facts of this proposed siting, one fact that you should be aware of, of course, is that all of these ten turbines are being sited in Suffolk County. The main reason for the emergency siting of these generators given by LIPA is the failure of a transmission cable that terminates in Nassau County, but all ten turbines, nevertheless, are being sited in Nassau -- in Suffolk County. These Turinese are gas turbines, but despite the fact that they're designed to be run on gas and run much cleaner on natural gas, LIPA has determined to run them on diesel fuel. LIPA will be storing about 360,000 gallons of diesel on site at the various locations, a total of 360,000 gallons.

Regarding regulatory approvals needed, LIPA has applied for a waiving of the 21-day comment period to have that shortened to seven days. The Citing Board has agreed to that and that expired on Monday. The information from LIPA indicated that LIPA is not planning to apply for a Certificate of Public Convenience and Necessity with the Public Service Commission, so there will not be a regulatory process there, unless challenged otherwise. LIPA has also indicated that this will not go before -- that it does not intend to go before the Public Authorities Control Board for approval, despite the fact that this involves a project of over one million dollars. And, lastly, we had requested the contract documents with General Electric, from whom LIPA is leasing these turbines. We have not been able to obtain that document.

The next item I wanted to bring to your attention is the -- is a chart, a document that has some charts in it. This just came to my attention yesterday as I got some information from the emissions data base of the U.S. Environmental Protection Agency.

D.P.O. POSTAL:
Gordian, I'm sorry, your time is up.

LEG. FISHER:
Gordian, can you explain the charts to us?

D.P.O. POSTAL:
Legislator Fisher?

LEG. FISHER:
Thank you, Madam Chair. Can you explain the charts to us, please, especially the C02 rate of increase, because there have been more power plants added to the grid. And is that why we're seeing the dip, because they're more efficient?

MR. RAACKE:
No. Well, there's actually a 42% increase, as you can see from this -- from this chart here between 19 --

LEG. FISHER:

Yeah, but then there's a dip after the increase.

MR. RAACKE:
In 1995 to 2000. There are some variations. I don't think it is because of new additions, I think it's -- the reasons for the increases here at this point are not known. I'd have to look further into this. There are some very -- some very disconcerting facts here, which is that emissions overall seem to be on the increase, not only on carbon dioxide, but worse, on nitrous oxide, 64% increase in the last five years overall, and especially on sulfur dioxide, you see an incredible 9% increase over the last five years. As to what the reasons may be, I can only speculate at this point. But one other startling fact, I think, is if you flip to the fourth page, which looks at where the emissions come from, from power plants situated in Suffolk County versus Nassau County, and as you can see, the emissions come very heavily from plants located in this county, despite the fact, of course, that we have approximately the same population and approximately same energy use in both counties. So I wanted you to be aware of this. We will continue to monitor this and update you. This information is brand new. I have not even had a chance to present it to the Energy Committee, because this just came to my attention.

And lastly, I wanted to urge you to extend the contract with CAP. Of course, our contract, as you know, was a half year contract this year, expiring in five days. You have a Procedural Motion Number 7 before you and I urge you to adopt that motion.

D.P.O. POSTAL:
Thank you, Gordian. Legislator Fisher.

LEG. FISHER:
Gordian, with this very disturbing bar chart on that fourth page comparing Nassau and Suffolk County and the emission rates, is this going to be a part of our response? I don't -- do we still have a response period left for --

MR. RAACKE:
No.

LEG. FISHER:
-- that waiver? It's finished right it was only seven days for response?

MR. RAACKE:
The comment period before the Siting Board was Monday, the past Monday.

LEG. FISHER:
So it was yesterday.

MR. RAACKE:
Yesterday, yes.

LEG. FISHER:
So was this presented at all, these -- the fact that more power plants are going to be sited in Suffolk County, and that Suffolk County has much higher emissions currently and that that would only exacerbate the problem?

MR. RAACKE:
No, I did not present this to the Siting Board. I was not authorized by the Legislature to intervene. That would be up to the Legislature to do that or to authorize me to do that. Since I was not authorized, I could not intervene. Under the new terms of the contract or the added terms of our contract, we cannot intervene in the regulatory proceeding without authorization by you, the Legislature.

LEG. FISHER:
Wait. Didn't we discuss that in the Legislature and didn't we talk about what specifically we wanted to ask them?

MR. RAACKE:
You instructed me to specifically ask these questions of LIPA, which I did, and I got the information in part, but you did not --

LEG. FISHER:
But you couldn't do it as part of the hearing?

MR. RAACKE:
No. You did not authorize me to intervene in the proceeding before the Siting Board?

LEG. FISHER:
Okay. Thank you.

LEG. LINDSAY:
Could I?

D.P.O. POSTAL:
Legislator Lindsay.

LEG. LINDSAY:
These generators that are being sited now are temporary generators; am I correct?

MR. RAACKE:
Correct.

LEG. LINDSAY:
Yeah.

MR. RAACKE:
They are --

LEG. LINDSAY:
And that's because of that feeder that blew up that came across the Sound?

MR. RAACKE:
That's right, that's the main justification for it, also the fact --

LEG. LINDSAY:
And are they going to be used, or is this used for backup?

MR. RAACKE:
Well, they're only supposed to be used in an emergency in the case of an anticipated --

LEG. LINDSAY:
It's very expensive power, right?

MR. RAACKE:
-- emergency. Yes. The cost is somewhere in the 30 million dollar range, not including fuel.

LEG. LINDSAY:
They're leasing them.

MR. RAACKE:
That's correct.

LEG. LINDSAY:
Right.

MR. RAACKE:
For 90 days.

LEG. LINDSAY:
So it really wouldn't make sense for them to use them unless they absolutely had to, right?

MR. RAACKE:
No. They will have to pay the lease, the 30 million dollars, between 25 and 30 million dollars, no matter whether they're used or not.

LEG. LINDSAY:

Okay. But what about the fuel expense? If you don't use them, you're not going to use any fuel.

MR. RAACKE:
Of course, the fuel -- of course, you wouldn't burn the fuel unless you use them. And LIPA has promised to only use them in an emergency, and also the maximum number of hours for which they would be operating during the 90 days that they're sited would be 250 hours totals.

LEG. LINDSAY:
There really wouldn't be any need to use them once we get beyond the summer months anyway.

MR. RAACKE:
That's correct. That's correct.

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

MR. RAACKE:
You're welcome.

D.P.O. POSTAL:
Our next speaker is William Lewis. William Lewis?

MR. LEWIS:
Madam Presiding Officer and Members of the Legislature, I'm William Lewis of Elwood with {Ann Macguire}. I am Co-Chair of the Elwood Taxpayers Association Library Services Committee seeking options to loss of our library services contract one year from now. As you know, Elwood is one of eight school districts who contract annually for library services from SCLS, or its member libraries, and we've been told this will end in one year. We have spoken in detail concerning Elwood's library option situation, library services situation, before the Education and Youth Committee and this Legislature on previous occasions, and today we're asking that the Legislature pass a memorializing resolution submitted by Legislature Binder, which requests the State Department of Education and the State Commissioner of Education to direct SCLS to continue to contract with Elwood after June 30th, 2003, as they will continue to do for the seven other districts.

The Elwood community is well aware -- the Elwood community is well aware of this Legislature's interest in this matter and we thank you for that. Now we ask that you favorably consider this resolution submitted on behalf of the residents of Elwood, children and adults who by law are entitled to free direct access to Suffolk's public libraries. Thank you.

LEG. FISHER:

Thank you.

LEG. FOLEY:
Thank you.

D.P.O. POSTAL:
Thank you. Next speaker is Steve Haizlip. Steve Haizlip? Next speaker is J. Lance Mallamo.

MR. MALLAMO:
Good afternoon, Ladies and Gentlemen. I'm Lance Mallamo. I'm Executive Director of Suffolk County Vanderbilt Museum. This morning I was made aware that the County Executive has vetoed a portion of the Capital Budget amendments that pertain to Capital Project 7427, revitalization of the William and Mollie Rogers waterfront at the Vanderbilt Museum. We support the County Executive's position in this matter for the reasons outlined in his letter of June 24th, and because we recognize that the timely execution of this project in conjunction with the sea plane hangar and sea wall capital projects now under construction is crucial to providing accessibility to the Vanderbilt's magnificent waterfront.

I'm sure you're aware tourism is Long Island's biggest industry, and the number one and two choices of tourists to our region are, one, beaches and two, museums. The Vanderbilt is fortunate to have both on its waterfront property. This asset has been denied access to the people of Suffolk County for nearly the 50-year period that it has been in public ownership because of geographical constrictions that provide access in the -- because of the steep hillsides to get to the waterfront. And we recognize it's a crucial component to provide not only access to these new capital projects, but in our interpretive and educational programming at the museum. And we are the largest educator of Suffolk County school children, having almost 75,000 children a year from virtually every

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school district in Suffolk County, except Fisher's Island is the one that we don't have coming, and we're working on that, but this is very important to us.

We recognize that a one-year delay in this project may appear to the Legislature to be a minor inconvenience to the Museum, but we are very concerned that if this override is allowed to proceed of this veto, that this will impact the new programs and revenue streams that we have planned to implement over the next two to three year period at the museum. We have been working on this for sometime, and this will have a major effect on our programming capability and our ability to develop private sector financial support for the Museum. So I enlist your support today. And do I have any questions?

D.P.O. POSTAL:

Legislator Fisher.

LEG. FISHER:
Lance, when we discussed the budget at the last meeting and had votes on the omnibus, the issue came up of money that has been in the Vanderbilt budget for a number of years and hasn't been spent, that the projects haven't kept up with the budget, that the money isn't being spent, and, therefore, the Legislature voted not to put more money in those projects until they saw that there was movement.

MR. MALLAMO:
Yes, I do believe that there was a notation that there was 12 million dollars that remained unspent. And I'm happy to tell you that, or unhappy to tell you, as it may be, over the past six weeks, we've begun in actual construction 9 million dollars worth of projects. So we're now in active construction on the HVAC project, which I take full responsibility. I had delayed that project, becoming Executive Director at the Museum, when we did redesign it, because, in my opinion, it was going to entail large scale destruction of historic fabric to the building and provide us with an infrastructure that would be almost unmanageable. So we did redesign that project to include both passive and active controls and that did substantially delay that, but that's now been resolved. We're also doing the electric and the plumbing. Project in conjunction with that, the sea wall project has begun. Those projects in total account for about 8 million dollars, and our acquisition of Normandy Manor I'm told will occur within the next week.

LEG. FISHER:
Thank you, Lance.

MR. MALLAMO:
So that should occur for 9 million dollars right there. Any other question?

D.P.O. POSTAL:
Thank you.

MR. MALLAMO:
Thank you.

D.P.O. POSTAL:
Next speaker is Donald Sullivan. Donald.

UNDER-SHERIFF SULLIVAN:
Good afternoon, Ladies and Gentlemen.

D.P.O. POSTAL:
Sorry.

UNDER-SHERIFF SULLIVAN:
I'm here to speak on behalf of Sheriff Tisch and the Sheriff's Office to ask the Legislature to sustain two of County Executive Gaffney's vetoes with regard to the Omnibus capital projects bill. The first one relates to Capital Project 3035. The bill which the County Executive vetoed was simply a name change bill. It changed the name of this long-standing capital project. In fact, it goes back over ten years, I'm informed, with regard to the Sheriff's Office, from the Sheriff's Office construction and reconstruction project, and listing a number of projects in it, to a new renamed joint Sheriff's Office and Police Department quarter master building. This was occasioned by our agreement with the Police Department at the suggestion of the Public Safety Committee that we join with the Police Department in a new Quartermaster's building. We did that, we sat down, we worked out what is clearly a very good idea for both the office and the Police Department and might even save a few dollars and that went along well. The name change followed in that regard, although we weren't aware of it in advance. I can tell you that it changes the scope and the purpose of several other Sheriff's Office projects that are contained in this old Capital Project number, which has been the workhorse Capital Project number of the Sheriff's Office for many, many years, and has contained many small projects and some large projects.

I can tell you that the veto was at our request, but it was joined in by commissioner John Gallagher, who fully supports our opposition in this. We still intend to go forward with the joint project with the Police Department as to a joint Quartermaster's building, but the Commissioner gave us permission to say he supported our position and the County Executive's with regard to this matter today.

The second Capital Project is 3013. That Capital Project was to expand and renovate what the Sheriff's Office calls the Headquarters Building. It's attached to the County -- the Criminal Courts Building right here in Riverhead. It's been on the books for a long time. It is not part of, as I received a question from a Legislative Aide earlier today, it is not part of the County Court's expansion capital budget at all, it's a stand-alone capital budget. We need it very badly, simply because the building that's there, the facility there was designed for 15 to 20 men, and there are now 70 to 80 Deputy Sheriffs, men and women in there every single morning and all day every day. The County Executive agreed that this should be a priority and vetoed the bill.

I can tell you that, notably, I think notably, our position with regard to these two vetoes is supported by all three unions that have employees within the Sheriff's Office. Here with me is President Bill Maggi, President Vinny DeMarco and President Phyllis Garbarino, and they're all going to speak in support.

D.P.O. POSTAL:
Thank you, Under-Sheriff Sullivan.

UNDER-SHERIFF SULLIVAN:
Thank you, Ladies and Gentleman.

D.P.O. POSTAL:
Next speaker -- oh, you have a question?

LEG. CRECCA:
I've got a question.

D.P.O. POSTAL:
Just a minute. Question --

UNDER-SHERIFF SULLIVAN:
Pardon me?

D.P.O. POSTAL:
-- from Legislator Crecca.

UNDER-SHERIFF SULLIVAN:
Yes.

LEG. CRECCA:
I apologize, but I'm still a little confused about how the name change on -- because I support the project, and I think most of us do, if not all of us, how the name change affects the project. And I guess that's Project 3035?

UNDER-SHERIFF SULLIVAN:
Yes. The previous or the long-standing previous Project Number 3035 historically had sequential projects that affected the Sheriff's Office over a course of many years. Currently, before the name change, it also contained projects and budgeted money for the expansion of the administration building, not the jail, the 40 some-odd year old administration building, and that plans been on the books for a very longtime. It also had plans for what would have been our warehouse or Quartermaster's Building with a -- and I believe it was 1.9 million dollars in it for that component of that, and there were a couple of others. There was a stand-alone garage. It's the place where the Sheriff's Office has traditionally placed smaller capital budgets that pertain only to the Sheriff's Office. That name has been in place for over ten years. The -- our agreement with the Police Department, at the request of Public Safety, which was good and it worked out very well, was we would bring that 1.9 million dollar budget item with us to the table. What happened thereafter is the project was changed, the name was changed to simply the Quartermaster's building. What -- as I said, it changes the focus, and, quite frankly, the destiny of the other portions of

those -- of that Capital Budget project, which had three other items that pertained only to our office.

LEG. CRECCA:
All right.

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UNDER-SHERIFF SULLIVAN:
I hope I answered your question, Andy.

LEG. CRECCA:
You did. You did.

UNDER-SHERIFF SULLIVAN:
Okay.

LEG. CRECCA:
I'm going to ask the same question of Budget Review, too, but I'll --

D.P.O. POSTAL:
When we get to --

LEG. CRECCA:
Yeah, I'll wait until we get to the debate.

UNDER-SHERIFF SULLIVAN:
Thank you.

D.P.O. POSTAL:
Under-Sheriff, you said you were representing Sheriff Tisch. Does that mean that he's not here today? Because I have a card with his name.

UNDER-SHERIFF SULLIVAN:
He was here earlier this morning.

D.P.O. POSTAL:
Okay.

UNDER-SHERIFF SULLIVAN:
In fact, he was here for most of the morning session, but he couldn't attend this afternoon.

D.P.O. POSTAL:
Right. Okay. We understand.

UNDER-SHERIFF SULLIVAN:
We were both here this morning, but, no, I'm the only -- I'm the only talking head from the --

D.P.O. POSTAL:
Okay.

UNDER-SHERIFF SULLIVAN:
-- office today.

D.P.O. POSTAL:
All right. Thank you very much.

UNDER-SHERIFF SULLIVAN:
Thank you.

D.P.O. POSTAL:
Next speaker is Bill Maggi.

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MR. MAGGI:
Good afternoon.

D.P.O. POSTAL:
Good afternoon.

MR. MAGGI:
For the record, my name is Bill Maggi. I'm President of the Suffolk County Correction Officers Association. And mark this down on the calendar, this is probably a first for me, I just agreed with what Under-Sheriff Sullivan said. We support that you sustain the veto and move ahead with these projects, because it's going to benefit the Sheriff's Office in the long run. For too many years, I think the Sheriff's Office has been put on the back burner. I believe that's a time now needs to stop. I think these proposals are strong and healthy, and I would ask for your support in sustaining the veto.

And, also, I think in the coming months, the Sheriff's going to be down here, and I know myself and Vinny DeMarco will be down here and we'll be reaching out to you to ask for your support. I know there's an issue regarding a new facility that we're going to be coming back here to talk about, and we would ask that you give serious consideration to that and the projects that they've asked for today. So, again, we would ask that you support what Under-Sheriff Sullivan talked about and we would greatly appreciate that.

D.P.O. POSTAL:
Thank you, Bill. The next speaker is Vincent DeMarco.

MR. DE MARCO:
Good afternoon. I'm Vincent DeMarco, President of the Deputy Sheriffs Benevolent Association, and I'm here just to ask for your support, and ask that you support the County Executive and the Sheriff's Office and

sustain the vetoes pertaining to Capital Project 3013, which is the expansion of the enforcement building at the Criminal Court Building, and Project Number 3035, which pertains to the Quartermaster building project with the Sheriff and the Police Department. I think they're two very important projects.

And I'm also here to say what Bill said. I'll be here in the coming months to ask you to support the construction of a new facility or a new replacement facility in Yaphank. If we don't address this problem soon, the workload for Deputy Sheriffs is going to go up dramatically when the Commissioner of Corrections tells the Sheriff he has to start shipping inmates Upstate. We're shorthanded already and the workload is going to probably break us. So thank you.

D.P.O. POSTAL:
Thank you. Next speaker is Steven Gittelman.

MR. GITTELMAN:
Hello. I'm Steve Gittelman. I'm the President of the Board of Trustees of the Suffolk County Vanderbilt Museum. Thank you for allowing me to address you.

Perhaps one of the greatest responsibilities of Trustees at the Museum, and it's a war cry that I have heard for many years, is to raise money. Trustees are put on the Board of Trustees to provide wisdom, but we are also supposed to raise the funds necessary for operations at the institution. We were very fortunate in the Year 2000 to be the recipient of a gift of one million -- a promise of one million dollars from William and Mollie Rogers. At that time, we approached the Legislature and expressed that the gift was conditioned on certain terms. Our message to you was through a resolution of the Board of Trustees, and that resolution was reflected in the resolution that became law by the Legislature.

Now, they say that the first million is the hardest million to get. If we don't keep our word to the grantor of our first million, I think we are going to have a lot of trouble getting a second million. Now, in the Resolution Number 60-2001, the Legislature agreed to the terms. It said, "This gift is conditioned upon the County making a good faith commitment to stabilize and restore the sea plane hangar and waterfront at the Vanderbilt Museum, and renaming the waterfront at the museum," and it says that the Vanderbilt Museum has a tentative agreement with William and Mollie Rogers to receive a gift of one million dollars to initiate programs at the Vanderbilt Museum Sea Plane hangar. The sense of that resolution is that you support our request of you, our resolution.

In our resolution, which we had provided to you at the time, we had expressed to Mr. Rogers, Mr. And Mrs. Rogers, that, resolved, that the

Board of Trustees requests that the Suffolk County Legislature to expedite capital funding for the construction of a boardwalk, dock and related waterfront structures necessary to access, restore and utilize the Museum waterfront within the next three years, and this was in 2002. Mr. Rogers has kept up with his promises for contributions to the Museum.

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

LEG. ALDEN:
Since your time has run out and I'd like to hear some more, is there anything else that you would like to have us consider before voting on this?

MR. GITTELMAN:
Yes, please. I think we felt that we had crossed all our T's and dotted all our eyes, that we had presented to you a package that was formal, that included the information, had timing, it had performance, and it is -- and it's required a certain amount of good faith. If the Legislature delays for the second time, this will be the second delay of this project, if the Legislature again delays, again, there is no possibility that we will deliver on the promises that we made. There is no reason for us to expect Mr. And Mrs. Rogers to continue to deliver on the promises they made. There is also no reason for anyone in the outside world who we might approach to consider moving forward with the project, with the Museum that might require a partnership with the Legislature or partnership with the Museum. You will cripple our ability to raise funds, and, yet, you will pressure us to do so. And I ask you to support the Trustees, to support the museum by keeping this project moving along as it is currently scheduled.

D.P.O. POSTAL:
Legislator Crecca had a question, I believe. No?

LEG. CRECCA:
It's actually more for debate. I'll save it for debate.

D.P.O. POSTAL:
Okay. Thank you. Our next speaker is Joe Rubacka, who's Deputy Warden. And I see on your card, it says, "Defer to Under-Sheriff Sullivan."

MR. RUBACKA:
Yes, in case Under-Sheriff Sullivan needed more time.

D.P.O. POSTAL:
Oh. Well, thank you very much. And our next speaker is Phyllis Garbarino.

MS. GARBARINO:
Good afternoon. Phyllis Garbarino, President of the Association of Municipal Employees. As Under-Sheriff said -- Sullivan said before, to show the three unions here together on one project, asking you to sustain the County Executive's veto of Capital Project 3013 and 3085, is significant in itself. Also, it's a reminder. As I've said to this body many times before, wherever there's a facility in Suffolk County, there are AME employees there. So it's tremendously important to realize that you're -- it would affect so many employees from different bargaining units, but they are all -- one thing, they are all County employees. These projects are very important. You know the facilities are problems, they are aging and all. So I am just reinforcing the fact that we're all asking you to sustain the County Executive's veto on that. Thank you very much.

D.P.O. POSTAL:
Thank you. I have no other cards. Is there anyone else who would like to address the Legislature? Janet.

MS. GOLTZ:
Good afternoon. My name is Janet Goltz, and I'm going to finish reading an article that I started the last meeting of the Legislature on June 11th. It's from Newsday, June 6th. And when it says yesterday, it was referring to June 5th, and it regards a conference that took place about -- the article also titled "Segregation on Long Island," but to me this article and the other ones that covered the issue are really about the advantages of consolidating government. And I'll recap and pick up in the middle.

"Long Island's overlapping array of government jurisdictions, 13 townships, 95 incorporated villages, and 126 school districts, plus scores of library boards, fire districts, and ambulance authorities have long been blamed for wasting tax dollars. Yesterday, a pair of social policy experts said the Island's fragmented political jurisdictions also impose a damning social cost, perpetuating a culture of racial segregation and economic haves and have-nots that is silently eroding the Island's quality of life."

Now, picking up in the middle of the article, it says, "Community activists on Long Island have long said the absence of low cost housing and educational opportunities often force the children of Long Islanders to move away and make it difficult for the Island to attract clerks, store managers, equipment operators, and other moderately skilled workers needed to keep the economy growing." They said, "Granting the counties the power to require that new subdivisions include low and moderate income housing has helped sustain economic growth and improve school performance in some of America's most successful suburbs, including Fairfax County, Virginia and Montgomery County, Maryland. Since 1973,

Montgomery County has required developers of new subdivisions to devote at least 15% of housing units, homes, townhouses or apartments to housing for moderate and lower income families. As a result, county-owned public housing share the same streets with homes costing $500,000. Wealthy lawyers send their children to the same schools attended by the children of police officers and store managers. A similar region-wide policy here would disperse low income families throughout the entire community, giving them access to quality housing, schools, and neighborhood services, Rusk said." This was David Rusk at the conference. That's a side note. "That would discourage the perpetuation of minority enclaves lacking the resources needed to build economically viable communities, such as Wyandanch and Roosevelt. The conference helped kick off an effort by the Long Island Community Foundation to build support among community leaders and elected officials for efforts to end what they say is institutional racism on Long Island. 'This is a discussion that needs to be had,' said Barbara Director of Diversity for the Nassau League of Women Voters at yesterday's conference. 'All I know is what we have now'-- 'right now ain't working."

And that's the end of the article. And there's a chart that shows the top communities, the ten top communities, and Nassau/Suffolk is eighth, segregation level 74.

D.P.O. POSTAL:
Thank you.

MS. GOLTZ:
Just in time. Thank you very much.

D.P.O. POSTAL:
Will all Legislators please return to the auditorium? We are going to consider the Capital Budget amendment vetoes for the 2003 Capital Budget.
LEG. BINDER:
Do we have them?

LEG. ALDEN:
Yeah, they're in the packet.

D.P.O. POSTAL:
Yeah, they're in your folder. And the 2003-2005 Capital Program. So please return to the horseshoe, so that we can consider the Capital Budget amendment vetoes.

P.O. TONNA:
I guess we're doing the vetoes?

MS. BURKHARDT:

Yes.

P.O. TONNA:
Okay. I would ask that the County Executive's Office --

LEG. BISHOP:
Just put it on the record.

P.O. TONNA:
Well, we have to ask them a question. I want them to put it on the record. All right? Don't you think they should put it on the record? Okay. I'd ask all Legislators, please come to the horseshoe, we're going to vote now.

LEG. BISHOP:
You can do it the following way: You can make a statement and say, "Is that true?"

P.O. TONNA:
No. We'll --

LEG. BISHOP:
And then be done with it.

P.O. TONNA:
Absolutely not. That's right. Okay. I'd like to --

LEG. BISHOP:
I don't want to go through 20 minutes on this.

P.O. TONNA:
We don't even have to bring this up. We're going to do it line item. If we don't bring it up, it's over. We have to make a motion to override. If there's no motion to override it's done, but I want it on the record what they're going to do. Is Kenny Weiss here?

MR. KNAPP:
He's on the way, coming around.

P.O. TONNA:
He's in his way?

LEG. CRECCA:
If we have everybody here, do you want to make the motion?

P.O. TONNA:
No. Let's just get this done. Kenny, we have in front of us -- we have in front of us a veto on Resolution Number 587-2002, dealing with the Capital Budget amending resolution, tenth "resolved", Page 1.2, whatever, on the Civil Court renovation and additions, courtrooms in Riverhead.

Legislators are concerned with regard to whether we should override this or sustain it. One of the defining issues is whether the County Executive would look to the idea of utilizing the Dormitory Authority. And so I know we have had a conversation with regard to this. I know

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that you've discussed this with Budget Review. I just want to understand what the County Executive's Office is going to do. If this was, you know, basically sustained, that the County Executive got his courtroom the way that he's designed it, what would take place, what is the process?

MR. WEISS:
Okay. Before we --

LEG. BISHOP:
With regard to the Dormitory Authority. Come on.

MR. WEISS:
The --

P.O. TONNA:
Dave, stop.

MR. WEISS:
The action now is to just amend the Capital Program. What we've committed to do before we seek appropriations to do the actual construction is to get a proposal from the Dormitory Authority, compare that, and also get a proposal from the Department of Public Works, and review the two proposals and go with the one that's the most cost effective.

P.O. TONNA:
Okay. Maxine.

D.P.O. POSTAL:
I have a question.

P.O. TONNA:
Yeah, sure.

D.P.O. POSTAL:
Yeah, because this is really a pivotal issue to me in making a decision about overriding this veto. And, Mr. Chairman, I would like to ask our Budget Review Office, if we were to go through the Dormitory Authority, could we realize savings, and how much?

MR. POLLERT:
I'm not sure whether or not the County could realize any savings. A

number of municipalities contract with the Dormitory Authority to, in fact, construct their court rooms to the extent that the Dormitory Authority actually has a unit, which just specializes in the construction of court rooms. They do so many court constructions. A number of municipalities have found it less expensive. I can't speak for what the Dormitory Authority proposal will be with respect to Suffolk County. There are two possible advantages to going to the Dormitory Authority, one of which is the Department of Public Works has a number of very large capital projects. If the Dormitory Authority were to manage this project, it would free up staff in the Department of Public Works to move ahead with the children's shelter, the Riverhead, you know, complex renovations, those major types of projects, which are currently pending . I'm not sure whether or not the Dormitory Authority, which will charge a

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management fee, would be less expensive than having the County manage the project, but it may be a policy decision on the part of the County that they wish to have this project done by the Dormitory Authority just to free up staff resources in the Department of Public Works.

D.P.O. POSTAL:
Have we, in our previous Court construction, have we gone through the Dormitory Authority?

MR. POLLERT:
Yes, we have. We've used the Dormitory Authority for the Cohalan Court Complex, as well as the Health Wellness Center at the Community College.

D.P.O. POSTAL:
To me, just the issue of the backlog projects in the Department of Public Works will make me feel more confident about sustaining this veto, if I have a commitment that we would pursue this project through the Dormitory Authority. Can you make that commitment to me?

MR. WEISS:
Well, by pursuing this project through the Dormitory Authority, we would get a proposal. We've had preliminary discussions with the Dormitory Authority two years ago on this project, and I'm not sure that they -- I haven't contacted anybody today. I'm not sure that today, if we called them up and asked them if they would be interested in this projects, that they would be. The Cohalan Court Complex was a totally different project. It was funded through the Dormitory Authority. It was done with special legislation, which eliminated the necessity for the {WICKS} Law for that particular project. I mean, that's a totally different project. This would be a regular construction project using four primes. And, you know, the commitment I could make is that we will contact the Dormitory Authority and get a proposal.

D.P.O. POSTAL:

Will we see that proposal, as well as any proposal, from DPW or whoever else we're considering? I mean, sometime -- very often we don't see things, you know, things that -- will we see those?

MR. WEISS:
Well, it's reasonable for us to bring to the Legislature, before we go for the appropriations, our findings from the two proposals that we seek.

D.P.O. POSTAL:
Would we see the proposal themselves?

MR. WEISS:
I don't think they'll be secret documents.

D.P.O. POSTAL:
Well, I'm asking. I would like you to make a commitment that we will not only see your findings, but we'll see the proposals.

MR. WEISS:
Yes.

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

P.O. TONNA:
Thank you. Okay, great. Thank you very much. So there's no -- There's not going to be any action on this -- on this veto. Okay.

LEG. CARACAPPA:
Motion to override. Is that the correct --

P.O. TONNA:
No, we don't need to -- oh, you still want to make a motion to override anyway? Okay. Joe, there's a motion to override?

LEG. GULDI:
What's the motion?

P.O. TONNA:
-- Resolution number 587.

LEG. FISHER:
587.

P.O. TONNA:
Okay. Is there a second?

LEG. FOLEY:
Seconded for the purposes of discussion.

P.O. TONNA:
We just discussed it.

LEG. FOLEY:
I've got more.

LEG. BISHOP:
We discussed it.

LEG. FOLEY:
I've got some more.

P.O. TONNA:
Okay. Go ahead, Legislator Foley.

LEG. FOLEY:
Thank you, Mr. Chairman. Notwithstanding the attempt to go to the Dormitory Authority, but, Mr. Weiss, or from the Budget Review Office, either one, just for the purpose of emphasis, there's no promise that the Dormitory Authority is going to undertake the project, correct?

MR. WEISS:
There's no guarantee that they're interested in undertaking the project.

LEG. FOLEY:
There's no guarantee. And I think, through the Chair, I think some are basing their willingness to sustain the veto on the basis that the

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Dormitory Authority is going to be willing to undertake this project, when, in fact, I would submit that all during this process of reviewing, recommending and amending the proposed Capital Program, there's been well over a month for those who are advocates for full funding for this project to have approached the Dormitory Authority prior to today's discussions. So I'm having a bit of a difficult time, not so much believing, but --

LEG. CARACAPPA:
Believing.

LEG. FOLEY:
Well, let's say, I will -- in believing that the Dormitory Authority will act, let's say, positively, react positively to this proposal.

LEG. ALDEN:
On the motion.

P.O. TONNA:
Yeah. Just -- let me just --

LEG. FOLEY:
And let me just say this. If the Dormitory Authority says they're not willing to do it, then what happens then? If they say they're not willing to do it, what happens then?

P.O. TONNA:
Okay. Well, why don't you ask that to Kenny?

LEG. FOLEY:
All right.

P.O. TONNA:
You know.

LEG. FOLEY:
Both to Budget Review and to Mr. Weiss. Let's say that the veto is sustained, and the majority of those that sustain the veto is with the hope that the Dormitory Authority is going to undertake the project. If the word comes back from the Dormitory Authority they don't want to do it, then what happens?

MR. WEISS:
Well, this Legislative body has to approve the appropriation, so this project cannot go forward unless the Legislature is satisfied with the way we're pursuing the project.

P.O. TONNA:
I mean, we get another bite at this apple, that's the whole point. This is a plan, as you -- as more than anybody here would well know, Legislator Foley, you would, this is just a plan. You know, we're not appropriating money. Obviously, the County Executive's people understand very clearly that if we want to appropriate this money, you're going to have to show us due diligence and the cost effectiveness of one proposal versus the other. I think that's it in a nutshell. Legislator Alden.

LEG. ALDEN:
That was going to be my question of Legislative Counsel, Paul Sabatino. But I think there's a little bit more of an underlying thing that we should be considering, as long as we're starting to look at overrides and things like that. What are truly the priorities in Suffolk County, and what really do we want to do and what do we want to accomplish in the next year? And I think while we've -- while we've adopted a budget, or a proposed Capital Budget, and a spending plan for the next few years, it

still doesn't identify what we're actually going to go and try to do. Because, as was pointed out in the process, there's a still a backlog of somewhere between three and five years of projects that we've already approved. We approve more every day, so the question really arises, where are we going to go, what do we want to do, and when do we want to do it.

LEG. BISHOP:
Okay?

P.O. TONNA:
Okay.

LEG. CARACAPPA:
You are correct, Cameron.

LEG. ALDEN:
We still have to get the answer.

P.O. TONNA:
Well, who do you want to give the answer, Legal Counsel?

LEG. ALDEN:
No. Actually, it's --

LEG. BISHOP:
It's rhetorical.

LEG. ALDEN:
That's something that the Legislature really has to decide what projects we actually, you know, truly want to do, or do we want to just keep approving projects and putting them on a list, so the list grows from three to five to fifteen to twenty years and nothing ever gets done.

P.O. TONNA:
Okay. I'm going to make-- okay. Thank you. So there's a motion and a second to override County Executive's veto on Project Number 587. Roll call.

LEG. CRECCA:
Motion to override, is that what this is?

P.O. TONNA:
Yeah.

LEG. ALDEN:
Just wait, whoa, whoa.

LEG. CRECCA:
Whoa?

P.O. TONNA:
Whoa? Whoa, whoa?

LEG. ALDEN:
This is strictly other one point, though.

LEG. BISHOP:
On one point, on the first --

P.O. TONNA:
On just the first one.

LEG. ALDEN:
Yeah, because you just mentioned Resolution Number 587, so --

P.O. TONNA:
Oh, 587. I'm sorry. Capital -- amending the tenth resolved clause. Okay. Sorry. Thank you very much.

LEG. CARACAPPA:
Project Number 1130.

P.O. TONNA:
Projects number 1130.

(ROLL CALLED BY MR. BARTON)

LEG. CARACAPPA:
Yes.

LEG. FOLEY:
Yes.

LEG. COOPER:
Pass.

LEG. BINDER:
No.

LEG. BISHOP:
No.

LEG. NOWICK:
No.

LEG. CRECCA:
No.

LEG. CARPENTER:
No.

LEG. ALDEN:
No.

LEG. FIELDS:
No.

LEG. LINDSAY:
No.

LEG. HALEY:
No.

LEG. FISHER:
Yes.

LEG. TOWLE:
No.

LEG. GULDI:
No.

LEG. CARACCIOLO:
No.

D.P.O. POSTAL:
No.

P.O. TONNA:
No.

LEG. COOPER:
No.

MR. BARTON:
Three.

P.O. TONNA:
Okay. Now we move to -- and I don't know what the will of the Legislature is, whether we could put the rest of the vetoes in one -- we could -- do you want to do them separately?

(Separately Said in Unison by Legislators)

All right. We only have a few, so we'll do it that way. Okay. We're

dealing with now Capital Project Number 1740.

LEG. CARACAPPA:
Motion to override.

LEG. FOLEY:
Second.

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

(Opposed Said in Unison by Legislators)

P.O. TONNA:
Okay.

LEG. CARACAPPA:
Roll call.

P.O. TONNA:
Roll call.

(ROLL CALLED BY MR. BARTON, CLERK)

LEG. CARACAPPA:
Yes.

P.O. TONNA:
Yes

LEG. COOPER:
Yes.

LEG. BINDER:
No.

LEG. BISHOP:
Yes.

LEG. NOWICK:
I'm trying to figure -- override? Pass.

P.O. TONNA:
Yeah. Pass.

LEG. CRECCA:

She passed.

P.O. TONNA:
She passed.

LEG. CRECCA:
Pass.

LEG. CARPENTER:
Pass.

LEG. ALDEN:
Yes.

LEG. FIELDS:
Yes.

LEG. LINDSAY:
Yes.

LEG. FOLEY:
Yes to override.

LEG. HALEY:
No.

LEG. FISHER:
No.

LEG. TOWLE:
No.

LEG. GULDI:
Pass.

LEG. CARACCIOLO:
Yes.

D.P.O. POSTAL:
Yes.

LEG. NOWICK:
Yes.

LEG. CRECCA:
Yes.

LEG. CARPENTER:

No.

LEG. GULDI:
No.

MR. BARTON:
12-6. County Executive is overridden.

P.O. TONNA:
Okay. Capital Project Number 3013. Is there a motion to override? I'll make a motion to override. Is there a second? No? 3013?

LEG. BISHOP:
Second.

LEG. BINDER:
Going once.

LEG. ALDEN:
Quit begging.

P.O. TONNA:
All right. I just want to see what's going on.

LEG. HALEY:
You whimp.

P.O. TONNA:
Okay?

LEG. GULDI:
You're all alone.

P.O. TONNA:
All right. That's all right. Roll call.

MR. BARTON:
You have no second. It fails for lack of a second.

P.O. TONNA:
Second was Dave Bishop.

LEG. BISHOP:
I seconded it.

MR. BARTON:
Oh, I'm sorry, I didn't hear it. Okay.

LEG. FISHER:
For purposes of what?

LEG. BINDER:
For the purpose of saying no.

P.O. TONNA:
I just want to see where people are going?

LEG. GULDI:
For the purpose of watching it go down in flames.

MR. BARTON:
Okay. The following Legislators:

(ROLL CALLED BY MR. BARTON, CLERK)

P.O. TONNA:
No.

LEG. BISHOP:
No.

LEG. COOPER:
No.

LEG. BINDER:
No.

P.O. TONNA:
Nobody's communicated to me, so I'm doing with every other one, I'm just bringing it up. If somebody wanted to communicate, you should --

LEG. NOWICK:
No.

LEG. CRECCA:
No.

LEG. CARPENTER:
No.

LEG. ALDEN:
No.

LEG. FIELDS:
No.

LEG. LINDSAY:
No.

LEG. FOLEY:
No.

LEG. HALEY:
No.

LEG. FISHER:
No.

LEG. CARACAPPA:
No.

LEG. TOWLE:
No.

LEG. GULDI:
No.

LEG. CARACCIOLO:
Negative.

D.P.O. POSTAL:
No.

MR. BARTON:
Zero.

LEG. CARACAPPA:
That's a first.

LEG. GULDI:
Henry, have you ever had that happen before?

MR. BARTON:
No.

P.O. TONNA:
Well, it might be a first. It might be a first, but, you know, it's the process.

LEG. ALDEN:
Come one, let's do it again. I'll make the motion on the next one.

P.O. TONNA:
Okay. There's Capital Project Number 3035. Is there a motion?

LEG. ALDEN:
I'll make it.

LEG. CARACAPPA:
Motion to override.

P.O. TONNA:
Motion to override? I'll second it. Roll call.

LEG. CARPENTER:
On the motion.

LEG. CRECCA:
On the motion.

P.O. TONNA:
Yeah.

LEG. CARPENTER:
I just want clarification from Budget Review that what we heard here today was, in fact, accurate.

LEG. BISHOP:
What we heard today was, in fact, accurate.

LEG. BINDER:
Everything. We want you to go from this morning all the way until now. Everything.

LEG. CARPENTER:
This Capital Project.

MR. SPERO:
Do I have to swear on it?

LEG. CARPENTER:
No. As it pertains to 3035.

MR. SPERO:
I didn't hear most of the Under-Sheriff's comments, but having said that -- having said that, this project was provided to the Sheriff to expand his administrative office space in Riverhead, which included a Quartermaster component, and it was our suggestion that we build a consolidated Quartermaster facility for both the Police and Sheriff. And the Police have not been able to get funding to construct their facility, even though it's been completely designed. So the Legislature made the change to use the funding from this project to construct a facility that could be jointly used by both the Police and the Sheriff in Yaphank. However, that would preclude the expansion of the Riverhead facilities

for other administrative purposes.

LEG. CARPENTER:
It would, in fact, do that.

MR. SPERO:
Yes.

LEG. CARPENTER:
Okay. I am a little disappointed, because it was not my intention, when we had followed the suggestion of Budget Review and contacted both the Sheriff and the Police Department, about having a joint Quartermaster building, and there seemed to be agreement on the part of both departments to do that. I didn't realize that by just changing the title it was going to affect those other projects, I thought that that kind of stood alone. So I guess there was a miscommunication. So does the -- this veto, then, preclude there being that joint Quartermaster building?

MR. POLLERT:
The way the veto is done, yes, it would preclude a joint Quartermaster building. That doesn't mean that the Legislature, if they overrode the veto, would be precluded next year from adding additional funds to this project. If the veto is sustained, likewise, it doesn't preclude the Legislature from directing both the Police Department and the Sheriff's Department to proceed with a consolidated building. So you really have a variety of degrees of freedom open to you. If you want to have a consolidated building, which really does make sense in our mind, you do have the capability of directing the two departments to come up with a consolidated request and find out what the total dollar amount would be. There should still be cost savings, as opposed to having two separate units.

LEG. CARPENTER:
Okay. I think that that is really the will of the majority of the Legislature, that there be a joint facility, because it really does make sense, and that seemed to be what both of the departments were supportive of, so I'm hoping that we can still do that. Thank you.

P.O. TONNA:
Okay. Thank you. Roll call.

(ROLL CALLED BY MR. BARTON)

LEG. CARACAPPA:
Yes.

P.O. TONNA:
Yes.

LEG. COOPER:
Yes.

LEG. BINDER:
No.

LEG. BISHOP:
Yes.

LEG. NOWICK:
No to override.

LEG. CRECCA:
No.

LEG. CARPENTER:
No.

LEG. ALDEN:
No.

LEG. FIELDS:
No.

LEG. LINDSAY:
Yes.

LEG. FOLEY:
Yes to override.

LEG. HALEY:
No.

LEG. FISHER:
No.

LEG. TOWLE:
No.

LEG. GULDI:
No.

LEG. CARACCIOLO:
No.

D.P.O. POSTAL:
No.

MR. BARTON:
Legislator Cooper?

LEG. BISHOP:
He voted.

LEG. BINDER:
He voted.

MR. BARTON:
You voted yes?

LEG. COOPER:
Yes.

MR. BARTON:
I thought he said pass. Okay. Thank you. Six.

P.O. TONNA:
Okay. Capital Project Number 5838. Is there a motion?

LEG. CARACAPPA:
5838. Motion.

P.O. TONNA:
Is there a --

LEG. CARACAPPA:
Motion.

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

LEG. FOLEY:
On the motion.

P.O. TONNA:
On the motion.

LEG. FOLEY:
Yeah. If we could hear from Budget Review Office. This is for the planning monies for the bridge. Planning was for the Year 2003. It's rescheduled 2004. In the County Executive's proposed budget he had 2003 for planning, but when did he have it for construction, reconstruction.

MR. SPERO:
The planning funds, as you've pointed out, were budgeted in 2003.

LEG. FOLEY:
Right.

MR. SPERO:
The construction funding was scheduled for subsequent years.

LEG. FOLEY:
Subsequent years.

MR. SPERO:
So --

LEG. FOLEY:
And what was the justification that you had given, going from 2003 to 2004?

MR. SPERO:
Well, it seemed silly to have a lag of three years between the planning process and the construction, so moving the project back one year, the planning funding back one year, would not hamper completion of the project.

LEG. FOLEY:
Okay. And when you read the narrative here, they talk about great concerns about the carrying capacity of the bridge maybe in question. I would submit that if, in fact -- if that was, in fact, the case, then the administration should not put the reconstruction in subsequent years, but should have placed it in the immediate following year, which would have been 2004. So, in fact, they have it in subsequent years. Therefore, you know, I see that there's a concern, but, really, the point where they're making as to the ongoing deterioration seems to -- their argument seems to lose weight with the basic fact that they wouldn't reconstruct this bridge until subsequent years anyhow, as opposed to a year following the planning monies.

LEG. CARACAPPA:
Roll call.

P.O. TONNA:
Okay. Roll call.

(ROLL CALLED BY MR. BARTON)

LEG. CARACAPPA:
Yes.

P.O. TONNA:

Yes.

LEG. COOPER:
Yes.

LEG. BINDER:
No.

LEG. BISHOP:
Yes.

LEG. NOWICK:
Pass.

LEG. CRECCA:
Pass.

LEG. CARPENTER:
Pass.

LEG. ALDEN:
Yes.

LEG. FIELDS:
Yes.

LEG. LINDSAY:
Yes.

LEG. FOLEY:
Yes to override.

LEG. HALEY:
No.

LEG. FISHER:
Yes.

LEG. TOWLE:
No to override.

LEG. GULDI:
No.

LEG. CARACCIOLO:
No.

D.P.O. POSTAL:

Yes.

LEG. NOWICK:
Yes.

LEG. CRECCA:
Yes.

LEG. CARPENTER:
No.

P.O. TONNA:
Okay. What's that?

MR. BARTON:
12.

P.O. TONNA:
Okay. Let's finish with Capital Project Number 7427. Motion to override by Legislator Caracappa, seconded by myself. Roll call.

LEG. FOLEY:
Just on the motion.

P.O. TONNA:
Yeah.

LEG. FOLEY:
An explanation of BRO. If one sustained the vetoes, how does that change the Capital Program, from what --

MR. SPERO:
Funding for this project was moved back, rescheduled one year back in the program. So planning funds that were scheduled for 2003, $125,000 would be scheduled now for 2004, if the veto is overridden.

LEG. FOLEY:
What about the actual --

MR. SPERO:
And the construction funding would be also moved back to 2005.

LEG. FOLEY:
From --

MR. SPERO:
And subsequent years

LEG. FOLEY:
We placed it in subsequent years, he had it -- the County Executive had it in 2005?

MR. SPERO:
He's got it scheduled 2004, '5 and subsequent years.

LEG. FOLEY:
Okay.

P.O. TONNA:
Is there a representative of the County Executive's Office here? Just a question.

LEG. CRECCA:
I'm sorry. Jim, and we had it in all in subsequent years in our amendment.

MR. SPERO:
No. The planning is moved back to 2004. We move everything back one year.

LEG. FOLEY:
My -- I had the floor.

LEG. CRECCA:
Before the County Exec --

LEG. FOLEY:
Mr. Chairman, I had the floor. It was --

LEG. CRECCA:
Oh, I'm sorry.

P.O. TONNA:
Go ahead.

LEG. FOLEY:
Thank you.

LEG. CRECCA:
I'm just trying to clarify a point that you made.

LEG. FOLEY:
That's all right.

LEG. CRECCA:
But you go ahead.

LEG. FOLEY:
Thank you. Was your concern or the point that you raised again in your BRO report was the fact of the great number of projects that are in the pipeline for Vanderbilt, that this -- it would be stretching credulity that they could get this done in time. Is that not correct, that it would take, in fact, a longer period of time than the way that it's treated in their Capital Program time line?

MR. SPERO:
There's about $15 million worth of projects in the Vanderbilt pipeline.

LEG. FOLEY:
That have already been approved.

MR. SPERO:
Right. And this includes reconstruction of the sea wall, the boathouse, sea plane hangar.

LEG. FOLEY:
So the concern is, if all that's already in the pipeline, how can they get to this within the time frame that they proposed; correct?

MR. SPERO:
Well, that's right. And the reconstruction of the waterfront really needs to be done as the sea plane hangar is being completed, because you don't need the boardwalk to connect the boathouse to the sea plane hangar if the visitors have no place to visit. So the point of the boardwalk is to provide public access to the sea plane hangar. So at the time the sea plane hangar is nearing completion, construction and/or planning could begin on the boardwalk project.

LEG. FOLEY:
Okay. Mr. Crecca.

LEG. CRECCA:
Yeah, I just -- my question was, I just wanted to clarify what you said before. In our budget amendment, Omnibus 1, we moved it from where to where?

MR. SPERO:
The primary thrust of what we did was take the planning money out of 2003 and move it to 2004. So it would delay --

LEG. CRECCA:
That's what I thought, okay.

MR. SPERO:
It would delay it one year.

LEG. CRECCA:
This would return it, the planning money, to next year.

MR. SPERO:
Right.

LEG. CRECCA:
Okay.

MR. SPERO:
It would stay in 2003.

LEG. CRECCA:
We moved that -- we just moved everything up a year.

MR. SPERO:
Back a year. It would go back, yeah.

LEG. CRECCA:
Back a year, I guess.

LEG. BISHOP:
Out a year.

LEG. CRECCA:
Out a year. That's a good way to put it. Thank you. That's why -- it was the lingo. It was those prepositions that got me. I got you.

LEG. BINDER:
Mr. Chairman.

P.O. TONNA:
Okay.

LEG. BINDER:
Mr. Chairman.

P.O. TONNA:
I have a question. Just in his short veto message, the County Executive mentions that we will jeopardize a million dollar private donation that will discourage future gifts from the museum. What is the basis of that statement? I mean, did the contributor museum say that's it, we're not going to get it? What --

MR. BORTZFIELD:
This was delayed last year also and it caused concern on the part of the people that made the donation.

LEG. FISHER:
I'm sorry. Can you speak louder? I couldn't hear you.

P.O. TONNA:
Yeah, sorry. Bob.

MR. BORTZFIELD:
This was a problem also that was brought up last year when it was delayed, that the elderly couple that made the pledge for the million dollar donation to the Vanderbilt Museum are concerned that the County is not living up to their commitment to do this project and in their name.

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P.O. TONNA:
Do we have a letter or something from that stating that from the elderly couple or whoever they are?

LEG. ALDEN:
Mr. Presiding Officer.

P.O. TONNA:
Yeah.

LEG. ALDEN:
If you would suffer an interruption. We had testimony before from MR. Gittelman and Mr. Mallamo to that exact point, that if you would recall --

P.O. TONNA:
Do we have a letter?

LEG. ALDEN:
No. If you would recall the testimony, though, that was given earlier.

P.O. TONNA:
No, I don't, but do they have a letter?

LEG. ALDEN:
No? Oh.

LEG. LINDSAY:
No.

P.O. TONNA:
No letter?

LEG. BINDER:
Mr. Chairman. Mr. Chairman.

P.O. TONNA:
Is there a letter?

LEG. BINDER:
No. But Mr. Gittelman -- Mr. Rogers is Mr. Gittelman's uncle. I would think that he can speak to Mr. Rogers' mind and I think that's pretty clear.

P.O. TONNA:
I'm sorry. I'm just wondering if there was a letter, that's all. I just wanted to know how the County Executive kind of -- that was something that was just communicated?

MR. BORTZFIELD:
The Vanderbilt Museum has documentation, you know, from the Rogers.

P.O. TONNA:
So it's maybe or definitely not?

MR. BORTZFIELD:
Well, that's up to them. It's their million dollars that they're committing to the project.

P.O. TONNA:
Well, this is my point. My point is, is that is it a maybe? Because, if it's a maybe, you know, maybe that's a good way to get the money, maybe it's not. Is it definite, that they're not going to give the donation? I mean, that's what holds in the balance for me whether I want to take this another year. I happen to think that we have enough Vanderbilt projects right now going on, that let's finish the Vanderbilt projects we have. You know, why not wait a year so that we can get the other projects, so that now you can have it? So, Allan, you sound like you have an idea or you know this, so I'll recognize you to answer --

LEG. BINDER:
Thank you. The answer is --

P.O. TONNA:
Maybe a question that the County Executive should --

LEG. BINDER:
The answer is that it's not a maybe, it's a definite that the grant will be gone. The reason is Mr. Rogers is an elderly man. He's now I think it's 83 years old. Even putting it off one year or more years for him could be the difference between him living to see the completion and not living to see the completion. When he comes to the Legislature, he has to be assisted to be -- to come here.

P.O. TONNA:
Right.

LEG. BINDER:
For him, in his mind, this is not something -- my understanding is from his nephew, which is Mr. Gittelman --

P.O. TONNA:
Right.

LEG. BINDER:
Who is -- who has met many conversations --

P.O. TONNA:
We know. We love the guy. We know. He's right out there. Steve, we love you, but go ahead.

[SUBSTITUTION OF STENOGRAPHER - ALISON MAHONEY]

LEG. BINDER:
Who has had many conversations, it is very clear -- and I think we can ask Steve to come up again -- that there will --

LEG. BISHOP:
No.

LEG. BINDER:
Well, I didn't think you would, so. Then I think it's very clear from Mr. Gittleman's testimony that there will be no million dollar grant, it will be withdrawn, he has made that clear to me in conversations. It's an absolute definite; if we put this off a year, a million dollars is gone to this County and a project that I think would be very good for this County, very good for that museum would be gone. That's definite.

P.O. TONNA:
Okay, this is my concern then. This is a big concern that I have. The concern that I have is that there are -- basically what we're talking about is strings are attached, right; was there something --

LEG. BINDER:
From the very beginning.

P.O. TONNA:
From the very beginning.

LEG. BINDER:
From the very beginning there was an agreement with them that had how many years it would take, we're already going to be going over the years

that we agreed to and the commitment that we were showing. We are now backing off that agreement and because of that breach of --

P.O. TONNA:
Well, is there a commitment of Public Works to actually carry out that project then? In other words --

LEG. CRECCA:
You think they're really going to do it?

P.O. TONNA:
-- we can appropriate the project, we can put it in our plan that we're going to get the million dollars, put if we put it in our plan and we don't appropriate it we're not going to get it. But let's say we put it in the plan, then we appropriate it, then they don't do it; do we get the million? There are three contingencies.

LEG. BINDER:
Probably not.

P.O. TONNA:
I want to know.

LEG. BINDER:
Probably not, but here's the thing.

P.O. TONNA:
So we won't get it --

LEG. BINDER:
But here's the thing. You can basically talk about any project through here and question whether it's going to happen. It will be incumbent upon the Legislature to push them to oversee it and to make sure Public

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Works does what it needs to do so we can keep the million dollars.

P.O. TONNA:
Allan.

LEG. CRECCA:
I'm going to --

P.O. TONNA:
Wait, wait. Guys, I'll ask, everyone could be recognized their time. This is what I'm wondering. We have a three step process here and this is a little different than any other piece, Capital Project in this year's Capital Budget because we don't have a million dollar matching

grant from a private donor, right? And we have the County Executive's basic {rason detra} for why they want to make sure that this is in the plan, it's because -- I mean, it's right here spelled out, it wasn't even speaking to the merits of the project as much as it was speaking to the merits of losing a very generous donation from a very generous patron of the Vanderbilt Museum that they're going to give a million dollars. So this is my question. First, do we definitely lose the money? Legislator Binder is saying yes, we definitely lose the money; fine. Second, do we lose the money if we put it in the plan but it doesn't get appropriated; you would say yes, right, Allan?

LEG. BINDER:
Yes, but if you don't put it in the first place then you don't even get there.

P.O. TONNA:
No, Allan, allan, just -- I understand that. I just want to know because I'm trying to think forward, okay, because we're going to get a couple of more bites at this apple. So we put it in the plan today, we over sustain a veto. Next time when they come to appropriate the money we have to do it then so we keep that million dollar contribution still there, right; because if not they'll pull that back again. Now, the third process would be what if they put it in the plan, appropriate the money and Public Works never gets to it; what happens then? And are we on the hook then because we've gone through the planning process and everything else, maybe it will be done two years from now, do we pick up the extra million dollars now because a donor has decided not to give the money?

So all I'm wondering is, and maybe you can speak to this issue, it's really a three step process, right? It's not about the merits of the project, it's the merits of taking a million dollars, getting it in, getting it in the plan, getting in the appropriation and then making sure that Public Works -- and by the way, ask Legislator Caracappa, we've been dealing with this for some time, Public Works, once we appropriate the money, all right, we don't run the Public Works Department; they make a list, they prioritize, they do what they can, short staff, high staff, whatever else. So I want to know if we appropriate the money, put it in the plan, you're going to bring over a resolution to appropriate it, right; obviously, that's one of the vetoes. So now we appropriate the money. Is there a commitment from the County Executive's Office, the Public Works Department and everybody else that in the year two thousand whatever, that that is actually going to be done, that somehow that priority reaches a higher priority than already the millions of dollars

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that we have already appropriated? And is it that you need a donor to put that into the process so that that gets a higher priority? And I just want a very straightforward answer, because I know you guys put in CN's, you know, different things like that and I just want to know, is

that the way that we're going to run it? Because I might be able to get a donation for another project, you know, maybe a road project, we can get the road and construction guys to donate some money, put it in, match it up and make sure that some roads get built or whatever else.

LEG. BINDER:
Can you really do that, Mr. Tonna?

P.O. TONNA:
I might be able to. If I know that it's going to reach a priority on the Public Works Department --

LEG. BINDER:
But if you could be getting these, where are they?

P.O. TONNA:
-- no problem. Because we don't even have to speak to the merits of the project.

LEG. BINDER:
No, but you should be doing that anyway, you're the Presiding Officer. If you could get us those donations, that would be great.

LEG. CARACAPPA:
Mr. Chairman?

P.O. TONNA:
Allan, I'll have you be my legal Counsel for it. So anyway -- I don't know if I can employ you.

LEG. BINDER:
I'll do it pro bono, and I can do it pro bono.

P.O. TONNA:
I have no problem, I think it's the most wonderful thing that the Vanderbilt Museum, and especially under the leadership of MR. GITTELMAN and the generosity of his family to be able to come up with things like this. My concern is not with the Vanderbilt Museum nor is it the concern with the project. My concern is with the message that we're sending and what are the priorities. And if we do take a donation, is it spelled out; it's got to be in the plan, it's got to be appropriated and it's got to be built. Because if that's true, we should have been honest to the Gittleman's -- the Rogers Family that that might not happen. Now, are we honest with the Rogers' family? He's an elderly man, right, Allan?

LEG. BINDER:
Yes.

P.O. TONNA:

Were we honest? You have some -- were you honest with the man when you talked with the family, that it might not really happen even if we -- the

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Legislature does everything that we're supposed to do; was anybody honest with this man about that?

LEG. CARACAPPA:
I was.

LEG. BINDER:
I don't think there was a discussion from the beginning of the process of government that one branch of government would do another may not. But I can tell you this, they expected at least the Legislature having a commitment and following through on the commitment. That's what the expectation was, that was where the promise was, to follow through from our end and I hope we're going to do that today.

P.O. TONNA:
And I think we should, that's great.

LEG. BINDER:
And I hope we will.

P.O. TONNA:
But that's still not going to make this project happen and it still doesn't mean we're going to get a million dollars.

LEG. BINDER:
Well, this Legislature and the committees of jurisdiction should focus on it and ride the Public Works Department. Usually we wait to see what have they done and then we report, well, this is how much, what they have done, what they haven't. I think we can on a regular basis hold their feet to the fire and make sure if this is important to us to keep the million dollars --

P.O. TONNA:
Is this a criteria that the Public Works Department sets and prioritizes in Capital Projects when we get matching funds from a private donor? Bob Bortzfield

MR. BORTZFIELD:
When we get outside funds from any source, it's always a priority.

P.O. TONNA:
And we've done every project when we get outside source or is there still a wait? Maybe I'd ask Joe, I know you're familiar with those projects.

LEG. CARACAPPA:

When it comes to matching government funds, whether it be State or Federal, it gets a prioritization that's -- it gets on the list and it gets done. Private donors is something completely different and it's almost like buying a project. And I think -- I had reservations when I was Parks Chairman and this came up, Mr. Chairman, and I didn't think we should move forward with it then knowing that this would happen. I know I'm next on the list so I'll wait for what I have to say.

P.O. TONNA:
Okay. Well, I'm just -- I'm going to support it because I don't think -- I think we have a generous donor and I think there is somebody here who,

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you know, made this a priority, so I'd like to support that. And I'd like to do, as Legislator Binder talked about, the idea that the Legislature come through with its commitment. But I'm telling you in the long run, that doesn't mean anything. Okay, Legislator --

LEG. CRECCA:
Legislator Tonna?

P.O. TONNA:
Who's yawning?

LEG. CARACAPPA:
I was next.

LEG. CRECCA:
I thought I was on the list.

P.O. TONNA:
Legislator I think it was Legislator Caracappa, Crecca, and who else wanted to speak?

MS. BURKHARDT:
Alden.

P.O. TONNA:
Alden.

LEG. CARACAPPA:
Thank you, Mr. Chairman. You really said it all, but there's another big issue with relation to the waterfront projects that we're not thinking about that's going to hold us up possibly years anyway and that's DEC issues that are going to be gigantic along the waterfront there. We would be completely disingenuous to say that okay, we're putting it in the plan now, we'll sustain the veto and Mr. Rogers is going to get what he wants with relation to his donation and what was contingent upon us as a Legislature of getting that money; it's disingenuous, it's a lie.

Because even if we were to do it, even if we were to put the pressure on the Department of Public Works as

Legislator Binder says, even if we did our complete and total due diligence with relation to the million dollars, it's out of our hands with relation to DEC.

So again, we should not as a body start making promises to people based on the money they're going to give us when we know we can't come through based on other government agencies that are going to step in and have to do massive studies relating to waterfront projects.

D.P.O. POSTAL:
Legislator Crecca.

LEG. CRECCA:
Yes. I really wanted to ask MR. GITTELMAN to come up. I know that he's been questioned already but I just have --

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D.P.O. POSTAL:
Well, I think --

LEG. CRECCA:
I'm concerned, I know Legislator Binder --

D.P.O. POSTAL:
The Presiding Officer had said that that's not appropriate now.

LEG. CRECCA:
Well, I understand that but, you know, I'm hearing new information now that the donation is dependent --

P.O. TONNA:
Andrew, he spoke, you had an opportunity to ask questions.

LEG. CRECCA:
The donation is dependent on -- fine, I'll get up, I'll go ask him myself.

P.O. TONNA:
But this is my concern. Andrew?

LEG. CRECCA:
Yeah, no, I'm not mad.

P.O. TONNA:
If we allow Legislators to call up speakers back when we're in our debate, we have listened to the public, we set a pretty bad precedent. We

have -- there are times when we have different departments or something that we have a question of, I could understand that. So MR. GITTELMAN is back there, you can ask the question.

LEG. CRECCA:
Right, but MR. GITTELMAN never indicated that we would lose the donation if we didn't. There's a suggestion in the veto override, we just heard Legislator Binder said that we're definitely going to lose this million dollar donation; obviously that's of concern to me.

P.O. TONNA:
So go and ask and see what we're --
LEG. CRECCA:
Sure, I'll report back.

P.O. TONNA:
Yeah, report back. Okay, we're going to have the -- this is the Crecca Committee, that's right. Okay, here we go. Legislator Alden.

LEG. ALDEN:
I think that we have to listen to what Legislator Caracappa said and that's as far as honesty. And the only twist that exists here is that we've already put this in the program and at that point when we put it in the program, maybe we should have been a little bit more honest with the people that came forward with the $1 million donation and possibly not even included it in the program to begin with. Once we actually included it in the program, I think that we've made not a completely binding type

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of arrangement that this project is going to happen but I think we've made a commitment that we're going to do everything within our power to make it happen. And I do agree with Legislator Caracappa, that all things should be disclosed and that's other governmental type of actions and things like that that are going to -- you know, possibly even to the point where it would allow a project not to come to fruition or go past any other planning steps.

But the second point that we have to look at and that was -- that came out of testimony that we heard earlier, if we are going to accept a gift and then we're going to renege on it, it sets a bad precedent for going out to the community and asking them to support things. Because the Vanderbilt Museum is a little bit more unique than most government functions in that we do ask the private community to step up to the plate and to donate and to support the community. So for them to go out and solicit even donations, maybe they're not going to be a million dollars but they're going to be substantial donations, even a substantial donation could be $25 or $100 or $1,000, any type of donation that they're going to solicit to run the Vanderbilt Museum or run a program or something like that, there's got to be a certain amount of trust and

there's got to be a certain amount of bond. And if we are going to say yes to a Capital Program like this of a million dollars included last year or whatever year it was, and Legislator Caracappa could probably tell us better what year it was, if we're going to say yes originally and then we're going to turn around and say no at some point, I think that that really creates a situation that is almost going to be impossible for us to ask people to run institutions within Suffolk County that require a lot of capital from the private industry.

So in that regard, I would support this going forward. I will also support Legislator Caracappa's initiative as far as let's be a little bit more honest with people when we go and look at these Capital projects.

MS. BURKHARDT:
Paul?

P.O. TONNA:
Yeah. Legislator --

MS. BURKHARDT:
That's it.

P.O. TONNA:
That's it? Okay, let's vote. Legislator Caracappa, I think --

LEG. CRECCA:
This is a motion to override?

LEG. CARACAPPA:
Yes to override.

P.O. TONNA:
There's a motion to override and there's a second. Okay, roll call.

(*Roll Called by Mr. Barton*)

LEG. CARACAPPA:
Yes

P.O. TONNA:
No.

LEG. COOPER:
No.

LEG. BINDER:
No.

LEG. BISHOP:
Pass.

LEG. NOWICK:
No.

LEG. CRECCA:
Pass.

LEG. CARPENTER:
No.

LEG. ALDEN:
No.

LEG. FIELDS:
Pass.

LEG. LINDSAY:
Yes.

LEG. FOLEY:
(Not in Room).

LEG. HALEY:
No.

LEG. FISHER:
No.

LEG. TOWLE:
(Not in Room).

LEG. GULDI:
No.

LEG. CARACCIOLO:
Nope.

D.P.O. POSTAL:
Yes.

LEG. BISHOP:
Yes.

LEG. CRECCA:
Yes.

LEG. FIELDS:
Yes.

LEG. FOLEY:
No to override.

LEG. TOWLE:
No to override.

LEG. CARACAPPA:
Horrible precedent; that's absolutely horrible.

MR. BARTON:
Six.

LEG. GULDI:
It's called a shakedown.

LEG. CARACAPPA:
It's a total shakedown. It's disgusting.

LEG. GULDI:
Yeah, so?

P.O. TONNA:
Okay, thank you very much. I think that concludes the override votes and everything else. Okay, let's go to the agenda.

LEG. FOLEY:
Madam Chair? Mr. Chairman, rather?

LEG. CARACAPPA:
We can buy Capital Projects now, that's great.

LEG. FOLEY:
Mr. Chairman?

P.O. TONNA:
Okay, yes.

LEG. FOLEY:
This part of the agenda mentions reports from the County Executive at the conclusion of public portion, including any extensions. I have asked that Mr. David Grier from the County Exec's Office to come forward. Today we were expecting to receive the executed contract for the Coram Health Center and that contract is not forthcoming as was discussed at last week's Ways and Means Committee meeting and at our Health Committee meeting. And I wanted to hear -- have the County Executive put on the

record today, given all the history of this particular health center, why the executed contract isn't here before us today and, in effect, we're going to have to wait another six weeks. This won't take a half an hour,

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it shouldn't even take twenty minutes or fifteen, but I think we need as a body, because we have on a bipartisan basis, want to move forward the process of relocating the Coram Health Center, the Elsie Owens Health Center to a Middle Country Road location. However, we're not going to receive that today and I want the County Exec's Office to state on the record why it's not and what we should be expecting six weeks hence at our next General Meeting. So I would ask the County Executive's Office to --

P.O. TONNA:
Well, I'd like to -- I mean, Brian, I'd like to move with the agenda.

LEG. FOLEY:
I understand that, but if you look at number nine it says --

P.O. TONNA:
I mean, have you spoke to Dave Grier?

LEG. FOLEY:
It says the Report from the County Executive; I'm asking for them to report to this body as to why we're not receiving the executed contract today when it's been almost a year since they have been working on this.

P.O. TONNA:
Okay.

LEG. FOLEY:
And about four months since we initially had -- were discussing this in the Space Management Committee. It's going to take no more than five minutes, but it's important to place this on the record.

LEG. ALDEN:
Point of order.

P.O. TONNA:
Point of order, Legislator Caracappa -- I mean Alden.

LEG. ALDEN:
I believe that you stated on the record that Legislator Crecca was going to be allowed to make a motion to move two judges --

LEG. FOLEY:
Oh, okay. I can wait for that.

LEG. ALDEN:
To allow them to leave or stay or whatever they wanted to do.

P.O. TONNA:
Andrew?

LEG. CRECCA:
Yeah, I'm --

P.O. TONNA:
Just wait, let me just deal with the Foley issue.

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LEG. FOLEY:
It's not the Foley issue, it's a Legislative issue.

P.O. TONNA:
No, it's regard to questions about -- with Legislator Foley's request. I would like to move along with the agenda and then afterwards they're going to be here as long as we're going to be here. If we move through the agenda long enough, get everything done. I would ask that, you know, if you have a question, you know, we don't have to wait for a meeting of the Legislature. But if it's important to get it on the record as you said --

LEG. FOLEY:
Absolutely.

P.O. TONNA:
Whether it be in the committee meeting, you can talk to a committee chairman to make sure that something is done and it's put on in committee. The whole idea is to expedite these meetings, you know, so that we can, one, listen to the public about their concerns.

LEG. FOLEY:
Right, right.

P.O. TONNA:
And then, two, vote on the agenda that we have ahead of us.

LEG. FOLEY:
But the difference here, the difference here was that there was the full expectation by both the Space Management Committee as well as the Health Committee that I chair as well as the Ways & Means Committee that there would have been by this month, the promise was made five months ago that by this month we would have an executed contract that we could vote on prior to the start of the summer.

P.O. TONNA:
Did you ask in the committee of Health?
LEG. FOLEY:
Absolutely.

P.O. TONNA:
And did you ask for --

LEG. FOLEY:
Absolutely.

P.O. TONNA:
And they said no?

LEG. FOLEY:
What they had said, that's why I wanted them to step forward. At the Health Committee meeting and at the Ways & Means Committee, they were going to make every due diligent effort to have the contract fully executed by today's meeting. And that we had given them originally a deadline of Friday in order for us to review the contract over the

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weekend at my committee meeting, at the Health Committee they said they need to work --

P.O. TONNA:
Last week?

LEG. FOLEY:
Yes, they needed to work through the weekend.

P.O. TONNA:
Okay.

LEG. FOLEY:
Then came Monday and they are -- from my understanding, the paper work, the language of the contract has been agreed to by all parties.

P.O. TONNA:
Right.

LEG. FOLEY:
And if it's agreed to by all parties by yesterday, then the question begged to be asked is why is it not being forwarded to us today? That's why we need to have the Executive Branch to state on the record why it's not here today. Because my concern, Mr. Chairman, given all the sordid history of this project, is that over the intervening six weeks, I don't want to see some other --

P.O. TONNA:
Okay.

LEG. FOLEY:
-- location all of a sudden come to the surface.

P.O. TONNA:
Well, this is what we'll do, Brian. We're going to take two resolutions out of order in deference to two judge candidates who are sitting here through the day, we are then going to go ahead with the agenda and then we're going to give you time to ask those questions on the record for the County Executive's representatives.

LEG. FOLEY:
That would be fine. My only concern on that is the conduct of some Legislators when we have presentations made after we vote on resolutions in committee is that most of the membership leaves and all that's left behind is the person who's asking the question.

P.O. TONNA:
The point was to get it on the record, right?

LEG. FOLEY:
Well, but also to have fellow Legislators who have expressed an interest --

P.O. TONNA:
We'll probably spending more time discussing it than --

LEG. FOLEY:
That's right, who are not part of the committee but who have an interest in this issue may want to ask some questions themselves.

LEG. FIELDS:
Legislator Tonna?

P.O. TONNA:
Brian, you got me boxed. If I continue to discussing with you about this issue it's going to take more time than it is for you to have it. So Brian, I have to say that after we vote on these two resolutions I am going to -- you got me, Brian, there's no way, I can't argue with you.

LEG. FOLEY:
It's not a question of got you.

P.O. TONNA:
Okay, get ya.

LEG. CRECCA:
Motion to --

P.O. TONNA:
Legislator Crecca, there's a motion and a second by myself for?

LEG. CRECCA:
To take 1726 and 1727 out of order.

P.O. TONNA:
Okay, we have to do one at a time.

LEG. CRECCA:
They're on the bottom --

P.O. TONNA:
1726 out of order, motion and a second. All in favor? Opposed?

LEG. CRECCA:
Page eight.

P.O. TONNA:
Okay, Resolution 1726 - (Confirming the appointment of Paul M. Hensley District Court Judge for and of the Third District Court to fill a term ending December 31, 2002 (County Executive). Legislator Crecca, you want to make a motion to approve?

LEG. CRECCA:
That's fine. Yeah, I'll make a motion to approve.

P.O. TONNA:
Okay, and I'll second it. All in favor? Opposed?

D.P.O. POSTAL:
I'm abstaining.

LEG. CARPENTER:
Which one?

P.O. TONNA:
All right, Paul Hensley.

LEG. CRECCA:
This is appointment of Paul Hensley, District Court Judge.

P.O. TONNA:
Hensley, is that how I say it? No, you can sit down, Paul, don't worry about it. Believe me, you don't want to come in front of this body unless

you have to.

LEG. GULDI:
Ask Dave Grier.

D.P.O. POSTAL:
You have me as an abstention?

P.O. TONNA:
All in favor? Opposed? There's one abstention, Legislator Postal.

MR. BARTON:
Legislator Bishop? Legislator Cooper?

P.O. TONNA:
Okay, they're not here.

MR. BARTON:
I got one abstention, two not present (Not Present: Legislators Bishop & Cooper).

P.O. TONNA:
Okay, great. Now, 1727, Legislator Nowick. Motion by Legislator Nowick, second by Legislator Carpenter. This is Georgia --

MS. BURKHARDT:
Tschiember.

P.O. TONNA:
-- Tschiember.

MS. BURKHARDT:
Very good.

P.O. TONNA:
Well, that's because you just said it. All in favor? Opposed?

D.P.O. POSTAL:
I'm abstaining.

P.O. TONNA:
Abstain, Legislator Postal. Thank you.

MR. BARTON:
16, one abstention, one not present (VOTE SLIP HAS TWO NOT PRESENT: BISHOP & COOPER)

LEG. CARACAPPA:
Motion to approve the consent calendar.

P.O. TONNA:
Okay, Legislator Foley, I would ask that you stay true to your word, five minutes, that's it. Let's get this done.

LEG. HALEY:
Mr. Chairman?

P.O. TONNA:
Congratulations, Judges.

LEG. FOLEY:
Yes, congratulations.

P.O. TONNA:
And do a good job and good luck. All right? Thank you.

Applause

LEG. FOLEY:
Mr. Chairman, if we could have Mr. Grier from the County Executive's Office come from his own office. I spoke to him about five minutes ago to come here. There he is. Thank you. This is in your district, Mr. Haley, so, or on the border. But anyway --

LEG. HALEY:
No, it's not, it's in Freddy's.

LEG. FOLEY:
Well, it's on the border, it's 50 feet away from your district.
Mr. Grier, if you could inform the committee. Over the last number of months a lot of work has been undertaken by the County Attorney's Office, the Department of Public Works, the Health Department, Social Services to work with the proposed landlord for the project. When presentations were made to the Space Management Committee and presentations made to the Ways and Means and the Health Committee over a period of months, the concern that we had as Legislators collectively was to try to have an agreement in place by the summer time. And when I had initially submitted back at the end of April the resolution to move forward with the relocation, the expectation at that time -- and I know the effort, a good faith effort was to be made by the Executive Branch to have in place by the June meeting -- if not the first June meeting, certainly no later than the second June meeting -- an executed contract that we could vote on now as opposed to six weeks from now in order to move the project forward on a timely basis. Could you explain to those few who are still present and who by their absences are showing their lack of interest in the issue of public health in this County, but could you tell those who are still present here why the contract isn't here with us today when it's my

understanding that all sides, the landlord, the County Attorney's Office, that they've worked out all the language of the contract but that we

---

still aren't receiving today the executed contract.

LEG. ALDEN:
Legislator Foley --

LEG. FOLEY:
Why isn't it here today and should we -- hopefully we'll expect to see it at our next meeting. Did you want to add to that, Mr. Alden?

LEG. ALDEN:
Would you suffer one brief interruption?

LEG. FOLEY:
Yes.

LEG. ALDEN:
I think we have to recess, we don't have enough -- we don't have a quorum. There's not a quorum in the room.

LEG. FOLEY:
Well, normally we have a recess at the public portion. We're in the middle of a report, I don't know whether the same rules apply.

LEG. ALDEN:
That would still be my question.

D.P.O. POSTAL:
We can ask Mr. Sabatino; are we required to have a quorum present at this point?

MR. SABATINO:
You are not required but a Legislator under the rules can make a demand for a quorum and things can be suspended until you get a quorum

D.P.O. POSTAL:
All right. Let's see if we can get --

LEG. ALDEN:
I ask for a quorum.

D.P.O. POSTAL:
Okay.

LEG. FOLEY:
Can we have a quorum? Some Legislators have had to excuse themselves for

personal reasons.

LEG. CARACAPPA:
That's a good way of saying it.

LEG. LINDSAY:
We have ten, Brian.

LEG. FOLEY:
Okay, we have ten. All right, Mr. Grier, if you could please explain to us why it's not here today and what should we expect six weeks hence.

MR. GRIER:
What I can tell you is from the perspective of my office, the County Attorney's Office, we have as of early yesterday, I know there were some discussions back and forth with the landlord regarding finalizing the actual language in the lease document. What I can also tell you is that the plans and specifications were still being finalized to make sure everything was included because we had a delay which took place because we had to redesign the building based on Legislative and community concerns about the placement of doors, so that had caused a delay.

Through all this entire period it had always been the intent to bring a document to this Legislature by the end of June. However, we are very close to that point, but given the scope of the project we were unable to get everything in place and ensure that the lease document that we present to you is a document that we can be sure six months down the road, as we've had experience in previous documents, are not going to cause us the same problems. So in an effort to not only bring it to you timely but in a form that is most acceptable to all of us as tenant in this body, we want to make sure that we give you something that we can all say is going to provide us all the terms and conditions that we think are --

LEG. FOLEY:
When would you expect you would submit to us let's say the finalized agreement?

MR. GRIER:
I don't have the time frame but within the very near future, I would think several days to a week.

LEG. FOLEY:
That's the part, several days --

MR. GRIER:
Which will be in time for the next meeting in August. And as I now

understand, many of you are concerned about a delay, as I know was expressed in the Health Committee and in Ways and Means, that six week delay will have no impact on the ability to construct because given that the full set of plans and specs for submission to the local permitting authority have to be prepared and produced and go through the Health Department and the entire process, and I know that process had been discussed in committee, it's not anticipated that we'll be putting a shovel in the ground this construction season, so it won't have any impact on doing any work this particular year.

LEG. FOLEY:
So it's your belief that even if we approved it today that the construction wouldn't begin until next spring anyhow, that's your understanding of the time line?

MR. GRIER:
My understanding of the time line is nothing can happen any earlier than next spring anyway, we've gone through the entire process of getting permits, health department approval, so on and so forth.

LEG. FOLEY:
So it's your expectation within the next I'll say seven to ten days we should be receiving copies of -- since we're about 99% there anyway, that within the next seven days to ten days we will receive a copy of the final contract for us to review and then we'll be prepared and ready, willing and able to move on this project at our next cycle of committee meetings and the next General Meeting.

MR. GRIER:
Correct. And as I said, we were doing our -- making every effort to bring it to you this meeting but logistics, some issues which had come up unexpectedly with a document on some requests that the landlord had made, we were unable to get sufficient language that we were satisfied with to bring it to you along with making sure the plans and specs covered everything that should be in it so we don't run into the problem we've had in the past.

LEG. FOLEY:
Okay. Thank you for that explanation, Mr. Grier. As much as I would like to have had this reviewed and approved today, your statement for the record does explain why it's not here. But I do hope and expect that at our next meeting we'll be able to move on this with great speed. I thank you for your cooperation.

D.P.O. POSTAL:
Will all Legislators please return to the auditorium --

LEG. CARACAPPA:

Motion to approve the consent calendar

LEG. FISHER:
Second.

D.P.O. POSTAL:
-- so that we can address the consent calendar. All Legislators return to the auditorium for the consent calendar.

LEG. CARACAPPA:
Motion to approve the consent calendar.

LEG. HALEY:
Can we do a roll call?

D.P.O. POSTAL:
Well, not everyone is in his or her seat, so we'll just give it another minute.

LEG. GULDI:
I'm sure Henry can see everyone

MS. FARRELL:
If they're in their seats.

D.P.O. POSTAL:
Okay, I'm going to call a five minute recess.

LEG. HALEY:
We have a caucus. We have a majority of Legislators here.

D.P.O. POSTAL:
Okay, motion to approve the consent calendar, Legislator Haley, seconded by Legislator Fisher. All in favor? Any opposed? The consent calendar --

MR. BARTON:
18.

D.P.O. POSTAL:
-- is approved.

LEG. ALDEN:
Clean your glasses, Henry.

D.P.O. POSTAL:
RESOLUTIONS TABLED TO JUNE 25, 2002 - 2001:

1957 - Dedicating certain lands now owned by the County of Suffolk to the County Nature Preserve pursuant to Article 1 of the Suffolk County Charter and Section 406 of the New York Real Property Tax Law at Bergen Point (West Babylon) (Bishop). David, motion to --

LEG. BISHOP:
I'm going to have to table. But this is six month out, right? This should be stricken, correct?

LEG. GULDI:
No, No, it shouldn't be stricken if it's in the committee. It's live if it's out here, Dave.

LEG. FOLEY:
The six month applies only to committee bills, not on the floor.

LEG. BISHOP:
Oh, okay. It's live, then I can --

LEG. GULDI:
Yes.

LEG. BISHOP:
Because it has to be amended.

LEG. CRECCA:
Table it.

LEG. BISHOP:
Okay, that's what I wanted to know. So table it, please.

LEG. GULDI:
Second.

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

MR. BARTON:
18.

P.O. TONNA:
Thank you.

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).

LEG. ALDEN:
Motion to table.

P.O. TONNA:
Seconded by myself. All in favor? Opposed?

MR. BARTON:
18.

P.O. TONNA:
Okay, great.

RESOLUTIONS TABLED TO JUNE 25, 2002 - 2002:

1000 - (Imposing reverter clause on non-Brookhaven Town PILOT Payments pending appeal of Gowan decision (Haley).

LEG. ALDEN:
Motion to table.

LEG. FIELDS:
Second.
P.O. TONNA:
Okay, second by Legislator Fields. All in favor? Opposed?

LEG. CARACAPPA:
Opposed.

LEG. HALEY:
Opposed.

P.O. TONNA:
Okay, we got the usual suspects. Here we go; Caracappa, Towle, Haley. Ooh, and Crecca, right, because you never know.

LEG. BINDER:
I'm not running.

P.O. TONNA:
You're not running, so you're opposed or not?

LEG. CRECCA:
No, I've always opposed this.

LEG. BINDER:
I'm not running and I'm still opposed.

P.O. TONNA:

You're trying to be consistent, you're trying to give us an idea that you're consistent with your voting patterns.

MR. BARTON:
Towle, Caracappa, Haley, Crecca, Binder; anybody else?

P.O. TONNA:
Five. All right. All in favor? Opposed? Great.

MR. BARTON:
13-5.

P.O. TONNA:
Okay, here we go. We're up to 1275 - (To implement Town of Babylon Affordable Housing Plan (Postal).

D.P.O. POSTAL:
Motion to table.

P.O. TONNA:
Seconded by myself. All in favor? Opposed? Tabled.

MR. BARTON:
18.

P.O. TONNA:
1395 - (Initiating procedure for environmental impact statement (EIS) for 2003 Vector Control Plan of Work (Fields).

LEG. FIELDS:
Motion to table.

P.O. TONNA:
Second by myself. All in favor? Opposed? Tabled.

MR. BARTON:
18.

P.O. TONNA:
1421 - (Authorizing the County Executive to establish a Unified Child Placement Committee (Postal).

D.P.O. POSTAL:
Motion to table.

P.O. TONNA:
Second by myself. All in favor? Opposed?

MR. BARTON:
18.

P.O. TONNA:
1533 - (Authorizing planning steps for acquisition of property under Suffolk County Affordable Housing Opportunities Program (West Wind Court 1000-122-02.00-023.001, Town of Southold (County Executive).

LEG. CARACCIOLO:
Table.

P.O. TONNA:
Second by myself. All in favor? Opposed? Tabled.

MR. BARTON:
18.

P.O. TONNA:
1556 - (Implementing Pay-as-you-Go 1/4% Taxpayer Protection Plan for Water Quality Protection and Restoration Program for Pilot Project at Beaverdam Creek (Brookhaven Hamlet) (Towle).

LEG. TOWLE:
Unfortunately a motion to table.

LEG. CARACAPPA:
Second.

LEG. TOWLE:
One more meeting.

P.O. TONNA:
Second by myself. All in favor? Opposed? Tabled.

MR. BARTON:
18.

P.O. TONNA:
Okay. 1660A, 1660 - (Amending the 2002 Capital Budget and Program and appropriating funds in connection with the Mental Health Information System (CP 4063) (County Executive). Motion? Motion, Legislator Foley? Motion to what?

LEG. FOLEY:
To approve.

LEG. HALEY:
Second.

P.O. TONNA:
Seconded by Legislator Haley. Roll call.

LEG. LINDSAY:
Explanation. Explanation.

LEG. CRECCA:
On the motion.

P.O. TONNA:
Wait, wait, wait, wait. We'll go back a second, there is an explanation for Legislator Lindsay. Paul, could you explain this resolution?

MR. SABATINO:
This legislation would increase the Capital Budget from zero to $161,200, it would appropriate an offset to be used for a Mental Health Information System at the Mental Hygiene Service Centers; basically it's computer equipment.

P.O. TONNA:
Sure, Legislator Foley.

LEG. FOLEY:
For further information, the reason why this is very important is that we're still dealing with the whole dynamic of deinstitutionalization with the number of mental health clients that are living throughout the County, there's a need for the myriad of mental health service centers to have better documentation and readily available data that this project would help them receive that data to coordinate, to exchange information throughout the County which currently they can do but in a rather outdated fashion. So this is very important as part of the process of trying to coordinate services for the deinstitutionalized clients who are bound throughout the County.

P.O. TONNA:
Okay.

LEG. CRECCA:
On the motion.

P.O. TONNA:
Wait, wait, Legislator Alden.

LEG. ALDEN:
I'll direct it to Legislator Foley or anybody else that can answer it; is this for software or is this additional computer terminals?

LEG. FOLEY:

I would have to either have BRO or Counsel answer that. I just know in a general sense, speaking with Tom MacGilvray and the Commissioner of Health Services, that this is going to help them better coordinate and distribute the information regarding clients with mental -- who need mental health services.

LEG. ALDEN:
Fred, do you know the answer then, if it's software?

MR. POLLERT:
It is primarily software but I believe there's some hardware included as well, but it is primarily software.

LEG. ALDEN:
And it meets 5-25-5?

MR. POLLERT:
No, it does not meet 5-25-5. However, the 5-25-5 law was suspended for 2002.

LEG. CRECCA:
Question to Counsel.

P.O. TONNA:
Go ahead.

LEG. CRECCA:
This requires three-quarters vote because it --

MR. SABATINO:
No, this is two-thirds because we have the offset. It's not changing the method of financing. I know you're thinking -- this one is not changing the financing, it's been proposed as a bond.

LEG. CRECCA:
Because the WHEREAS in my -- and maybe I have -- maybe there was an amended version, I don't know. But it states that it requires a three-quarters vote and I wasn't sure why. It's the fourth WHEREAS or fifth WHEREAS.

MR. SABATINO:
The WHEREAS clause does say that but it's using an offset so it's a contradiction.

LEG. CRECCA:
Does that require it to be tabled?

MR. SABATINO:

There may be a technical mistake then; hold on. There's a corrected copy, wait.

P.O. TONNA:
Go ahead, is there --

MR. SABATINO:
No, there's a corrected copy but it's still used as an offset.

P.O. TONNA:
All right, you want to say something about it? Go right ahead.

MR. KNAPPE:
Just to clarify. I think originally in the 2002 Adopted Capital Budget and Program it is listed as a G for General Funds. The amending portion of the bill is changing from G for General Funds to B for using serial bonds. So since the funding source is being changed from a General Fund to serial bonds, even with the exemption of the 5-25-5 law this year, the reason why we prepared that resolution was to allow you the opportunity to change the method of funding for a 14 vote resolution for two-thirds to take care of this.

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

(*Roll Called by Mr. Barton*)

LEG. FOLEY:
Yes.

LEG. HALEY:
Yes.

LEG. COOPER:
Yes.

LEG. BINDER:
No.

LEG. BISHOP:
Yes.

LEG. NOWICK:
Yes.

LEG. CRECCA:
No.

LEG. CARPENTER:
Yes.

LEG. ALDEN:
No.

LEG. FIELDS:
Yes.

LEG. LINDSAY:
Yes.
LEG. FISHER:
Yes.

LEG. CARACAPPA:
No.

LEG. TOWLE:
No.

LEG. GULDI:
Yes.

LEG. CARACCIOLO:
Yes.

D.P.O. POSTAL:
Yes.

P.O. TONNA:
Yep.

MR. BARTON:
13.

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

LEG. FOLEY:
Thank you.

[RETURN OF STENOGRAPHER-LUCIA BRAATEN]

P.O. TONNA:
1661.

LEG. CRECCA:
I thought it need 14 votes.

P.O. TONNA:
1661?

LEG. CRECCA:
Hold on a second. I don't think you can take a second vote on it. It needed 14 votes to pass.

MR. SABATINO:
It got 13?

MR. BARTON:
Thirteen.

MR. SABATINO:
It failed.

LEG. CRECCA:
It failed.

P.O. TONNA:
1660, it's a 14-vote resolution?

LEG. FOLEY:
I thought he said it changed it --

P.O. TONNA:
Sorry.

LEG. FOLEY:
-- to make it the two-thirds, is what we just heard from the County Executive's Office.

LEG. CRECCA:
The financing was changed, though, from pay-as -- it was from pay-as-you-go to --

---

LEG. FOLEY:
That's right. The County Exec -- unless I misunderstood the County Executive's Office, they said they changed the funding source in order to change it from a 14 to a two-thirds.

MR. SABATINO:
No, no. The Executive's Office corrected me. When I read the resolution, they were using an offset, but I didn't see a change in financing. However, when the Executive's Office Budget Office came up, they said that they in fact had submitted in the budget as General Funding and they were changing the method of financing, so it is

correctly a 14-vote resolution.

P.O. TONNA:
I'm just surprise, knowing the psychological makeup of the individuals that sit at this horseshoe that we've downed this so easily.

LEG. BISHOP:
Mr. Chairman.

LEG. FISHER:
Okay. Mr. Chair, I have a question about this for Budget Review. I was looking at the backup and there's a paragraph that says, under program justification, that the New York State OMH offered new initiative funding to counties to expand services. Will there be funding if we were to adopt this --

LEG. BINDER:
Mr. Chairman, point of order.

LEG. BISHOP:
Point of order.

LEG. FISHER:
-- and provide these services? Would there be future funding?

P.O. TONNA:
All right. Hold it one second, Vivian. Legislator Binder. There's a point of order.

LEG. FISHER:
I'm sorry.

LEG. BISHOP:
And so do I. It's out of order.

LEG. BINDER:
The discussion -- is not the discussion out of order --

P.O. TONNA:
Ask our Legal Counsel.

LEG. BINDER:
-- as long as it's not -- there's no question before us?

P.O. TONNA:
Legal Counsel, is she allowed to ask this question now that we've voted on this resolution?

MR. SABATINO:
Sure.

P.O. TONNA:
Okay. Okay, continue, Legislator Fisher.

LEG. BISHOP:
By what? By what, virtue of what?

P.O. TONNA:
Okay, wait. Are we going to debate the point of order? Okay by virtue of what? Paul, there needs to be a legal dissertation about at what point, the point of what?

LEG. BISHOP:
Because you recognized her.

MR. SABATINO:
A Legislator --

P.O. TONNA:
Legislator Bishop.

MR. SABATINO:
A Legislator is asking a question from Budget Review. You could ask Budget Review a question any time --

LEG. BISHOP:
On anything.

MR. SABATINO:
-- during the course of the day.

LEG. BISHOP:
At any point.

MR. SABATINO:
Yes.

LEG. BISHOP:
Really?

P.O. TONNA:
Legislator Foley just did it.

MR. SABATINO:
A Legislator's prerogative.

P.O. TONNA:
We had -- we just had Legislator Foley ask about something that we didn't

have.

MR. SABATINO:
Legislator Crecca -- Legislator Crecca just interjected to ask a question on the issue and we responded to it. It happens all the time.

LEG. BINDER:
During the debate on the motion. There's no motion pending before us.

LEG. BISHOP:
Right.

MR. SABATINO:
No. Legislator Crecca made -- just made it -- asked a question after the vote was concluded, which was totally appropriate.

LEG. FISHER:
I'd like to make a motion to reconsider 1660.

LEG. BINDER:
It was out of order.

LEG. BISHOP:
Second.

P.O. TONNA:
Okay.

MR. SABATINO:
We must do ten times at every Legislative meeting.

P.O. TONNA:
You have to be on the prevailing side.

LEG. FISHER:
Who was on the prevailing side.

P.O. TONNA:
You voted against it. There were those four -- those five Legislators who voted against it.

LEG. TOWLE:
For the purpose of discussion, I'll make the motion, and I did vote against it.

LEG. FISHER:
And I'll second it.

P.O. TONNA:
Okay, great. All right. So, all in favor? Opposed to reconsider 1660?

LEG. ALDEN:
Opposed.

LEG. BINDER:
Opposed.

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LEG. CRECCA:
Opposed.

P.O. TONNA:
Okay. Roll call on this.

LEG. CRECCA:
I'll let her talk.

LEG. BISHOP:
No. It's only three opposed.

LEG. CRECCA:
I'll let you talk, though.

LEG. FISHER:
Okay. You're wasting more time arguing about having a simple --

LEG. BINDER:
Opposed.

LEG. CRECCA:
No. I'll let her talk.

LEG. FISHER:
-- question answered.

P.O. TONNA:
But that's --

LEG. BISHOP:
Can't we just table this now until the next meeting?

LEG. FISHER:
Can I hear the answer to my question, Legislator Bishop?

P.O. TONNA:
Listen to me. Legislator Fisher has a question. She was asking her questions. There was -- a Legislator had a legitimate point of order he

wanted to ask, he got an answer. Let's go back to Legislator Fisher's question.

LEG. FISHER:
Thank you.

P.O. TONNA:
But there is -- the bill is in front of us, right? Well, the bill to discharge --

LEG. GULDI:
No, the reconsideration.

P.O. TONNA:
The reconsideration bill -- motion is in front of us right now. Go ahead.

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LEG. ALDEN:
What was the vote?

LEG. GULDI:
We're in the vote.

P.O. TONNA:
We're in the vote. Legislator Fisher has the floor.

LEG. ALDEN:
What did you mark me down for?

LEG. FISHER:
Actually, Fred is trying to answer the question. He's held the mike here for --

P.O. TONNA:
Fred, answer the question.

MR. POLLERT:
Funding does not show in the Capital Program as being an offset to the cost of the Capital Program. Application will be made and it will flow through to the Operating Budget to reduce operating costs. However, because there's serial bond funding, the Capital Program will fund 100% of the cost. Operating costs may be offset through State Aid.

LEG. FISHER:
Do you have any idea what levels of funding would come from the State?

MR. POLLERT:
No, I don't, because the Mental Health budget was --

LEG. FISHER:
Excuse me. I thought this was important, because if we're looking at spending money on something, and in the backup there's an indication that there might be some kind of State grant money available to come into our Operating Budget, I think it might be helpful to consider this.

MR. POLLERT:
There were numerous changes, it is my understanding, at the State level to the amount of funding available for mental health programs. I believe that the Health Department is still sorting out what the impact of the State operating budget is. I'm not even sure that the Health department could clearly define the amount of aid which may be available.

LEG. FISHER:
Thank you, Fred.

P.O. TONNA:
Okay.

MS. BURKHARDT:
Legislator Towle.

P.O. TONNA:
Yes, Legislator Towle will be recognized, then Legislator Foley.

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LEG. TOWLE:
Thank you, Mr. Chairman. The reason this was tabled, if I'm not mistaken was --

P.O. TONNA:
It's not tabled.

LEG. TOWLE:
No, the last --

P.O. TONNA:
Oh, okay.

LEG. TOWLE:
At the last meeting, the reason it was tabled, I think, was because of the issue of questions of capital programs.

P.O. TONNA:
Okay.

LEG. TOWLE:
Is that right or am I mistaking that?

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

LEG. TOWLE:
If I could ask Counsel, what was the -- does he recollect?

P.O. TONNA:
I don't think it was on the merits itself, I think it was more on the merits of the process by which we approve capital projects, and they might not get done within that subsequent year.

LEG. TOWLE:
Okay. And did -- wasn't there a request at the last meeting to have somebody down here to speak on the status --

P.O. TONNA:
Well, I think that -- I think that they came to the meeting that they were requested at, which was Public Works meeting; am I right, Legislator Caracappa?

LEG. CARACAPPA:
What was the -- who did you ask for now?

LEG. TOWLE:
I was asking it of him, but the question was, did they come down and appear before the Public Works Committee to explain, Public Works, I guess, as to why the projects and delayed and what they're doing to improve that situation, or where are we going? Because, obviously, we're about to vote on a bunch of capital programs that we tabled at the last meeting, because we have some suspicion that they can't even get to these things.

P.O. TONNA:
You're asking a direct question to Legislator Caracappa as Chairman?

LEG. TOWLE:
I guess.

P.O. TONNA:
I recognize Legislator Caracappa to answer that question.

LEG. CARACAPPA:
Well, there's two parts to it. There are some policy directives that we have in -- coming up with relation to how we handle capital projects in the future and eliminating the backlog. Based on those resolutions and the most recent capital program that we approved, I met with Charles Bartha and Mr. LaValle prior to the Public Works meeting last week and we

spoke about the whole process of working together through the month of July to work on backlog projects and come up with some new policy to avoid what we went through in upcoming years.

P.O. TONNA:
Great. Thank you. Legislator Foley.

LEG. CRECCA:
Also put me down.

LEG. FOLEY:
Thank you, Mr. Chairman. On the issue of capital projects and Public Works, that point is well taken. However, this project will not go through Public Works at all, the project in question here. This is a priority -- if you look at the backup, this is a priority within the Health Department, so this is not something that is part of the backlog that we have discussed about Public Work.

I would also add that when you look at the backup, the memo dated February 5 from Tom MacGilvray to Commissioner Bradley states that the Division considers this project a priority that should be addressed immediately. And it gets to the point of the difficulty in administering the centers without modern and effective management and reporting tools. It also says that, "In addition, the lack of adequate monitoring," and this gets to the deinstitutionalization I mentioned earlier, "In addition, the lack of adequate monitoring of high risk cases presents risk management issues for the Division." Now, by what they mean by risk management, to put it in laymen's terms, are those ladies and gentlemen and others who are either walking within our districts or who are not receiving the services, that they are at risk not only to themselves, but to the people who live within our various Legislative districts as well. That's why this is a high priority within the Health Department, although the Exec didn't submit it until the end of May, but the fact of the matter is I would hope we can reconsider this vote so we can get this out. This is not a backlogged project, because this is coming out of the Health Department, not out of Public Works. It's a high risk group, it's a high priority for the Health Department.

P.O. TONNA:
Okay. There's a motion to reconsider by Legislator Towle, seconded by -- Oh, Crecca.

LEG. CRECCA:
I believe I was on the list.

P.O. TONNA:
Crecca.

LEG. CRECCA:
I just -- no. I just want to state for the record, my reason for voting against this is not the program itself, and I think most of the other Legislators who voted against it, it's the method of funding that we're changing this from, Operating Budget, it's 161,000, to taking -- you know, borrowing and debt on it. If we can't afford --

LEG. FOLEY:
Yeah. But if I just may say, though, you as one --

LEG. CRECCA:
Well, I think have the floor.

LEG. FOLEY:
You as one Legislator agreed to that one-year amendment.

LEG. CRECCA:
Well, you know what, Brian, before you wouldn't let me speak. I have the floor now, so --

P.O. TONNA:
Brian, Legislator Crecca has the floor.

LEG. CRECCA:
I mean, no, you know --

P.O. TONNA:
You have the floor, Legislator Crecca.

LEG. CRECCA:
We shouldn't be bonding $161,000, for which is primarily computer software. It should be coming out of our Operating Budget. That's been our policy. We certainly have done a number of offsets in our Operating Budget this year and this is one that should have been funded that way, and that's the way it should be done, if we're going to do this.

P.O. TONNA:
Okay.

LEG. FOLEY:
Paul.

P.O. TONNA:
Legislator Foley.

LEG. FOLEY:
Yeah. I believe that the great majority of Legislators had agreed to a one-year suspension of that particular 5-25-5 requirement, and the fact that the great majority of Legislators agreed to that one-year

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suspension. This is in keeping with that suspension by allowing this to be funded through a Capital Program. We're not looking at a huge amount of indebtedness, because I believe, Fred, this would be, given the amount of money, would it be a five-year bond?

MR. POLLERT:
Yes.

LEG. FOLEY:
It's a five-year bond. And so what -- so the amount of interest is negligible, I would imagine, and to use one of your more favorite terms, almost de minimus. But if you could, for those who were worried about capitalizing this kind of expense, even though we have agreed to suspend the requirement for one year, what kind of interest are we looking at on top of the principal?

MR. POLLERT:
Well, according to the County Executive's Office, it would be $182,000, but they used a higher interest rate than we did when we calculated it, but our estimate is approximately $180,000.

LEG. FOLEY:
So it's -- so the principal is 161 and the interest is another 19,000. I would submit that, particularly with this high risk case that we're talking about, and given the track record that we have up to this point approved a number of projects, well in excess of this amount, suspending the 5-25-5, that we would move forward to vote affirmatively for this resolution in order to give the Department the means and wherewithal to track and to give better service to our mental health clients, particularly those at higher risk.

LEG. LINDSAY:
Motion to reconsider.

D.P.O. POSTAL:
There has been a motion and a second. Legislator Crecca?

LEG. CRECCA:
Well, I've already spoken.

D.P.O. POSTAL:
Oh, okay. Legislator Fisher.

LEG. FISHER:
Well, I was going to make a motion to table.

LEG. TOWLE:
You have to make a motion to reconsider it first.

LEG. FISHER:
We already did.

LEG. CARACAPPA:
No, the vote wasn't taken.

LEG. TOWLE:
He hasn't taken a vote.

D.P.O. POSTAL:
No.

LEG. FISHER:
Oh, okay.

D.P.O. POSTAL:
There was no motion. We have a motion and a second to reconsider, but I don't think we had a roll call on that, right?

LEG. GULDI:
We didn't call the vote.

LEG. FISHER:
Okay.

D.P.O. POSTAL:
All right? Roll call. Or let's --

MR. BARTON:
Legislator Towle.

LEG. TOWLE:
Yes, to reconsider.

D.P.O. POSTAL:
We have a motion to reconsider and a second. Let's do all in favor? Any opposed?

LEG. CRECCA:
Roll call.

LEG. BINDER:
Roll call.

D.P.O. POSTAL:
Roll call.

(ROLL CALLED BY MR. BARTON)

LEG. FISHER:
Yes.

LEG. COOPER:
Yes.

LEG. BINDER:
No.

LEG. BISHOP:
Yes.

LEG. NOWICK:
No.

LEG. CRECCA:
No.

LEG. CARPENTER:
Yes.

LEG. ALDEN:
No.

LEG. FIELDS:
Yes.

LEG. LINDSAY:
Yes.

LEG. FOLEY:
Yes to reconsider.

LEG. HALEY:
Yes.

LEG. CARACAPPA:
No.

LEG. GULDI:
Yes.

LEG. CARACCIOLO:
No.

D.P.O. POSTAL:
Yes.

P.O. TONNA:
(NOT PRESENT)

LEG. FOLEY:
AWOL.

MR. BARTON:
11. (Not Present: P.O. Tonna)

D.P.O. POSTAL:
Okay.

LEG. CRECCA:
It's before us.

D.P.O. POSTAL:
1660 is now before us. Legislator Fisher --

LEG. BISHOP:
Motion to table.

D.P.O. POSTAL:
-- did you have a motion?

LEG. FISHER:
A motion to table.

D.P.O. POSTAL:
Motion to table by Legislator Fisher.

LEG. COOPER:
Second.

D.P.O. POSTAL:
Seconded by Legislator Bishop. All in favor? Any opposed?

(Opposed Said in Unison by Legislators).

LEG. CRECCA:
Roll call.

D.P.O. POSTAL:
Roll call.

(ROLL CALLED BY MR. BARTON)

LEG. FISHER:
Yes.

LEG. BISHOP:
Yes.

LEG. COOPER:
Yes.

LEG. BINDER:
No.

LEG. NOWICK:
No.

LEG. CRECCA:
No.

LEG. CARPENTER:
Yes.

LEG. ALDEN:
No.

LEG. FIELDS:
Yes.

LEG. LINDSAY:
No.

LEG. FOLEY:
Pass.

LEG. HALEY:
Pass.

LEG. CARACAPPA:
No.

LEG. TOWLE:
Pass.

LEG. GULDI:
Oh, pass.

LEG. CARACCIOLO:
No.

D.P.O. POSTAL:
Yes.

P.O. TONNA:
(NOT PRESENT)

LEG. FOLEY:
Reluctantly, yes, in order to vote on it at the next meeting.

LEG. HALEY:
Yes.

LEG. TOWLE:
Yes.

LEG. GULDI:
Yes.

P.O. TONNA:
(NOT PRESENT)

MR. BARTON:
Ten. (Not Present: P.O. Tonna)

D.P.O. POSTAL:
1660 is tabled. 1661, amending the 2002 Capital Budget and Program and appropriating funds in connection with traffic signal improvements on various County roads. Is there a motion?

LEG. TOWLE:
Motion to table.

LEG. CARACAPPA:
Second.

D.P.O. POSTAL:
Motion to table by Legislator Towle, seconded by Legislator Caracappa. All in favor? Opposed?

(Opposed Said in Unison by Legislators)

Opposed, Legislator Foley, Legislator Lindsay, Legislator Caracciolo.

LEG. CARACAPPA:
Call the vote.

LEG. CARPENTER:

Opposed. Yes, opposed.

D.P.O. POSTAL:
Legislator Carpenter is opposed.

LEG. TOWLE:
Legislator Postal.

D.P.O. POSTAL:
Yes.

MR. BARTON:
13-4, 1 not present. (Not Present: P.O. Tonna)

LEG. TOWLE:
I repeat my request that someone from DPW be at that next meeting to talk about, you know, to all of us. I appreciate the input that we've gotten --

D.P.O. POSTAL:
So noted.

LEG. TOWLE:
-- from Legislator Caracappa, but --

D.P.O. POSTAL:
1661 is tabled.

LEG. CARACAPPA:
Yeah, I can take a hint, hit.

D.P.O. POSTAL:
1664 (Amending the 2002 Capital Budget and Program and appropriating funds in connection with the painting of bridges at various location in Suffolk County). Amending the --

LEG. BISHOP:
Motion to table.

D.P.O. POSTAL:
Motion to table by Legislator Bishop, seconded by -- who was the second? Legislator Lindsay? All --

LEG. LINDSAY:
No.

D.P.O. POSTAL:
No? Legislator Foley.

LEG. FOLEY:
No.

LEG. ALDEN:
Motion to table.

D.P.O. POSTAL:
Legislator Alden, second. All in favor?

LEG. FOLEY:
On the motion.

LEG. CARACCIOLO:
Opposed.

D.P.O. POSTAL:
On the motion.

LEG. FOLEY:
On the motion.

D.P.O. POSTAL:
Legislator Foley.

LEG. FOLEY:
It's my understanding that the Department would get to this project in the current fiscal year, so this is not an example of waiting five to eight years before a project gets approved. In fact, this will be done within the given year that we've approved the resolution.

LEG. CARACAPPA:
On the motion.

LEG. ALDEN:
On the motion.

D.P.O. POSTAL:
Legislator Lindsay, Legislator Caracappa and Alden, in that order.

LEG. LINDSAY:
I understand the frustration in my fellow Legislators with the delay in Public Works, but if we don't approve any projects, they'll never get done. You know, I mean, the only way that they'll even get considered is if we approve them.

LEG. CARACAPPA:
Madam Chair, I think I was next.

D.P.O. POSTAL:

Bill?

MR. SPERO:
I have a cogent point. The discussion is moot, because there's not enough

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pay-as-you-go funds to fund this project.

LEG. CARACAPPA:
Yes. Thank you.

LEG. BISHOP:
Motion to table.

LEG. TOWLE:
There you go.

LEG. BISHOP:
Motion to table subject to call.

D.P.O. POSTAL:
Motion -- wait, wait, wait, wait.

LEG. ALDEN:
Motion to approve.

MR. BARTON:
We have a motion and a second to table.

LEG. TOWLE:
It's the first Capital Program you voted for.

D.P.O. POSTAL:
Legislator Alden, you had asked for the floor?

LEG. CARACAPPA:
No, no, no.

D.P.O. POSTAL:
No?

LEG. ALDEN:
We don't need it after that.

D.P.O. POSTAL:
Okay. There's a motion to table subject to call by Legislator Bishop.

LEG. CRECCA:
Second.

D.P.O. POSTAL:
Seconded by Legislator Crecca.

LEG. CARACCIOLO:
Roll call.

D.P.O. POSTAL:
Roll call on the motion.

LEG. HALEY:
What is the motion?

LEG. GULDI:
Table subject to call.

LEG. CARACAPPA:
Subject to call. There's no money.

MR. BARTON:
On the motion to table subject to call.

(Roll Called by Mr. Barton)

LEG. BISHOP:
Yes.

LEG. CRECCA:
Yes.

LEG. COOPER:
Yes.

LEG. BINDER:
Pass.

LEG. NOWICK:
Yes.

LEG. CARPENTER:
No.

LEG. ALDEN:
Pass.

LEG. FIELDS:
Yes.

LEG. LINDSAY:
Abstain.

LEG. FOLEY:
No.

LEG. HALEY:
No.

LEG. FISHER:
Yes.

LEG. CARACAPPA:
Yes.

LEG. TOWLE:
No.

LEG. GULDI:
No.

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LEG. CARACCIOLO:
No.

D.P.O. POSTAL:
Yes.

P.O. TONNA:
(NOT PRESENT)

MS. BURKHARDT:
Absent.

LEG. BINDER:
No.

LEG. ALDEN:
Yes.

MR. BARTON:
Nine. (Not Present: P.O. Tonna)

LEG. TOWLE:
Motion to table.

D.P.O. POSTAL:
Motion to table by Legislator Towle.

LEG. CRECCA:
Second.

LEG. CARACCIOLO:
Roll call.

D.P.O. POSTAL:
Seconded by -- was that Legislator Crecca?

LEG. CRECCA:
Yeah.

LEG. CARACCIOLO:
You want to filibuster?

D.P.O. POSTAL:
Let's just do all in favor of tabling.

LEG. CARACCIOLO:
Roll call.

D.P.O. POSTAL:
Roll call on the motion.

LEG. TOWLE:
Yes.

LEG. CRECCA:
Yes. Yes to table.

LEG. COOPER:
Yes.

LEG. BINDER:
Yes.

LEG. BISHOP:
Yes.

LEG. NOWICK:
Yes.

LEG. CARPENTER:
Yes.

LEG. ALDEN:
No.

LEG. FIELDS:
Yes.

LEG. LINDSAY:
Yes.

LEG. FOLEY:
Yes.

LEG. HALEY:
Yes.

LEG. FISHER:
Yes.

LEG. CARACAPPA:
No.

LEG. GULDI:
Yes.

LEG. CARACCIOLO:
No.

D.P.O. POSTAL:
Yes.

P.O. TONNA:
(NOT PRESENT)

MR. BARTON:
14. (Not Present: P.O. Tonna). It's tabled.

D.P.O. POSTAL:
1671, amending the 2002 Operating Budget in connection with the addition of six security guards for County buildings.

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LEG. TOWLE:
Legislator Postal. Legislator Postal.

D.P.O. POSTAL:
I'm sorry.

LEG. TOWLE:
I'm sorry, too.

D.P.O. POSTAL:
Legislator Towle.

LEG. TOWLE:
I believe we had tabled this last meeting, because we had some questions. Somebody from the County Executive's Office is here maybe to answer them.

LEG. LINDSAY:
Did we have a motion?

D.P.O. POSTAL:
Well, we don't have a motion, actually.

LEG. LINDSAY:
I make a motion to approve.

D.P.O. POSTAL:
Motion to approve --

LEG. CRECCA:
Second.

D.P.O. POSTAL:
-- by Legislator Lindsay.

LEG. CRECCA:
Second.

D.P.O. POSTAL:
Seconded by Legislator Caracappa. Okay. Legislator Towle.

LEG. TOWLE:
Basically, I guess --

D.P.O. POSTAL:
The question was?

LEG. TOWLE:
There were a multitude of questions, but, basically, an explanation of what we're doing here.

MR. KNAPP:
Okay.

LEG. TOWLE:
And why.

LEG. CRECCA:
It's a --

D.P.O. POSTAL:
There's somebody from -- if you want the County Executive --

LEG. CRECCA:
Oh, okay. I'm sorry, go ahead.

D.P.O. POSTAL:
The County Executive's Office --

LEG. CRECCA:
No. You guys can do it better.

D.P.O. POSTAL:
-- is prepared to respond. That might be --

LEG. CRECCA:
It might be better.

MR. KNAPP:
The plan for the Department of Public Works is to have six security guard officers, three of them stationed here in the County Center, three of them stationed at the H. Lee Dennison Building, three in each building to make sure that there's adequate coverage due to people calling in sick and vacations. They would like the coverage to be a little bit expanded from the nine to five office hours, but there will not be a nighttime duty, more in line of about 8 a.m. to about 6 p.m.

We also talked at the last meeting, I think a couple of Legislators wanted to know what was going on throughout the County as far as security. The Legislature in the Omnibus back in November secured funding for the Sheriff's Office for security at the airport. There is also security that was done at the William H. Rogers Building about two years ago when the renovations were done. Likewise, there was a resolution and capital project money added to -- for security systems here, and the H. Lee Dennison Building as well, similar to the way that the Legislature Building currently is.

LEG. TOWLE:
Ken.

MR. KNAPP:
Yes.

LEG. TOWLE:
This is the program that's being coordinated by Joe Michaels, right?

MR. KNAPP:
That's correct.

LEG. TOWLE:

Yeah.

LEG. CRECCA:
I didn't hear what he said.

LEG. TOWLE:
Yeah.

D.P.O. POSTAL:
Could you -- we didn't hear your question.

LEG. TOWLE:
Yeah. I asked if it was the program that was being coordinated by Joe Michaels. I've sat in on that committee meeting here in the County Center in Riverhead, it's been held in the Clerk's Office, and there's been numerous questions that are still outstanding, because the Clerk's Office themselves have three security guards and there was some question about putting three security guards in addition to the three that are already here now on the DPW payroll. There's a meeting scheduled for the first week of July to resolve that, and, to the best of my knowledge, that still has not been resolved as to who these people were going to report to, the overlapping of duties, the fact that this office happens to have security and no other department does. I mean, I don't think any of those issues were resolved. I mean, unless you're prepared to talk about resolving them today, I wouldn't feel comfortable moving this at this point.

MR. KNAPP:
Okay. The one thing I do want to point out is I understand your concerns. However, security and employees in the H. Lee Dennison Building have requested security and limit access to some of the doorways and different things like that, and --

LEG. TOWLE:
But this is for security guards, this isn't for any building improvements, right?

MR. KNAPP:
It is and it isn't, it's tied to it. They want to have only access come in and out of one entrance way of the H. Lee Dennison Building for those who do not work within the Dennison Building. And it's going to be a similar system that they devise for this building as well.

As far as any special considerations for the Clerk's Office, because the high number of non-County personnel that they have in there, I'm sure that, as you said, is going to be resolved, but I do not have anything for you at this time.

LEG. TOWLE:
I'm going to make a motion to table this to our next meeting --

LEG. GULDI:
Second.

LEG. TOWLE:
-- because, as I said, this issue still has not been resolved for this building.

MR. KNAPP:
I will take your request to --

P.O. TONNA:
I will send out a letter today or tomorrow, whatever it is, requesting that DPW and its representatives come to answer questions of --

LEG. TOWLE:
There's a meeting -- Mr. Chairman, if I may.

P.O. TONNA:
-- of legislation that is out of committee, but pending in the Legislature.

LEG. TOWLE:
If I may.

P.O. TONNA:
Okay?

LEG. TOWLE:
Mr. Chairman, before you -- what I said before you walked in room was there's actually a meeting scheduled for the first week of July to resolve this. It's scheduled here in the Clerk's Office.

LEG. BISHOP:
Second the motion to table. Let's go.

P.O. TONNA:
Fine.

LEG. CARACCIOLO:
Mr. Chairman.

P.O. TONNA:
Yes. Legislator Alden and then Fields. Hold it one second. Alden.

LEG. ALDEN:
Ken, could you come back?

MR. KNAPP:
Yes.

LEG. ALDEN:
How many security guards does Suffolk County employ at the present moment?

MR. KNAPP:
I'm not exactly sure of the number. I can get you that information. I do know that we have some security guards in some of our Social Service buildings and --

LEG. ALDEN:
Is this for -- is this for armed guards?

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MR. KNAPP:
No, I do not believe so.

LEG. ALDEN:
So we're going to have unarmed personnel guarding entrances that people don't feel safe as far as people wandering in and out?

MR. KNAPP:
All it is, it's to limit the access to the buildings and making sure everybody's accountable for. Also, part of the process is an evacuation plan, so this way, if a fire alarm does go off in the building, everybody who is in --

LEG. ALDEN:
The security guard could be the first one out?

MR. KNAPP:
No, not necessarily. This way, everybody in the building is accountable for when they do go out, so this way, if a report has to be given to the Fire Marshal or the responding fire department personnel, both County and non-County, they do know who is in that building at that given point.

D.P.O. POSTAL:
Legislator Fields. Don't go away.

MR. KNAPP:
Okay.

LEG. FIELDS:
How much is this supposed to cost for the three and three?

MR. KNAPP:
Okay. The six security guards is estimated at about 90,000 for this year. It's a Grade 15 position, and the bi-weekly salary is about $1,100 and change. So about 90,000 would be their base salary, and then add on a little bit for the fringe benefits to go along with that. There is sufficient money within DPW's operational account where they will be employed to pay for this.

LEG. FIELDS:
I'm sorry, I cannot even hear you.

MR. KNAPP:
Okay. The cost of the six positions is estimated at about $90,000 for the remainder of 2002. Bi-weekly salary for a Grade 15, starting at the "S" step, is approximately $1,100 and change. There is sufficient funds within DPW's appropriation to handle the cost of this staff currently this year. The Department of Public Works also requested this in their next year's budget for 2003.

LEG. FIELDS:
How much -- did you do an estimate -- you know the white badges that we have in the Legislative building that allow entrance for employees of the building?

MR. KNAPP:
We are going to be using that system as well.

LEG. FIELDS:
How much --

MR. KNAPP:
That has already been included in the Capital Budget that the Legislature already adopted for the Dennison Building and for this building back several months ago.

LEG. FIELDS:
Then why would it be necessary to have three armed guards or three guards at each building if you have that already in place?

MR. KNAPP:
All the entrances to the Dennison Building and this building as well will be equipped with those security systems. So County personnel who are employed and work within this building have access to all the entranceways. Non-County personnel who are coming in for meetings or for public information and different things like that will go through the main entrance where the security guards are stationed, similar to what the structures being built out here in the lobby, so this way they'll go

through that, they will be called up to their office, or somebody from the office will come down. It's really just to make sure that everybody who was in the building is accountable for, just in case if a roster of people have to be handed over to the Fire Marshal, and make sure that people are going to the offices that they state they're going to, and that they're not roaming around the buildings and different things like that.

LEG. FIELDS:
You stated that it would -- the guards would be employed after hours. What would be the need to have a guard after hours if employees have badges to get in and out of the building?

MR. KNAPP:
There are times when there are meetings of non-County personnel and non-County personnel who work in that building that go past five or six o'clock. They're not doing any night tours or anything like that, but they do want extend it to about six or seven p.m. is their plan right now.

LEG. FIELDS:
But what would be the need to do the -- to have a guard there? Is he going to have a list, or she?

MR. KNAPP:
Yeah, that's correct. And --

LEG. FIELDS:
And he'll check the building to make sure everybody is out of the building?

MR. KNAPP:
That's correct. And, also, for example, the media lounge in the Dennison

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Building is used quite often for meetings and different things like that that are -- non-County personnel do attend those meetings. So that is the reason why it won't shut down right at 5 o'clock.

LEG. FIELDS:
Okay. Thank you.

P.O. TONNA:
Just there is a -- there is -- excuse me. Hold it, hold it, hold it. Come on up. Just for my sense, there --

LEG. GULDI:
Are you on the list?

P.O. TONNA:
Yeah, yeah. Yeah, sure.

LEG. TOWLE:
He makes the list.

P.O. TONNA:
All right. Legislator Postal, then Guldi. I can't lie. I'll be next.

D.P.O. POSTAL:
My question would be, for a number of months after September 11th, there were police officers stationed at the Dennison Building who checked everybody who came into the building, checked your I.D., or called to see if you were expected at whatever office, and at least two months ago they disappeared. Why did they disappear? And if we didn't feel it was necessary to have them continue, why do we now have a change of heart and think we need somebody for security?

LEG. FIELDS:
They're still in the building. Nobody's checked to see if they've left.

MR. KNAPP:
This is a cost effective way of meeting the same goals that the police officers that were originally right after the tragedy of September 11th. I do not -- I cannot speak for the Police Commissioner why he removed the individuals from the building at that time. I think it was just to meet an immediate coverage in the building and to work on a plan to get us to the point where we are today, and, hopefully, further down to have the security guards there in lieu of police officers and put the police officers back out on the street.

D.P.O. POSTAL:
Yeah. I'm just really puzzled, because, first of all, the police officers were there for more than just the period immediately following 9/11.

MR. KNAPP:
It was a couple of months, that's correct.

D.P.O. POSTAL:
And, evidently, if we felt it was important enough to have police officers checking people and their I.D.'s for that period of time, I have a hard time understanding why we felt that there was no necessity to

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continue that, and now we want to approve security guards.

MR. KNAPP:
I think the immediate fix that they were looking for, likewise, that happened in this building, there were some -- there were some incidences

that people thought Anthrax might have been put in the building. And once those questions and concerns quieted down a little bit, we started looking at long-term plans and long-term solutions, and that's where we came up with this situation.

D.P.O. POSTAL:
Yeah. I would assume that Anthrax was something that you wouldn't exactly hire security guards to check for. Legislator Guldi.

LEG. GULDI:
Thank you. I'm confused. This building, you're going to hire three security guards to cover one entrance. How are you going to make that work? You got the Surrogates Court with its own security at the far -- at the north end of the building, you got -- with the court officers, you got the health clinic at the south end of the building, you've got people coming to pay their taxes and file deeds coming through -- coming through the present main entrance. In addition to that, you've got the title examiners who are working extended hours.

MR. KNAPP:
Correct.

LEG. GULDI:
How -- what entrance are you going to close?

MR. KNAPP:
All the entrances are going to be --

LEG. GULDI:
And --

MR. KNAPP:
I'm sorry.

LEG. GULDI:
Aren't the methadone clinic users using a different door now as well?

MR. KNAPP:
The plan is to have everybody who is a -- who is not employed in this building to go through the main entrance here, sign in with the security officer, and then either have a representative from the department come down, or have them walk to the health clinic or to the Treasurer's Office, similar to the -- similar plans will be done in the Dennison Building. All the other doorways --

LEG. GULDI:
How many visitors a day are there in this building? Thousands.

MR. KNAPP:
Correct.

LEG. GULDI:
How are you going to do that with three security guards and escort them. What's the -- you're going to have a huge personnel demand.

MR. KNAPP:
That would be a good question to ask the Department of Public Works, if they come here and speak on the bill.

LEG. GULDI:
Yeah. Wouldn't it? Boy, I'm glad I seconded the motion to table. Thank you very much.

P.O. TONNA:
Really, do you have a full catalog or procedure manual of how you are going to handle all of these issues?

MR. KNAPP:
On behalf of the -- I can speak on the Dennison Building. There is an evacuation plan. All County personnel who are working within the H. Lee Dennison Building have attended seminars that have been conducted by the Safety Officer of the County who works in Civil Office.

P.O. TONNA:
Right. Okay, but --

MR. KNAPP:
And it's a pretty elaborate evacuation plan. I do not know the plan for the --

P.O. TONNA:
The evacuation is not what concerns me. What concerns me is you're asking for security officers, right, six?

MR. KNAPP:
Correct.

P.O. TONNA:
Do you have a policy and procedure manual on exactly all the protocols that they have set up, or are we hiring these guys first before we finish this process?

MR. KNAPP:
That I cannot answer. I don't have the answer to that.

P.O. TONNA:
Well, you can answer it, but you just don't want to answer it, right, or you have --

MR. KNAPP:
I don't -- I do not know the correct answer for that. I don't know if we do or do not.

P.O. TONNA:
Okay.

MR. KNAPP:
I don't know what public works has in place.

P.O. TONNA:
Well, I would suggest then, by putting this resolution in, I would suggest that you find that answer, that I would suggest to my colleagues that we don't vote for a piece of legislation that asks for security guards until we know that there's a policy and procedure manual. I mean, maybe this is like top secret stuff and then we could set up a special committee in executive session, so it doesn't become -- I'm sure Colonel Towle would love to --

LEG. GULDI:
I second that.

P.O. TONNA:
You know, and I'm sure there might be even --

LEG. TOWLE:
Subpoena?

P.O. TONNA:
-- a helicopter escape pad. But the concern that I have is that, whether it be the Public -- Public Safety Committee, or somebody, the Chairman of the Public Safety Committee, or whatever, that we know that there is an existing policy and procedure manual before we hire staff to carry out duties that we don't know what they're supposed to do yet.

LEG. GULDI:
Yeah. Mr. Presiding Officer, maybe --

P.O. TONNA:
Yeah.

LEG. GULDI:
Maybe this might even be an appropriate matter to recommit to some committee where they can --

P.O. TONNA:
Well, it should be Public Safety.

LEG. GULDI:
-- figure out what the policy procedures manual and plan for the security people are before we'd start hiring personnel and funding it. So I'll make a motion to commit or recommit to committee.

P.O. TONNA:
I will make a motion to commit you, recommit for everything else to committee.

LEG. GULDI:
Okay.

P.O. TONNA:
Legislator -- wait. There's a motion and a second by Legislator Towle, but still, Legislator Fields, you're next.

200

LEG. TOWLE:
I wasn't just raising my hand, I wasn't seconding it.

P.O. TONNA:
You don't want to recommit?

LEG. TOWLE:
No. There was a motion to table already.

LEG. FISHER:
There's a motion to table.

LEG. FIELDS:
I just have a --

P.O. TONNA:
Legislator Fields.

LEG. FIELDS:
-- couple of questions. You said $90,000 for the rest of this year.

MR. KNAPP:
Correct. It's about $1,100 bi-weekly per Grade 15 individual.

LEG. FIELDS:
How much would it be in 2003?

MR. KNAPP:
I would ask Budget Review, who have the calculators and the computers right in front of them, for that. A grade 15 for a full year at half step -- Step "S".

MR. POLLERT:
It's roughly $265,000 with fringes in --

LEG. FIELDS:
Two hundred and sixty-five thousand dollars.

MR. POLLERT:
Two hundred and sixty-five thousand.

LEG. FIELDS:
And the other question I have is, you said that a representative would escort every visitor?

MR. KNAPP:
I think that was the plan, but I cannot -- I know that's the plan in the Dennison Building, either somebody will come down or they'll be asked to go up to the office. I cannot speak to exactly how it's going to be set up here.

LEG. FIELDS:
And you said three guards, and let's say it's in the Dennison Building for three entrances, or are there two --

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MR. KNAPP:
No, it's just for one entrance.

LEG. FIELDS:
One entrance, three guards?

MR. KNAPP:
It will be the north entrance in the Dennison Building.

LEG. FIELDS:
Why do you need three guards for one entrance?

MR. KNAPP:
It's just to cover all the tours and when staff takes off and different things, so this way there's just coverage during the whole business day.

LEG. FIELDS:
Okay. Thank you.

P.O. TONNA:
Legislator Lindsay.

LEG. LINDSAY:
Pass.

P.O. TONNA:
Did you ask about the electrical system? Okay.

LEG. LINDSAY:
Been asked and answered.

P.O. TONNA:
All right, great. There is a motion to table. There's also a motion to recommit to committee.

LEG. GULDI:
I don't think I got a second.

P.O. TONNA:
Okay.

LEG. GULDI:
Legislator Towle was just --

P.O. TONNA:
All right. He was just raising his hand, stretching? There's a motion to table and a second. All in favor? Opposed? Tabled.

MR. BARTON:
18.

P.O. TONNA:
Okay. Let's see the plan. 1676 (Amending the 2002 Capital Budget and Program and appropriating funds in connection with the dredging of County Waters. Is there a motion?

LEG. TOWLE:
Motion to table. Same story.

P.O. TONNA:
Seconded by myself. All in favor? Opposed? Tabled.

MR. BARTON:
18.

P.O. TONNA:
Okay. Procedural Motion 3 (To retain independent appraisal review services for County land transactions).

LEG. BISHOP:
Motion to table.

P.O. TONNA:
Second by myself. All in favor? Opposed? Tabled.

MR. BARTON:
18.

P.O. TONNA:
Okay. We're finally on the agenda.

LEG. BINDER:
Oh.

P.O. TONNA:
Yeah.

LEG. BINDER:
Introductory resolutions.

INTRODUCTORY RESOLUTIONS IN COMMITTEE JUNE 25, 2002
MEETING OF THE SUFFOLK COUNTY LEGISLATURE

P.O. TONNA:
All right. Here we go. 1546 (Amending the temporary Salary and Classification Plan to increase the hourly rate for Temporary Nurse Aide, Licensed Practical Nurse, Registered Nurse and Food Service Worker Positions, and to add the title Custodial Worker I). Motion?

LEG. TOWLE:
Motion to approve.

P.O. TONNA:
Motion to approve by Legislator Towle, seconded by Legislator Tonna. All in favor? Opposed? Approved.

MR. BARTON:
18

P.O. TONNA:
1677 (Amending the Suffolk County Classification and Salary Plan in connection with a new position title in the Office of the County

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Executive (Senior Citizens Program Administrator II). Motion by Legislator Towle, seconded --

LEG. GULDI:
Second.

P.O. TONNA:

-- by Legislator Guldi. On the motion. You have a motion or a question?

D.P.O. POSTAL:
No.

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

MR. BARTON:
18.

ECONOMIC DEVELOPMENT & ENERGY

P.O. TONNA:
Number 1050 (Authorizing retrofitting of traffic lights and LED fixtures). Legislator Cooper.

LEG. COOPER:
Motion to table.

P.O. TONNA:
Motion to table, seconded by myself. All in favor? Opposed? Tabled.

LEG. GULDI:
No. Opposed.

LEG. LINDSAY:
No, no, no.

LEG. GULDI:
Opposed to tabling.

LEG. BISHOP:
To table.

P.O. TONNA:
Opposed to tabling?

LEG. GULDI:
Yeah, I'm opposed to tabling. Why do we want to table this resolution?

P.O. TONNA:
Legislator Cooper, why -- the sponsor, why don't you answer that question?

LEG. COOPER:
There have been some concerns expressed over the cost to the County, and I'm thinking about modifying the resolution to set up a pilot program with one of the towns in Suffolk and have them share the cost of the

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retrofitting.

P.O. TONNA:
Okay. Legislator Lindsay had a question about -- Legislator Lindsay.

LEG. LINDSAY:
I don't understand what the towns have to do with it. I mean, we maintain our County traffic signals on County roads.

LEG. COOPER:
No, it's actually the towns that maintain the traffic signals on County roads.

LEG. LINDSAY:
I thought we had requirements --

LEG. COOPER:
So the County would be paying for the retrofitting, but the towns would accrue the benefits.

LEG. CARACAPPA:
Yes.

P.O. TONNA:
All right. So there's a motion to table and a second. All in favor? Opposed?

LEG. TOWLE:
Opposed.

LEG. GULDI:
Opposed.

LEG. LINDSAY:
Opposed.

P.O. TONNA:
Opposed, Legislator Towle, Legislator Guldi and Legislator Lindsay. There we go.

MR. BARTON:
17-3.

P.O. TONNA:
Procedural Motion Number 7 (For LIPA oversight for 2002 (2nd Half). Legislator Cooper?

LEG. COOPER:

Motion to approve.

P.O. TONNA:
Motion to approve.

D.P.O. POSTAL:
Second.

P.O. TONNA:
And second. On the motion?

LEG. CARACCIOLO:
How much? How much?

P.O. TONNA:
How much, and what does this actually do?

LEG. COOPER:
This would basically extend our contract with CAP for another six months, the same terms as the previous six months.

P.O. TONNA:
I knew Gordian was here for some reason.

LEG. CRECCA:
It's a hundred --

P.O. TONNA:
Okay. Is he still there? Where are you Gordian?

LEG. CRECCA:
On the motion.

P.O. TONNA:
Gordian, are you around?

LEG. BISHOP:
You're not going to bring him up, are you?

P.O. TONNA:
Okay. No, I'm not going to bring him up, I'm not allowed to. I have to keep my own rules. Okay. Anyway, Legislator Crecca.

LEG. CRECCA:
Yeah, just on the motion. It's a hundred -- it's a cost of another hundred thousand dollars out of the 456 Account. I just want to --

P.O. TONNA:

It is? Santa Maria. Okay, go ahead.

LEG. CRECCA:
I just want to -- I'm not going to redebate this, because we debated this six months ago with, you know, the Energy Specialist at the -- this Legislature also approved.

P.O. TONNA:
Right.

LEG. CRECCA:
The -- my understanding is, is that is a Civil Service position, that there are -- we've got a number of applications in for that position, and that we have 14 people, I think, Fred, that are qualified?

MR. POLLERT:
Yes.

LEG. CRECCA:
And are you guys in the process of scheduling interviews or --

MR. POLLERT:
Depending upon the outcome of this resolution, yes.

LEG. CRECCA:
Again, you know, we've got two divergent --

P.O. TONNA:
Why are we -- why -- I thought, if I remember the back room stuff, if I -- no. If I remember the questions about this issue, it was that we were trying to do both, no?

LEG. CRECCA:
No.

P.O. TONNA:
We wanted somebody in-house, and we still thought that there was purpose and meaning to the role that CAP would play.

LEG. COOPER:
This is correct.

LEG. CRECCA:
I disagree with that's what the discussion was.

P.O. TONNA:
Oh.

LEG. CRECCA:
The discussion was --

LEG. GULDI:
He wants to cap CAP.

LEG. CRECCA:
It was not to spend the money in two places. What happened was last time we approved it for six months, or I think some Legislators did, because there was concern about getting the Energy Specialist hired and on payroll. There were some delays in getting that person hired. They waited for some -- a definition from Civil Service, and then there was some holdup with regard to advertising for the job. And, I don't know, Fred, do you want to explain that better than me?

P.O. TONNA:
All right. Fred?

MR. POLLERT:
Yes. Currently, we've got 14 qualified candidates. We haven't begun the interview process. It was my understanding that if the contract with CAP was extended, there would be a Legislative resolution to rescind the previous Legislative resolution which authorized the hiring of an Energy

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Specialist in the County Legislature's Budget Review Office.

P.O. TONNA:
So you're saying that this is an either/or situation as you understand it.

MR. POLLERT:
What my understanding is, that if this is continued, that there will be a --

P.O. TONNA:
That's the "either".

MR. POLLERT:
Policy right. There will be Legislative resolution introduced to rescind the previous resolution creating the position in Budget Review Office.

P.O. TONNA:
Who would do that?

LEG. ALDEN:
I would, for one.

MR. POLLERT:

I had discussions with Legislators Cooper --

P.O. TONNA:
So that's the "or".

MR. POLLERT:
-- when he had called me up with respect to what was the status of recruitment for this title.

P.O. TONNA:
So now I'd ask the sponsor of this bill, Legislator Cooper, we voted to extend CAP for six months.

LEG. COOPER:
Correct.

P.O. TONNA:
I -- and, again --

LEG. COOPER:
Understanding was that we would be extending it for another six months. There's very broad support for that. The Legislature was split, if you will recall, on the issue of whether we needed, in addition to --

P.O. TONNA:
I can't, that's the problem.

LEG. COOPER:
If, in addition to funding of CAP, which there was very broad consensus, I believe it was a vote of 15 in support of CAP. It was much more narrowly split on the issue as to whether we needed a separate LIPA oversight division under BRO. That passed by a vote of only ten.

P.O. TONNA:
Well, still, it was the majority of the Legislature. My concern was, I mean, I didn't think I was in an either/or situation, I thought I was -- Dave, is that, because I --

LEG. BISHOP:
That's how I remember it. You were in the room.

P.O. TONNA:
I remembered it that --

LEG. CRECCA:
So then we were going to --

P.O. TONNA:

-- that I was committed to that Civil Service position. You know, I mean, you don't hire somebody to say, by the way, at this time, we're going to have a resolution, then you're not going to be here anymore. I mean, once you hire an employee, we're going through the process of hiring somebody, an Energy Specialist, similar to like kind of what Dave was talking about a Real Estate Specialist, or something like that or -- but somebody who's going to be an advisor working under Budget Review in a Civil Service capacity.

LEG. CRECCA:
Well, the reason we did six months originally was because that was the time period that we thought that it would take to get the Energy Specialist. Granted, we're sitting here today --

LEG. COOPER:
No, that was not the -- Andrew, that was not the rationale. The rationale for six months --

LEG. CRECCA:
Why didn't we just do it for a year if we were going to extend CAP?

LEG. COOPER:
Because CAP is --

LEG. BISHOP:
You didn't have the votes at the time.

LEG. COOPER:
Well -- and, also, CAP is trying to get private foundation funding --

LEG. BISHOP:
Right.

LEG. COOPER:
-- grants to -- so they will not be entirely dependent upon the Suffolk County Legislature, which was the concern of some of our colleagues.

P.O. TONNA:
Okay. So they had six months. Have they gotten the private foundation money?

LEG. COOPER:
We can call Gordian up to address this.

P.O. TONNA:
Well, you're, I mean --

LEG. COOPER:

They're working on it. I don't think that any funding has been forthcoming --

LEG. HALEY:
Motion to table.

LEG. TOWLE:
Second.

P.O. TONNA:
Okay. So there's a -- yeah.

LEG. COOPER:
Excuse me.

P.O. TONNA:
Go ahead.

LEG. COOPER:
If we do not approve this resolution right now, we'll lose access --

P.O. TONNA:
What happens?

LEG. COOPER:
We will lose access to CAP. They will not be able to consult for the Legislature.

P.O. TONNA:
They won't be able to talk to us anymore?

LEG. CARPENTER:
Trust me, he'll be back.

LEG. CARACAPPA:
Yeah.

P.O. TONNA:
Okay.

LEG. CARACAPPA:
I think he'll consult with us.

P.O. TONNA:
I mean, don't dare me on that one.

LEG. COOPER:
We will not be able to --

P.O. TONNA:
I'm just saying --

P.O. TONNA:
We will not be able to pay CAP for their consulting services.

P.O. TONNA:
Well, we've voted resolutions -- in the past, we have voted resolutions later and we've owed them some money and we've paid them their money, right? I mean, is this the first time the Legislature or the County of Suffolk has been a little late in payments?

LEG. TOWLE:
Don't we have a good credit rating?

LEG. CARPENTER:
Excellent.

LEG. COOPER:
My clear -- I would --

P.O. TONNA:
I know.

LEG. COOPER:
I'd say let's bring this for a vote. My clear preference would be to approve the CAP resolution.

P.O. TONNA:
Right.

LEG. COOPER:
If we want to revisit the issue of the LIPA Oversight Division, I would be more than pleased to do that as well.

P.O. TONNA:
Oh, okay. So now it's win/win. Okay. Let's just go to -- wait. Yeah, Legislator Alden is next. Who's -- whoever else wants to be on the list, just raise thy hand. Okay.

LEG. ALDEN:
I believe the same timetable that held true for the first time we looked at this would hold true for this revisiting. If we don't fund them, they go out of business. We don't have anybody then, as far as in a formal situation, looking at LIPA. So if you really want to give LIPA just full reign and let them run all over all of us, then don't fund this and wait, and however long it takes us to hire somebody and then get them acclimated to the job or trained in a job, so you're looking at -- and Budget Review maybe could tell us how long would it take to actually pull

the trigger. And you've got "X" number of qualified candidates, so how long would the time frame be to actually hire somebody, get them trained, and get them out there to actually look at the energy situation on Long Island or LIPA situation?

MR. POLLERT:
Well, what the job requirements that were put together by the Department of Civil Service requires ten years of experience in the field. Therefore, we're anticipating that they should be up to speed relatively quickly. The amount of time to hire is approximately one month.

LEG. ALDEN:
Well, the ten-year requirement, okay, that's somebody in the field, but was it specific to somebody that was in the New York metropolitan area that would be familiar with the LIPA and --

MR. POLLERT:
No. It was someone that was familiar with energy management and energy budgeting issues, someone that had that type of a background.

LEG. ALDEN:
Okay. So, if we don't have somebody for the New York metropolitan area, then there is going to be a little bit of a lag as far as --

MR. POLLERT:
Yes, there will be.

LEG. ALDEN:
-- bringing them up to speed with LIPA, which is years and years of litigation with LILCO and stuff like that. So, all right. Thank you.

LEG. CRECCA:
Mr. Chairman.

P.O. TONNA:
Okay.

LEG. CRECCA:
If I may.

P.O. TONNA:
Yes, Legislator Crecca.

LEG. CRECCA:
Of the hundred thousand --

LEG. HALEY:
Is he on the list?

P.O. TONNA:
Yeah.

LEG. CRECCA:
Fred. Oh, was there a list going?

LEG. FISHER:
Mr. Chairman.

LEG. CRECCA:
I'm sorry.

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P.O. TONNA:
Oh, Legislator Haley, and then Legislator --

LEG. CRECCA:
I apologize, Marty. I thought that was the end of the list.

LEG. HALEY:
No, I'm going to --

P.O. TONNA:
Well, you know what, I crossed your name out, Legislator Fisher, thinking I was crossing the other one.

LEG. HALEY:
That's okay. I'm going to defer to Andrew Crecca.

P.O. TONNA:
After, it's -- wait. It's really Legislator Fisher is next. I'm sorry.

LEG. HALEY:
Okay.

LEG. FISHER:
No, I'm not.

P.O. TONNA:
Oh, then what did I just have here?

LEG. FISHER:
No. I'm just raising my hand for you to put me on the bottom.

P.O. TONNA:
Okay.

LEG. HALEY:

I'm passing.

P.O. TONNA:
Legislator Haley, you're on.

LEG. HALEY:
I'm passing.

P.O. TONNA:
Then Crecca.

LEG. HALEY:
I'm passing.

P.O. TONNA:
Then Fisher. You're passing?

LEG. LINDSAY:
He passed. Nobody wants to talk.

P.O. TONNA:
Okay. Legislator Crecca.

LEG. CRECCA:
Fred, of the hundred thousand that was allocated for the first six months, how much has been billed by Gordian to date, if you know?

MR. POLLERT:
There will be some delays. My recollection, it was in the neighborhood of about $80,000. So I'm not sure how current the bills are.

LEG. CRECCA:
Shhh. Okay. I'm not saying shhh to you, I'm saying -- okay.

P.O. TONNA:
What? Who?

MR. POLLERT:
I don't recall how current they are with the billing, but I have authorized approximately $80,000.

LEG. CRECCA:
Okay. Again, and I'm not going to beat a dead horse here, it's just that we're funding the whole idea of the original bill. And, granted, it did pass by I think ten votes, I think Legislator Cooper's right, but the bottom line is, is that -- my concern is that we're going to spend 200,000 on -- you know, my bill took that 200,000 we're already spending there and reallocate it in a different way. And what I don't want to see

us do is spend $400,000 now for something that shouldn't cost us $400,000.

P.O. TONNA:
All right. So let me get -- let me -- just so that we could understand, basically, what you're saying is you don't need CAP if you have your own in-house guy.

LEG. CRECCA:
Yeah.

P.O. TONNA:
Okay.

LEG. CRECCA:
The concern is, if we're anticipating about a month to get somebody hired, and I understand Legislator Alden's point, it's -- I'm not saying it's not a legitimate point.

P.O. TONNA:
Right.

LEG. CRECCA:
That person may need another month to get up to speed --

P.O. TONNA:
Right.

LEG. CRECCA:
-- or whatever it be, but --

P.O. TONNA:
And Legislator Cooper's point, though, is that it's a separate thing. CAP does something --

LEG. CRECCA:
No, it --

P.O. TONNA:
-- you're expert does something else.

LEG. CRECCA:
We do a lot of funding of organizations and we give them grants, that's one of the things we do. Understand that that is not what this procedural motion does. If that was the case, we would be doing a budget amendment. This procedural motion is hiring a consultant; okay? We're not funding CAP in the tradition sense of funding another organization to go out and do their work. We are hiring them out of the 456 Account as

our employee, our consultant.

P.O. TONNA:
Right.

LEG. CRECCA:
They're getting 1099 for this, they are billing us for this, as we do with attorneys and all that. So I don't want to just -- I just want to -- I don't want anybody to misunderstand. You know, what I have said in the past, if we want to fund CAP for the work they do --

P.O. TONNA:
Right.

LEG. CRECCA:
-- then we should fund them in the proper way that we fund other organizations that do citizens groups, that's all.

P.O. TONNA:
Okay. My last question is -- Legislator Cooper, there you are. I understand that Gordian Raacke, who is the Executive Director, that's the title?

LEG. COOPER:
Correct.

P.O. TONNA:
Of CAP, at a public gathering, I guess, there was reporters and stuff, said that -- he stated to the public, I think, because we got calls from Long Island Business News, that he was losing the funding from Suffolk County, so he's already -- I guess he's anticipating that funding? Because he's come out and -- because we got a call saying, "Are you defunding or are you not going to renew funding for CAP?" That's what Gordian Raacke is saying and I just was wondering about that.

LEG. COOPER:
Well, I can't address that. I'm sure that Gordian may have had some concerns that he might lose funding because of opposition within the Legislature to CAP.

P.O. TONNA:
Okay.

LEG. COOPER:
But I assured him to the contrary.

P.O. TONNA:
Okay.

LEG. HALEY:
Mr. Chairman.

P.O. TONNA:
All right. It's going to be tough to get a win/win here.

LEG. HALEY:
After her, I will speak.

P.O. TONNA:
Yes. Legislator Fisher, and then Legislator Haley.

LEG. FISHER:
It's very important that we maintain continuity. This is a very critical moment with regards to LIPA and energy issues. LIPA has stated and represented that they will have a draft energy master plan by July 31st. The Sustainable Energy Alliance -- this is really important, Mr. Presiding Officer.

P.O. TONNA:
Yes, I'm listening. Well, kind of one ear.

LEG. FISHER:
We're at a critical juncture. The Sustainable Energy Alliance and LIPA will both be presenting this summer a draft for the energy master plan. This past week, there was a public hearing that was held by the Energy Advisory Committee that has been working on very critical energy issues. There was not one Legislator, other than myself, who attended that meeting.

There are many issues that are being raised regarding energy use and energy supply. If we're not going to inform ourselves as to energy issues, it's critical for us to have someone like CAP looking at those energy issues and helping us navigate through very difficult decisions. We need someone with the expertise that CAP has. What was -- did you want to ask me a question?

LEG. CRECCA:
I was actually -- if you want, I'll --

LEG. FISHER:
Yeah.

LEG. CRECCA:
It wasn't directed at you, but I was saying is I haven't received one report from CAP myself this year that I'm aware of, you know, and I was just --

LEG. FISHER:
Oh, okay.

LEG. CRECCA:
That's what -- I was talking to Legislator Caracciolo.

LEG. FISHER:
Okay. I thought you were saying you didn't know about the public hearing.

LEG. CRECCA:
Oh, no, no, no.

LEG. FISHER:
Because --

LEG. CRECCA:
I was aware of the public hearing, I'm just saying, but --

LEG. FISHER:
Okay.

LEG. CRECCA:
You were talking about --

LEG. FISHER:
Okay. But --

LEG. CRECCA:
-- what CAP actually provides.

LEG. FISHER:
What we could ask CAP to do, and this is what I was going to get at, at this critical time, we could ask CAP to look at those drafts, because they're going to be complex, and help us see what the best parts of those comprehensive energy plans are.

By the way, what we had before us today, the report that CAP gave us today that Gordian came with, those were very important. I did not know about those ten proposals, that waiver of the process. I read about it later on in the paper, but until Gordian Raacke brought it to the Energy Committee, I did not know the details of that plan, and then I was able to go to LIPA and address the issues.

It's really important for us to be proactive on energy issues. It's critically important for us to know what's out there and what decisions we have to make, so that we can make them intelligently. I think Marty's after me.

LEG. CRECCA:

Okay. I was --

LEG. FISHER:
Okay.

LEG. CRECCA:
If you would suffer an interruption, though.

LEG. FISHER:
Oh, sure.

LEG. CRECCA:
Because it's really -- I don't disagree with you, and I think that at times Gordian does provide very valuable services to this Legislature, and I've never said anything different. What I would question is a blanket hundred thousand dollars being billed over a six-month period. Why not have him bill like other consultants, where we get billed for what we specifically ask for? This is a very strange relationship that we have --

LEG. FISHER:
Well, you and I had this discussion about a year ago, and it was that we need ongoing work; okay? We don't know when an issue is going to come up and then go out and hire a consultant on an as-needed basis. Energy issues are there before us all the time, so we need a watchdog who's out there proactively helping us see what's out there. You can't wait until we see it and then go out and look for a consultant. This is very unique and it is very different, and I think it would be foolhardy for us, especially at this particular point, to expect a new person coming in to deal with energy master plans that are coming in.

There are programs that are being authorized on the federal and state level, one of them is called {LEAD}, which is a way of building green buildings. We'd like DPW to look at that. We can't -- Jon, can you just hold on just a second?

LEG. COOPER:
Sure.

LEG. FISHER:
Because I'm answering his question. That's a very complex standard by which buildings are built, so that they're green.

LEG. CRECCA:
Right.

LEG. FISHER:
We don't understand it. We need specialists to help us sort through

those things, and I think we need the help right now.

P.O. TONNA:
Okay. All right. We've had significant and sufficient debate, except for Legislator Haley, I'm waiting to hear, and then after that, we're done.

LEG. HALEY:
Legislator Fisher mentions Sustainable Energy Alliance. Is that the same

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Sustainable Energy Alliance that has a member -- I mean, you know, given that name, you would think this is a significant group, and I'm sure there are members of that group that are significant, but this is that same group that also has the Brookhaven Town Democratic Committee as part of it, as I remember was one of the problems, and which led us to some of our questioning about the appropriate representation by CAP and how it does its advocacy on its on in one sense, and whether or not it's appropriately representing us on the other sense, because we want to make sure that we can take an objective view on anything that may happen within LIPA. But the question really boils down to, I mean, we obviously -- it seems to me that we want to shift into having a civil servant. We're ready, we're prepared to hire somebody, so I don't personally have a problem with some overlap, you know, but I have a problem with giving CAP six months at $100,000. I would like to see shortening that time period and hiring that person, go ahead and hiring that person, so there is some overlap. I think it's not -- I don't think it's a bad idea at all, but I don't want to break the continuity. Let Angie speak.

P.O. TONNA:
No, no, no. Legislator Foley.

LEG. FOLEY:
Thank you. Thank you, Mr. Chairman. CAP has done an excellent job. I hope we can approve this procedural motion in order to give them another twelve -- another six months. Since it's been brought up tonight, and, normally, I don't speak in this fashion, but I will, since it's just been mentioned, I, as one Brookhaven, active Brookhaven Democrat, I don't know of any time where CAP has worked with the Democratic Committee in a partisan sense. If, in another -- if, in another sense, on a good government sense, that there are politically active people that would like to see CAP continue, well, that's for all the right reasons in order for good public policy. However, I don't know of CAP to be a partisan for any particular political entity. As a matter of fact, I think CAP has been rather even-handed in its approach, has challenged the powers that be, and has done a very good job representing our interests against the energy giants that sometimes we find ourselves up against. So I hope we can reaffirm this -- continue this relationship, and, at the same time,

I can say, as one Brookhaven Dem, that I don't know of any partisanship that has taken place between CAP and any political committee.

LEG. CARACCIOLO:
Mr. Chairman.

P.O. TONNA:
Yes, Legislator Caracciolo.

LEG. CARACCIOLO:
Thank you. I have to change --

P.O. TONNA:
Wait.

LEG. CARACCIOLO:
-- seats to get recognized.

P.O. TONNA:
I just --

LEG. CARACCIOLO:
My question goes to Budget Review.

P.O. TONNA:
I want to Thank you for speaking on this issue.

LEG. CARACCIOLO:
Thank you. Fred, what is your recommendation with respect to the resolution and the need for a six-month extension of the agreement with CAP versus the in-house permanent replacement?

MR. POLLERT:
Clearly, it's a Legislative policy action, in that the --

LEG. CARACCIOLO:
Thank you, Mr. Greenspan.

MR. POLLERT:
The creation of the position was a Legislative initiative within the Budget Review Office. It will take us approximately one month to interview, to recruit. It will take a period of time to have an individual up to speed.

LEG. CARACCIOLO:
I understand. I understand that process. I think the central issue here is, if Legislator Fisher is correct, and I tend to agree, that there is a long-term need for an energy consultant/analyst, so do you concur with

that view?

MR. POLLERT:
Yes, I do.

LEG. CARACCIOLO:
Okay. If that is the case, then rather than retain consultants on an annualized basis of $200,000 a year, and I'm sure going up, we should hire someone who meets the qualifications of ten years field experience and all of the other qualifications for something I would believe would be substantially less. What would be the salary grade and salary?

MR. POLLERT:
The $100,000 that was included in the Budget Review Office budget would actually fund two titles. One would be a Research Analyst to support the Energy Specialist, so there would be both an Energy Specialist as well as a Research Analyst that would back up that individual.

P.O. TONNA:
That's going to support it only for a half a year or so, right?

MR. POLLERT:
That's correct, that's what the --

LEG. CARACCIOLO:
Well, that's two people, though.

MR. POLLERT:
Right.

LEG. CARACCIOLO:
That's two --

P.O. TONNA:
Yeah. But what I'm saying is it's really $200,000.

LEG. CRECCA:
It's 200,000.

LEG. CARACCIOLO:
But two people.

P.O. TONNA:
Yeah.

LEG. CARACCIOLO:
Okay. So --

P.O. TONNA:
But it's not fifty -- sixty and forty.

LEG. COOPER:
But the funding for CAP is also --

LEG. CARACCIOLO:
I think the policy, the policy issue has been clearly --

LEG. COOPER:
Two-plus issue.

LEG. CRECCA:
Paul, it's less than 200, but it's approaching 200.

LEG. CARACCIOLO:
The policy issue has been clearly defined. If there is a majority who believe there is a long-term need that, maybe on a temporary basis, extend CAP for six months, but before January of next year have two individuals on staff, so that we don't continue to incur this outside consultant expense, that would be my recommendation.

P.O. TONNA:
Okay. So we have a bill in front of us. I'd like all Legislators, please, to -- we're going to vote. Let's get going with this. And so we have Procedural Motion Number 7. Okay.

Last question, Fred, just one quick question. Do we really have qualified candidates, we have a stream of people? In other words, do we have -- the last time I spoke to you about it, we had some people from outside the state who weren't familiar with the cost of Suffolk County, who might come in for an interview, you fly them in, they think maybe $60,000 is a lot of money, then they find out what a, you know, a bowl of soup costs here, then they try to get their house, you know, that would

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have been their hundred thousand dollar house that would be, you know, they think their five-bedroom house, or they find out a hundred thousand dollars doesn't get them a trailer, although Legislator Guldi might have one to give them.

LEG. GULDI:
It's only a thousand dollars a month.

P.O. TONNA:
All I can say is --

LEG. ALDEN:
We're going to up the Legislative salaries, then.

P.O. TONNA:
-- we're still, we're still in a situation where -- I mean, it's still somewhat suspect that we have a qualified candidate; am I right?

MR. POLLERT:
We have not yet begun to interview, but there are a number of candidates from both Suffolk, Nassau County.

P.O. TONNA:
Oh, we do have them?

MR. POLLERT:
Yes.

LEG. TONNA:
Who meet the criteria?

MR. POLLERT:
Yes.

LEG. TONNA:
Oh, great, I'm glad to hear that. Okay. Legislator Cooper, you made a motion to approve.

LEG. CARACCIOLO:
Second.

P.O. TONNA:
Second by Legislator Caracciolo.

LEG. CARACAPPA:
Roll call.

P.O. TONNA:
Roll call.

MR. BARTON:
Mr. Chairman, there's also a motion to table.

P.O. TONNA:
There's a motion to table by?

MR. BARTON:
Legislator Haley.

P.O. TONNA:
Seconded by?

MR. BARTON:
Legislator Towle.

P.O. TONNA:
Okay. The tabling motion has precedence.

LEG. FIELDS:
Legislator Towle is gone.

LEG. TONNA:
It doesn't matter, there's a motion and a second.

LEG. FOLEY:
No, but he's gone.

LEG. GULDI:
So what he made the --

LEG. BINDER:
He's gone, there's no second.

P.O. TONNA:
Unless you guys want to have a ruling to override the Chair on this, let's just get this going. There's a motion and a second. He was here when he made the motion. I'm sure he'll plop right back in in the nick of time. All in -- roll call.

LEG. CRECCA:
I'm sorry, what the --

P.O. TONNA:
Roll call on the tabling motion.

(Roll Called by Mr. Barton, Clerk)

LEG. HALEY:
Yes

LEG. CARACAPPA:
Yes

P.O. TONNA:
Don't make a liar out of me, Legislator Towle, pop in on the nick of time.

LEG. COOPER:
No.

LEG. BINDER:

No.

LEG. BISHOP:
No.

LEG. NOWICK:
Yes.

LEG. CRECCA:
Yes.

LEG. CARPENTER:
Yes.

LEG. ALDEN:
Nope.

LEG. FIELDS:
No.

LEG. LINDSAY:
Yes.

LEG. FOLEY:
No to table.

LEG. FISHER:
No.

LEG. TOWLE:
(NOT PRESENT)

LEG. GULDI:
No.

LEG. CARACCIOLO:
No.

D.P.O. POSTAL:
No.

P.O. TONNA:
No to table. How many you got there?

MR. BARTON:
Six. (Not Present: Leg. Towle)

P.O. TONNA:

Six, okay. Okay. Now there's a motion to approve a second. Roll call.

(Roll Called by Mr. Barton, Clerk)

LEG. COOPER:
Yes.

D.P.O. POSTAL:
Yes.

LEG. BINDER:
Yes.

LEG. BISHOP:
Yes.

LEG. NOWICK:
Pass.

LEG. CRECCA:
No.

LEG. CARPENTER:
Yes.

LEG. ALDEN:
Yes.

LEG. FIELDS:
Yes.

LEG. LINDSAY:
No.

LEG. FOLEY:
Yes.

LEG. HALEY:
No.

LEG. FISHER:
Yes.

LEG. CARACAPPA:
No.

LEG. TOWLE:
(NOT PRESENT)

LEG. GULDI:
Yes.

LEG. CARACCIOLO:
Yes.

P.O. TONNA:
Yes.

LEG. NOWICK:
Yes.

LEG. TONNA:
All right. But six months, that's it, and you tell them, we better have somebody up an running by then. Okay.

LEG. CRECCA:
How many, Henry.

MR. BARTON:
13-4, 1 not present. (Not Present: Leg. Towle).

LEG. TONNA:
Yeah, we are. We have the money already appropriated for that. Okay. Now we're done with that. Isn't that wonderful? Now we're going to Ways and Means. And let's try to move this agenda along. Ladies and gentlemen, I would ask that we try to stay as focused as possible, that when we vote on a bill, that we actually discus the bill when we vote on it, so that we don't do it afterwards and prolong things. Maybe we could move around in record time.

WAYS AND MEANS

Okay. Ways and Means. 1477 (Amending the 2002 Operating Budget and appropriating funds from he adopted fund balance for Fund 038 - Self Insurance to pay he County's insurance premiums and claim expenditures). Motion by Legislator Guldi, seconded by Legislator Caracciolo. All in favor? Opposed? Approved.

MR. BARTON:
17, 1 not present. (Not Present: Towle)

P.O. TONNA:
1701 (Authorizing use of picknic area at Lakeland County Park by Daphne's Divine Dance and 3 -D Studios Creative Arts Foundation for festival and fund drive). Motion by Legislator Fields, seconded by --

LEG. FIELDS:
I believe there is a CN to -- there was a mistake on this.

P.O. TONNA:
Okay. So you're tabling it.

LEG. FIELDS:
Motion to table.

P.O. TONNA:
Seconded by myself. All in favor? Opposed? Tabled.

MR. BARTON:
17, 1 not present. (Not Present: Leg. Towle).

P.O. TONNA:
1703 (Authorizing use of Smith Point County Park property by Mastic Beach Fire Department, Inc., for Fourth of July Fund Drive). Motion by Legislator --

LEG. FOLEY:
Ill make the motion.

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LEG. GULDI:
Motion.

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

MR. BARTON:
17. (Not Present: Leg. Towle).

P.O. TONNA:
Great. 1710, bonding resolution 1710 (Amending the 2002 Captial Budget and Program and appropriating funds in connection with the Airport Perimeter Survey and Planning for Perimeter Fencing at Francis S. Gabreski Airport (CP 5721).

LEG. GULDI:
Motion

LEG. TONNA:
Motion by Legislator Guldi, seconded by Legislator --

LEG. HALEY:
Second.

P.O. TONNA:
Haley. Roll call.

(Roll Called by Mr. Barton, clerk)

LEG. GULDI:
Yes.

LEG. HALEY:
Yes.

LEG. COOPER:
Yes.

LEG. BINDER:
Yes.

LEG. BISHOP:
Yes.

LEG. NOWICK:
Yes.

LEG. CRECCA:
Pass.

LEG. CARPENTER:
Yes.

LEG. ALDEN:
Yes.

LEG. FIELDS:
Yes.

LEG. LINDSAY:
Yes.

LEG. FOLEY:
Yes.

LEG. FISHER:
Yes.

LEG. CARACAPPA:
No.

LEG. TOWLE:

(NOT PRESENT).

LEG. CARACCIOLO:
Yes.

D.P.O. POSTAL:
Yes.

P.O. TONNA:
Yes.

LEG. CRECCA:
Yes.

MR. BARTON:
16-1, and 1 not present. (Not Present: Leg. Towle).

P.O. TONNA:
Great. Same motion, same second, same vote for 1710. 1719 (Authorizing the sale of County-owned real property pursuant to Section 72-h of the General Municipal Law to the Town of Southampton for Affordable Housing purposes). Motion by Legislator Guldi, seconded by Legislator Foley. All in favor? Opposed?

MR. BARTON:
17. (Not Present: Leg. Towle)

P.O. TONNA:
That's great. 1720 (Sale of County-owned real estate pursuant to Section 72-h of the General Municipal Law (Town of Southampton). Motion by Legislator Guldi, seconded by Legislator Foley. All in favor? Opposed?

MR. BARTON:
17. (Not Present: Leg. Towle)

P.O. TONNA:
Okay. We did the other two. We're moving now to 1728 (Amending the 2002 Capital Budget and Program to appropriate funds for planning and design in connection with the industrial park redevelopment at Francis S. Gabreski Airport (CP 5713), bonding resolution. Motion by Legislator

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Guldi, seconded by Legislator Foley. Roll call.

(Roll Called by Mr. Barton, Clerk)

LEG. GULDI:
Yes.

LEG. FOLEY:
Yes.

LEG. COOPER:
Yes.

LEG. BINDER:
Yes.

LEG. BISHOP:
Pass.

LEG. NOWICK:
Yes.

LEG. CRECCA:
Pass.

LEG. CARPENTER:
Yes.

LEG. ALDEN:
Pass.

LEG. FIELDS:
Yes.

LEG. LINDSAY:
Yes.

LEG. HALEY:
Yes.

LEG. FISHER:
Yes.

LEG. CARACAPPA:
No.

LEG. CARACCIOLO:
Yes.

D.P.O. POSTAL:
Yes.

LEG. TONNA:
Yes.

LEG. BISHOP:
No.

P.O. TONNA:
Okay.

LEG. CRECCA:
Just one second. No.

LEG. ALDEN:
No.

MR. BARTON:
Thirteen. (Not Present: Leg. Towle)

P.O. TONNA:
Great. Same motion, same second, same vote on 1728. 1740 (Authorizing transfer of surplus County computers to Huntington Station Enrichment Center, Tri-Community Youth Agency, and Bay Shore American Legion Post). Motion by myself, seconded by Legislator Cooper. All in favor? Opposed?

MR. BARTON:
17. (Not Present: Leg. Towle)

LEG. COOPER:
Cosponsor.

P.O. TONNA:
Thank you. 1743 (Authorizing transfer of surplus County computers to Bethel A.M.E. Church in Setauket).

LEG. FISHER:
Motion.

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

MR. BARTON:
17. (Not Present: Leg. Towle)

FINANCE

P.O. TONNA:
Finance. 1662 (Transferring funds and authorizing the County Comptroler and County Treasurer to close certain Capital Projects). Motion by Legislator Crecca.

LEG. HALEY:
Second.

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

MR. BARTON:
17. (Not Present: Leg. Towle)

PUBLIC SAFETY & PUBLIC INFORMATION

P.O. TONNA:
Public Safety. 1682 (Approving the reappointment of Carolyn G. Peabody as a member of the Suffolk County Human Rights Commission). Motion by Legislator Carpenter, seconded by Legislator Bishop. All in favor? Opposed?

LEG. CARACAPPA:
Opposed.

P.O. TONNA:
Opposed.

MR. BARTON:
16-1, and 1 not present. (Not Present: Leg. Towle)

P.O. TONNA:
Okay. 1683 (Approving the reappointment of Mary C. Abad as a member of the Suffolk County Human Rights Commission). Same motion, same second, same vote.

MR. BARTON:
16. (Not Present: Leg. Towle)

P.O. TONNA:
1684 (Approving the reappointment of Michelle DelMonte as a member of the Suffolk County Human Rights Commission). Same motion, same second same vote.

LEG. BISHOP:
Not the same vote. I abstain on --

LEG. GULDI:
Abstain.

LEG. BISHOP:
Abstain.

P.O. TONNA:
Okay. This is Michelle DelMonte. There's an abstention by Legislator

Bishop.

LEG. GULDI:
And me.

P.O. TONNA:
Fields, Guldi. All in -- so it's a motion by myself, seconded by Legislator Carpenter on that vote.

MR. BARTON:
14, 3 abstentions, 1 not present. (Not Present: Leg. Towle)

P.O. TONNA:
Okay. 1685 (Approving the reappointment of Alice P. Lambert as a member

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of the Suffolk County Human Rights Commission). Do you guys have a problem there?

LEG. CARPENTER:
Motion.

P.O. TONNA:
Okay. Motion by Legislator Carpenter, second by Legislator Postal. All in favor? Opposed?

MR. BARTON:
17. (Not Present: Leg. Towle)

P.O. TONNA:
Okay. 1686 (Approving the reappointment of Rabbi Steven A. Moss as a member of the Suffolk County Human Rights Commission).

LEG. CRECCA:
Motion.

P.O. TONNA:
Motion by Legislator Binder, seconded by Legislator Crecca. All in favor? Opposed?

LEG. BINDER:
I knew he was going to do that.

LEG. HALEY:
I was waiting for that.

LEG. BINDER:
I know. I sat here and I thought he was going to do it.

MR. BARTON:
17, 1 not present. (Amended: 16 yes, 1 no (Caracappa), 1 not present. Not Present: Leg. Towle)

P.O. TONNA:
I thought that was Binder's voice.

LEG. CRECCA:
That was mine. I was --

P.O. TONNA:
I didn't know.

LEG. CRECCA:
But that's fine.

P.O. TONNA:
Oh, okay

LEG. FISHER:
Can I make the motion on 1687?

P.O. TONNA:
Yes. 1687 (Approving the reappointment of Lynda Perdomo-Ayala as a member of the Suffolk County Human Rights Commission). Motion by Legislator Fisher, seconded by Legislator Crecca. All in favor? Opposed? There's six Legislators having an argument about where he -- he must -- this is a man of many places.

LEG. BINDER:
Ginny Fields. He's in Ginny Fields' district.

LEG. FISHER:
Rabbi Moss is in Oakdale.

LEG. BINDER:
Ginny Fields is correct.

LEG. FIELDS:
Bill Lindsay's.

LEG. CRECCA:
I apologize.

P.O. TONNA:
Okay. 1718. Let's just continue with the agenda. We'll figure out his whereabouts later. A prophet never knows where to lay his head. Okay.

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

P.O. TONNA:
1718, Legislator Foley made the motion.

LEG. HALEY:
Second.

P.O. TONNA:
Seconded by Legislator Haley. All in favor? Opposed? 1731 (Amending the 2002 Operating Budget transferring 100% County funds from various organizations codes within the Department of Probation to reinstate the Suffolk options for Female Adolescents Program in the Department of Probation and authorizing the County Executive to execute related agreements).

MR. BARTON:
Hold on. Hold on. 17. (Amended: 16 yes, 1 no (Caracappa), 1 not present. Not Present: Leg. Towle)

LEG. FISHER:
Motion.

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

MR. BARTON:
17. (Not Present: Leg. Towle)

P.O. TONNA:
1734 (Designating contract agency for education component of Universal Child Sexual Abuse Reporting policy for Suffolk County). Motion by Legislator Caracappa, seconded by Legislator Carpenter. All in favor? Opposed?

LEG. BINDER:
On the motion.

P.O. TONNA:
On the motion.

LEG. FOLEY:
Explanation, please

P.O. TONNA:
Explanation.

LEG. BISHOP:
Record time.

LEG. CARACAPPA:
Under the bill we passed at the last general session, and we need to put a contract agency in place to meet the punitive aspect of the legislation.

LEG. CRECCA:
Could you repeat it? I can't hear you.

P.O. TONNA:
Let's keep our focus, Ladies and Gentlemen.

LEG. CARACAPPA:
We need to have a contract agency put in place almost immediately to meet the provisions put in place of the bill that you passed last general session that was approved by -- sponsored by Legislator Cooper. This does put one agency in place at this point in time. It does not preclude other agencies to be put in place as a choice for the contract agency to choose with relation to getting the sexual abuse education in the future. So this is just the first one to be put forward, just so that it's there in case we need it as part of the bill, seeing that it's being signed and put into law.

LEG. GULDI:
I have a question

P.O. TONNA:
Yes.

LEG. GULDI:
Why aren't we doing a resolution to approve all the agencies at one time?

LEG. CARACAPPA:
CN coming?

P.O. TONNA:
Today?

LEG. CARACAPPA:
Is there a CN?

P.O. TONNA:
Ellen Martin, is there a CN today coming? Well, you know what, we'll ask the County Executive. How about that? Is there a CN coming today? Come on, don't hide behind those guys, come on. No idea?

LEG. CARACAPPA:
Mr. Chairman, if I -- just as the sponsor, I just want to make it clear to my colleagues, again, this was done to just meet the provisions that you passed and does not preclude other agencies from coming forward.

P.O. TONNA:
Right.

LEG. CARACAPPA:
And they should come forward in the future and I'm sure that they will.

LEG. GULDI:
Yeah. My question was why aren't we including them now? They haven't come forward, is that what the answer is?

LEG. CARACAPPA:
Right, correct.

LEG. NOWICK:
We're waiting to see if we can get a CN on it.

LEG. LINDSAY:
Mr. Chairman, if I could.

LEG. COOPER:
A resolution is being drafted right now that was sponsored by Legislator Nowick and cosponsored by several other Legislators here that would authorize, I believe it's five organizations in total to be --

LEG. GULDI:
Does that resolution include this agency --

LEG. COOPER:
Yes, it does.

LEG. GULDI:
-- as one of the five? Okay. Mr. Presiding Officer, why don't we skip over this until we find out if we're getting a CN for the Omnibus bill.

P.O. TONNA:
Well, I would just ask, since we're voting on these things, there should be a representative from the County Executive's Office in this auditorium that could actually answer the question.

LEG. GULDI:
I mean, we could add them to the list that include the DPW and some of the other --

P.O. TONNA:
You make the list, I'll co-sign it.

LEG. CRECCA:
Do you have it?

P.O. TONNA:
Just -- well, no. Let's just wait.

LEG. BISHOP:
That's what the bank did with Guldi, isn't it?

P.O. TONNA:
Cosigned it? Much to the detriment of the bank.

LEG. GULDI:
I want you to know, I've been in court for ten years on something I cosigned. So far.

P.O. TONNA:
Because I just --

LEG. NOWICK:
We can get a CN?

P.O. TONNA:
I don't want to move on, I want to wait for the County Executive's people it get here.

LEG. FISHER:
Can't we skip it?

P.O. TONNA:
Well, they should be here. Do we have them?

LEG. GULDI:
Who do we punish by waiting -- extending the meeting while we wait for them?

P.O. TONNA:
All right. All right. We'll move it on. Where are we? Page 10, 1464 (Transferring escrow account revenues and transferring assessment stabilization reserve funds to the Capital Fund, amending the 2002 Operating Budget, amending the 2002 Capital Budget and Program, and appropriating funds for the improvement and rehabilitation of the existing facilities in Suffolk County Sewer District No. 6 - Kings Park (CP 8144). Motion by Legislator Caracappa, seconded by Legislator Foley. All in favor? Opposed? 1531.

MR. BARTON:
17. (Not Present: Leg. Towle).

P.O. TONNA:
(1531-Transferring escrow account revenues and transferring Assessment Stabilization Reserve Funds to the Capital Fund, Amending the 2002 Operating Budget, Amending the 2002 Capital Budget and Program and appropriating funds for improvements and/or rehabilitation of existing facilities in Suffolk County Sewer District No. 3 - Southwest (CP #8170). Motion by Legislator Caracappa, seconded by Legislator Foley. All in favor? Opposed?

MR. BARTON:
17. (Not Present: Leg. Towle)

P.O. TONNA:
1558 (Approving Cross Bay Ferry License for Bay Shore Ferry, Inc.) Motion by Legislator Carpenter, seconded by --

LEG. FOLEY:
Second.

P.O. TONNA:
-- Legislator Alden.

LEG. ALDEN:
No.

LEG. FOLEY:
I'll second it.

P.O. TONNA:
Foley. Legislator Alden, on the resolution -- the motion.

LEG. ALDEN:
Okay. This is the one, I believe, that we held the public hearing on --

LEG. CARACCIOLO:
Yes.

LEG. ALDEN:
-- last week?

LEG. CARACCIOLO:
Another three-hour meeting.

LEG. CARACAPPA:
This isn't the cross -- this isn't the water taxi, this is a new ferry

company, which has met all the requirements that --

LEG. ALDEN:
No. This is --

LEG. CARACAPPA:
That Budget Review has asked of them.

LEG. ALDEN:
But it is the one that we held at our last meeting, we had a public hearing on it.

LEG. CARACAPPA:
As part of the license, yes.

LEG. ALDEN:
Okay. Just to point out, and I did have a discussion with the gentleman that is making application, he was running without our approval. When we asked him to stop running, it appears that he did stop running. I am all for competition, and, therefore, I will support this, but I think that we really have to keep a close eye on any of the licenses that we grant. And Legislator Caracciolo's been a stickler for that and Legislator Caracappa has been that, and I think that maybe new legislation should be forthcoming that allows a different type of review than we've done in the past.

P.O. TONNA:
Okay. We should issue medallions like we do with taxis in the City. Anyway, ferry medallions.

LEG. FOLEY:
Ferry. Ferry, ferry bill.

LEG. HALEY:
Let's go.
P.O. TONNA:
Yeah, it's the ferry, ferry bill.

LEG. HALEY:
Let's go.

P.O. TONNA:
1558. Motion by --

MS. FARRELL:
We have it.

MR. BARTON:

We have it.

P.O. TONNA:
Carpenter, seconded by Legislator Foley. All in favor? Opposed?

LEG. CARACCIOLO:
Opposed.

P.O. TONNA:
You're opposed?

MR. BARTON:
16-1, and 1 not present. (Not Present: Leg. Towle)

P.O. TONNA:
1559 (Authorization of rates for Bay Shore Ferry, Inc.). Motion by Legislator --

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MR. SABATINO:
It requires a two-thirds vote.

P.O. TONNA:
Oh, it required a -- this one does?

MR. SABATINO:
Fifty-nine requires a two-thirds vote.

P.O. TONNA:
Okay. Motion by Legislator Carpenter, second by Legislator Foley. All in favor? Opposed?

LEG. CARACCIOLO:
Opposed.

P.O. TONNA:
Okay.

LEG. CARACAPPA:
They don't go to Shelter Island, Mike.

MR. BARTON:
16. (Not Present: Leg. Towle)

P.O. TONNA:
Okay. Now we're going into 1633 (Amending the 2002 Capital Program and Budget and appropriating funds for the construction of sidewalks on various County roads (CP 5497.325), bonding resolution. Motion by Legislator Foley, seconded by Legislator Caracappa.

LEG. FOLEY:
Yeah. Just on the motion. I may have to table it, because very late last week, I heard from the County Exec's Office that SEQRA is -- CEQ is requiring an environmental assessment form.

P.O. TONNA:
Okay.

LEG. FOLEY:
Why? I don't know.

P.O. TONNA:
I don't know.

LEG. FOLEY:
It's on 50 -- about 100 linear feet of sidewalk, but now they say they require --

P.O. TONNA:
They're sticklers.

LEG. FOLEY:
-- an environmental assessment form, so.

P.O. TONNA:
Motion to table, seconded. All in favor? Opposed? Great.

MR. BARTON:
17. (Not Present: Legislator Towle)

P.O. TONNA:
Okay. 1689 (Implementing lowered bus fares for students). Motion by Legislator Carpenter.

LEG. FOLEY:
Second.

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

LEG. GULDI:
Cosponsor.

MR. BARTON:
17. (Not Present: Leg. Towle)

LEG. FISHER:

Cosponsor.

P.O. TONNA:
We have cosponsors here.

MR. BARTON:
I only have to write them down.

P.O. TONNA:
We got Guldi, he got Fisher, he got Haley, you got Lindsay. All right. There you go. You're never going to get Bishop, because he wasn't originally on this bill. Okay.

LEG. BISHOP:
Integrity.

P.O. TONNA:
Integrity, there we go. Unless it was really important for him to be on it. Okay. Now 1708. Bonding Resolution 1708 (Appropriating funds in connection with the reconstruction of Shinnecock Canal Locks and Tide Gates, Town of Southampton (CP 5343). Motion by Legislator Guldi, seconded by Legislator --

LEG. CARACCIOLO:
Second.

LEG. FOLEY:
Second.

P.O. TONNA:
Caracciolo. Sorry, he beat you to it, Brian. All in favor? Roll call.

(Roll Called by Mr. Barton, Clerk)

LEG. GULDI:
Yes.

LEG. CARACCIOLO:
Yes.

LEG. COOPER:
Pass.

LEG. BINDER:
Pass.

LEG. BISHOP:
Yes.

LEG. NOWICK:
Pass.

LEG. CRECCA:
Pass.

LEG. CARPENTER:
Yes.

LEG. ALDEN:
No.

LEG. FIELDS:
Yes.

LEG. LINDSAY:
Yes.

LEG. FOLEY:
Yes.

LEG. HALEY:
Yes.

LEG. FISHER:
Yes.

LEG. CARACAPPA:
No.

D.P.O. POSTAL:
Yes.

P.O. TONNA:
Yes.

LEG. COOPER:
Yes.

LEG. BINDER:
Yes.

LEG. NOWICK:
Yes.

LEG. CRECCA:
Yes.

MR. BARTON:
15-2, 1 not present on the bond.

P.O. TONNA:
Great. Same motion, same second, same vote on 1708, right? 1709 (Amending the 2002 Capital Budget and Program and appropriating funds in connection with a Highway Transportation Needs Assessment (CP 5530). Motion by Legislator Caraccappa.

LEG. CARACAPPA:
No.

P.O. TONNA:
Second by Legislator Foley.

LEG. CARACAPPA:
No.

P.O. TONNA:
No?

LEG. FISHER:
No.

LEG. FOLEY:
I'll second the motion.

P.O. TONNA:
Okay. Legislator Haley and Legislator Foley.

LEG. GULDI:
On the motion.

LEG. ALDEN:
Explanation.

LEG. FOLEY:
11sure.

LEG. CARACAPPA:
Brian, you want to do it? Go ahead.

LEG. FOLEY:
This is a continuation of a multi-year program in which the department of Public Works Highway Division reviews -- researches and reviews, assesses the highway needs throughout the County, considering the number of accidents, congestion problems, and related traffic safety issues, the

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department has used this needs assessment in order to organization their proposed projects for the following year. They've used it over a couple of years. Most of the projects that have been assessed in the past are now underway and this would simply continue that assessment program.

LEG. CARACCIOLO:
Question.

LEG. ALDEN:
My second question would be how much?

LEG. FOLEY:
I think it's two hundred, is that --

LEG. GULDI:
Two hundred thousand dollars.

LEG. FOLEY:
Two?

LEG. GULDI:
So I have a third question. My third question is, is this being done in-house, or is this $200,000 to an outside consultant?

LEG. FOLEY:
If we could hear from the Chairman of the committee on that?

LEG. CARACAPPA:
I believe, if they can do it --

LEG. FOLEY:
I think it is in-house, and that the money has -- I believe it's in-house and the monies are used for associated expenses of doing this work in-house. This is not an outside consultant, to the best of my understanding as well.

LEG. GULDI:
If we're doing this with in-house personnel, how can it be a capital project?

LEG. FOLEY:
Well, I think it's another -- well, let's look at the backup to the resolution.

LEG. GULDI:
Or is it just because we're applying our personnel operating costs into --

LEG. FOLEY:

No, no, no. No, it's equipment.

LEG. GULDI:
Into evaluation of capital projects?

LEG. FOLEY:
It has to do -- it's with equipment.

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LEG. GULDI:
I looked at the backup, it didn't say anything.

LEG. FISHER:
The backup doesn't even say it.

LEG. FOLEY:
It doesn't?

LEG. GULDI:
No.

LEG. ALDEN:
Paper clips.

LEG. FOLEY:
Paper clips. Operation Paper Clips. All right. If my colleagues go to the last page of the memoranda dated May 15th from Charles Bartha to Janet DeMarzo, forwarded -- "This department is currently in the process of developing a comprehensive relational data base management system and digitized based map, which would allow us to manage our massive infrastructure on a daily basis. This will give an inventory of additional County assets. It will also allow the department to design the data base structure necessary for the incorporation of new data sets, and also modifying an existing viewer application." So this is really for equipment in order for them to upgrade, and to upgrade their capabilities of assessing the transportation needs of our County highways.

LEG. CARACAPPA:
Legislator Foley, if I could just add to that.

LEG. FOLEY:
Yes.

LEG. CARACAPPA:
Basically, the main aspect of this part of the program is to bring in equipment similar to what Planning has, which is GPS satellite images and pictures, overhead pictures of our road infrastructure.

LEG. FOLEY:
Yep.

LEG. CARACCIOLO:
Mr. Chairman.

LEG. FOLEY:
And also, I think --

LEG. FISHER:
Mr. Chairman.

LEG. FOLEY:
-- Real Property Tax Service Agency as well, so they can all talk to each other.

P.O. TONNA:
All right. Just wait. Legislator Caracciolo, then Legislator Fisher.

LEG. CARACCIOLO:
Thank you. Counsel, the fifth "whereas" clause on my copy, unless there's a corrected copy, indicates that it requires a three-fourths vote of the Legislature and --

LEG. FISHER:
Yep, that's what it says in the resolution.

MR. SABATINO:
Well, it does if it's changing the method of financing.

LEG. CARACCIOLO:
Which is what the resolution indicates.

LEG. FISHER:
That's what it says in the resolution.

MR. SABATINO:
The original version wasn't, but okay, that would take 14 votes.

LEG. CARACCIOLO:
Okay. Thank you.

P.O. TONNA:
Okay.

LEG. FOLEY:
Just one final point.

LEG. FISHER:
I had the same comment.

LEG. FOLEY:
Oh, I'm sorry.

P.O. TONNA:
Okay. So you're done?

LEG. FISHER:
Which was the three-quarters vote.

P.O. TONNA:
And you want to make a final point, Legislator Foley.

LEG. FOLEY:
Just one final point with this. The reason -- the other reason why this is important for the department to talk technically, if you will, computer speaking with Planning and with Real Property Tax Service Agency, those of us who had a concern about delaying projects, this will help the department when they have to do right-of-way taking, when it comes to properties that they have to have it taken with. They can then speak directly, so to speak, with their data base with Real Property Tax

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Service Agency. They could then overlay the GIS information from Planning. So this will, in fact, for those of us who are concerned about delays, this will, in fact, help the department, once they get the project underway, to move on a more timely basis in order to undertake take the right-of-way -- right-of-way takings in a quicker fashion than has been the case up to now.

P.O. TONNA:
Okay. There's a motion and a second, right?

MR. BARTON:
Yes.

P.O. TONNA:
Roll call.

(Roll Called by Mr. Barton, Clerk)

LEG. HALEY:
Yes.

LEG. FOLEY:
Yes.

LEG. COOPER:
Yes.

LEG. BINDER:
Yes.

LEG. BISHOP:
Yes.

LEG. NOWICK:
Yes.

LEG. CRECCA:
Yes.

LEG. CARPENTER:
Yes.

LEG. ALDEN:
No.

LEG. FIELDS:
Yes.

LEG. LINDSAY:
Yes.

LEG. FISHER:
No.

LEG. CARACAPPA:
Yes on this one.

LEG. GULDI:
Pass.

LEG. CARACCIOLO:
No.

D.P.O. POSTAL:
Yes.

P.O. TONNA:
Yes.

MR. BARTON:
Guldi.

LEG. GULDI:
Come on, Georgie, let's get this over with. Yes or no?

LEG. FISHER:
Henry, change my vote to a yes.

LEG. GULDI:
Yes.

P.O. TONNA:
Okay. Yes or no?

LEG. CARACCIOLO:
Henry, change my vote to a yes.

MR. BARTON:
16-1 and 1 not present. (Not Present: Leg. Towle)

P.O. TONNA:
Okay, great. Here we go. Same motion, same second, same vote. I think we're on 1711 (Amending the 2002 Capital Budget and Program and appropriating funds in connection with the Rehabilitation of Smith Point Bridge, Town of Brookhaven (CP 5838)?

LEG. FOLEY:
Yes.

MR. BARTON:
Great. Motion by --

LEG. FOLEY:
Motion.

P.O. TONNA:
Legislator --

LEG. FOLEY:
Motion.

P.O. TONNA:
-- Foley, seconded by Legislator Caracappa?

LEG. FOLEY:
On the motion.

P.O. TONNA:
No. Legislator Guldi.

LEG. FOLEY:
On the motion.

P.O. TONNA:
On the motion.

LEG. FOLEY:
On resolution -- last year, the Legislature approved a resolution of $450,000 for this project. The draft resolution needs an additional 67,000 in order to move forward with the project.

P.O. TONNA:
Has the Department of Public Works said that this is a priority?

LEG. FOLEY:
Yes, absolutely.

P.O. TONNA:
And that it will be done this year?

LEG. FOLEY:
Yes, it will. We asked that in committee. It will be done this year.

P.O. TONNA:
Okay.

LEG. FOLEY:
In the Fall.

P.O. TONNA:
Great.

LEG. FOLEY:
It will start in the Fall and end before May 30th of the following year.

LEG. ALDEN:
On the motion.

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

LEG. ALDEN:
What was the additional 67,000 for?

LEG. FOLEY:
It's just -- you know, we appropriated the monies, and then when the bids came back, the lowest responsible -- the lowest responsible bidder was

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$67,500 above what we had appropriated. And this project will be done within the next calendar year, this is not a delayed project.

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

LEG. FOLEY:
He said we approved it last year. We approved 95% of the funding last year.

P.O. TONNA:
Okay. Roll call.

(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:
Pass.

LEG. CARPENTER:
Yes.

LEG. ALDEN:
Yes.

LEG. FIELDS:
Yes.

LEG. LINDSAY:
Yes.

LEG. HALEY:
Yes.

LEG. FISHER:
Yes.

LEG. CARACAPPA:
No.

LEG. CARACCIOLO:
No.

D.P.O. POSTAL:
Yes.

P.O. TONNA:
Yes.

LEG. CRECCA:
Yes.

MR. BARTON:
15-2, 1 not present. (Not Present: Leg. Towle)

P.O. TONNA:
There you go.

LEG. FOLEY:
Thank you.

P.O. TONNA:
Same motion, same second, same vote for 1711. Motion, 1721 (Approving an amendment to the existing connection contract between Suffolk County Sewer District No. 3 - Southwest and Underwriters' Laboratory Extension).

D.P.O. POSTAL:
Motion to table.

P.O. TONNA:
Well, let me make a motion to approve, then you could table. Seconded by Legislator Bishop. Okay. Motion to table by Legislator Postal. Is there a second?

LEG. FIELDS:
I'll second it.

P.O. TONNA:
Second by Legislator Alden.

D.P.O. POSTAL:

On the motion.

P.O. TONNA:
On the motion.

D.P.O. POSTAL:
We just all received copies of a feasibility study about expansion in the Southwest Sewer District. I don't think any of us has had time to read it, let alone digest it. And before we continue to approve out-of-district hookups, the very least we should do is read this feasibility study, so that we can make a decision at the August 6th meeting.

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P.O. TONNA:
Well, I would ask my colleagues, considering that this is a hookup in my district --

D.P.O. POSTAL:
They're all in your district.

P.O. TONNA:
Right. Well, that's part of the deal. But anyway, the Underwriters' Lab does a very good job. They employ a lot of employees, and it's an economic development issue and I think we should hook them up.

LEG. ALDEN:
On the motion.

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

LEG. ALDEN:
I would ask either Paul Sabatino or Budget Review, didn't we approve -- didn't we approve an amendment to the existing contract for Underwriters' Lab last year or earlier this year?

LEG. BISHOP:
Paul Sabatino.

LEG. ALDEN:
I believe this came before us once already.

LEG. CARPENTER:
I think it did, and I think it was defeated and it was reintroduced.

P.O. TONNA:
No, no. We got this one. We got Underwriters' done once.

LEG. ALDEN:
So there's an --

D.P.O. POSTAL:
We got it done twice, then.

LEG. ALDEN:
This is in addition --

LEG. BISHOP:
They're expanding, they're creating more jobs.

LEG. FOLEY:
They're creating an additional 30 jobs.

D.P.O. POSTAL:
So are they all, every last --

LEG. BISHOP:
No. Some of them are absurd, as you know.

D.P.O. POSTAL:
Yes, but we approve them all anyway.

LEG. ALDEN:
Okay. Then I have a couple of other question, though.

P.O. TONNA:
Let them --

LEG. BISHOP:
Well, not -- but I don't always vote for them.

P.O. TONNA:
Okay. Hold it one second. Legislator Alden has the floor. Legislator Alden, you have a number of questions to ask, please.

LEG. ALDEN:
Okay. But the answer to -- are you answering it? Then I'm --

MR. SABATINO:
Well, I'm sorry. Three people were asking me questions.

LEG. ALDEN:
No, no, no.

MR. SABATINO:
I missed the question, I apologize. I just --

LEG. ALDEN:
I believe --

MR. SABATINO:
We are on 1721, though, right?

LEG. ALDEN:
1721.

MR. SABATINO:
Okay.

LEG. ALDEN:
I believe that we approved an amendment and allowed them extra gallonage, or something like that, earlier this year or last year?

MR. SABATINO:
Underwriters' Laboratory, I don't recall it being this year, but Underwriters' Laboratory did have some kind of initiative I'd say in the last year. I don't recall it being this year in particular, but we could run a search in the computer to look, but it might have been last year.

D.P.O. POSTAL:
We first took it up in the late '80's.

MR. SABATINO:
I don't recall them this year in the cycle, but I do -- I have the same sense that you do, that they've been before us.

LEG. ALDEN:
Then I need an impact as far as how is this going to impact the people that have been in this sewer district for the past 30 something years paying taxes to the district? Is this going to impact the number of people that can hook up to it, or how many gallons does this actually allocate to these folks. And keeping in mind that we do have contracts with some other people, like the folks that are redeveloping Pilgrim State property, and that's a huge flow. That's a contract we have with New York State that is pretty much binding and would actually take precedence over this contract. So what's the available gallonage if we do this?

LEG. BISHOP:
It's in your report.

LEG. ALDEN:
Remaining.

D.P.O. POSTAL:
Which we didn't read.

LEG. BISHOP:
It's two million gallons. It says it right --

LEG. ALDEN:
How much goes to Pilgrim, two million gallons?

LEG. BISHOP:
No.

LEG. ALDEN:
That's going to wipe out all the capacity then.

LEG. BISHOP:
Two million is what's --

LEG. FOLEY:
Just to answer the question, I mean, it's right in the backup, the last page, the total additional flow from this facility is estimated to be 682 gallons per day, and the Bergen Point Treatment Plant has the capacity of 30.5 million gallons per day. So this is in --

LEG. ALDEN:
Excess? So that's excess capacity of 30 million gallons per day?

LEG. FOLEY:
The total capacity is --

MR. SABATINO:
Oh, no. The excess capacity is 2.365, as I recall just from memory.

LEG. FOLEY:
Yeah, and --

LEG. ALDEN:
Okay. But there's almost two million that we're in contract with New York State for; isn't that correct?

MR. SABATINO:
Well, actually if, you read the report that was issued today by public works in response to --

P.O. TONNA:
Which I have digested. I just don't know what sewer district it's going to go to.

LEG. BISHOP:
One-and-a-half. One-and-a-half, 1.4 million.

LEG. CARACCIOLO:
Mr. Chairman, the same backup that was just referenced indicates, as Counsel did, that there is slightly less than the number he recited. It's 2.152 million gallons per day. It's right in this memo of March 28th.

LEG. FOLEY:
That's the available --

LEG. CARACCIOLO:
There's plenty of capacity.

MR. SABATINO:
But I think Legislator Alden was asking the other question, which is answered by this report.

LEG. ALDEN:
There's other -- there's other outstanding contracts other than just the Pilgrim State property.

MR. SABATINO:
Well, they haven't been -- see, I don't want to speak for you, Legislator Alden. I think what you're saying is that there's like four projects that are in that book that was just -- the report that was distributed today. Those would clearly use up the excess capacity, if they were authorized and approved, but they haven't come before the Legislature yet. So if you're -- I think you're taking the long view, which is you're looking down the road and saying, if these are going to be considered, then you have a problem. But as of today, we've got, you know, the surplus of whatever it is 2.1 or 2.3.

MR. SABATINO:
And just to further expand upon that, some of those are in existing areas that have been paying sewer taxes for years and years and years, whereas right now, what we're doing is we're looking at going way above and beyond where the Southwest Sewer District was.

The other question I have, too, and it might be a Department of Public Works question, I understand --

---

LEG. LINDSAY:
They're not here.

LEG. ALDEN:

-- that they're having major problems down at Bergen Point, and it looks like we're going to have to replace all the machinery down there, so we might not have any capacity. Can anybody answer that for me?

P.O. TONNA:
Well, it might -- maybe we'd ask the Legislator who represents that area. How many, you know, what --

LEG. BISHOP:
Yeah. The plan is to move it into Islip village. No.

P.O. TONNA:
Dave, just, you know, what's the word on the street?

LEG. BISHOP:
I haven't heard that. I would be very interested.

LEG. ALDEN:
Well, they had a fire that destroyed the upper stairs --

LEG. BISHOP:
I know they had a fire last year and we used --

LEG. ALDEN:
-- and it destroyed some equipment.

LEG. BISHOP:
We used the -- what do we call that, the --

P.O. TONNA:
I don't know.

LEG. BISHOP:
Reserve Fund to fund capital projects.

LEG. ALDEN:
The useful life on most of the filtration equipment, where I think it expired last year or within the next two or three years it expires, as far as useful life and that's, you know, tens of millions of dollars to replace that, so --

LEG. BISHOP:
Can I be recognized.

LEG. ALDEN:
I'm not sure if Paul Sabatino or Budget Review can answer any of that, any part of that question.

P.O. TONNA:
Could we just try to flush this out right now, please?

LEG. BISHOP:
Because you're asking speculative --

LEG. ALDEN:
That's pretty slick, Paul.

LEG. BISHOP:
Can I -- Paul, may I be recognized?

P.O. TONNA:
You guys continue with this. I have a lot of humor that way. Okay.

LEG. ALDEN:
Well, it seemed to be getting a backup of information here.

P.O. TONNA:
Yeah, that's true. Who are we talking to now? Cameron, who are you addressing your questions to?

LEG. LINDSAY:
Public Works. They're not here.

LEG. ALDEN:
Whoever can -- whoever can answer it.

LEG. BISHOP:
Public Works is not here, so why don't we take it up in committee.

LEG. CARACCIOLO:
What about Budget Review, Cameron?

LEG. ALDEN:
Yeah, that's what I said. But, Fred --

P.O. TONNA:
Okay. I'm going to tell you, the stuff is going to hit the fan.

LEG. ALDEN:
Fred, can you --

P.O. TONNA:
Okay. Where are we?

LEG. CARACCIOLO:
Budget Review.

P.O. TONNA:
Where are we?

LEG. ALDEN:
Hold it, hold it, hold it. Paul.

LEG. CARACCIOLO:
What about Budget Review, do they know anything about it?

LEG. BISHOP:
Yes, I keep asking.

P.O. TONNA:
Budget Review? We're asking Budget Review.

MR. POLLERT:
Yes. When we did our Capital Program --

LEG. ALDEN:
Whoa, whoa, whoa, whoa. Hold it, I can't hear.

MR. POLLERT:
When we did our Capital Program review, we were aware that there are a number of ongoing projects with the Southwest Sewer District, but no one brought to our attention that there was any like immediate problems that they had to address. When we went to do the site visit, they never indicated that there was problems that would result in the need to amend the Capital Program either this year or next year.

LEG. ALDEN:
The report that was distributed to us about the different projects that are proposed or expansions of the Southwest Sewer District have --

MR. POLLERT:
Right, but they never gave us a copy, they gave it to the Legislators. We don't have a copy.

LEG. ALDEN:
You didn't get a copy, so you didn't --

MR. POLLERT:
No.

LEG. ALDEN:
You were not able to --

MR. POLLERT:
No.

LEG. ALDEN:
-- to flush out or flesh out any of the questions?

MR. POLLERT:
Neither one.

P.O. TONNA:
Digest the numbers.

LEG. ALDEN:
All right.

LEG. BISHOP:
All right.

P.O. TONNA:
Okay.

LEG. BISHOP:
May I be recognized?

P.O. TONNA:
Sure.

LEG. BISHOP:
Thank you. Mr. Chairman, I have in the past supported Legislator Alden and Legislator Postal's calls for taking the long view with regard to the Southwest Sewer District and issues of which communities should be hooked in, or whether entire communities at all should be hooked in, and whether we should do this piecemeal approach of out-of-district hookups. They're right. And now is a time with this report that their moratorium bill perhaps should be refiled and we should take -- to have -- the Legislature should have that policy-making discussion about what we do with the remaining capacity. But I don't think it's fair to the

applicant who's before us today to cut them off, because the report hit us today. I mean, they have already received their conceptual approval. They're an important employer in the County. They are in reliance of our vote, have gone through a planning process to expand, and I don't think it would serve any purpose to cut them off at this point. So I would urge my colleagues to support this, but also to support taking the long view on the overall question.

P.O. TONNA:
Right. I mean, and just to --

D.P.O. POSTAL:
Have your cake and eat, too.

LEG. BISHOP:
Have your cake and eat it, too.

P.O. TONNA:
I'm in agreement of that. But, also, I mean, you know, even reading just a summary of the -- well, we'll deal with that later. Okay. Let's roll call.

LEG. FOLEY:
The extension would create 30 new jobs.

P.O. TONNA:
Roll call.

LEG. CRECCA:
Roll call.

P.O. TONNA:
Roll call on this extension for 30 new paying jobs.

LEG. FIELDS:
A motion to table or a motion to approve?

P.O. TONNA:
Oh, motion to table gets precedent.

LEG. GULDI:
On the motion.

P.O. TONNA:

On the motion to table?

LEG. GULDI:
Yeah. I have for to just reply to that. The long view, I mean, the applicant's been in the application process. I've been voting against out-of-district sewer hookups for about three years. I think that the reason that I've been doing that is, frankly, I don't believe that we should be using the sewer districts to subsidize private operations the way we have by these out-of-the-district hookups, given our huge capital investment in Southwest and the minimal contribution being made to it, firstly. Secondly, we have a system -- we have been adding hookups and hookups and hookups, and you'll pardon me, but when it does hit the fan, the way it will occur is when we have massive cash needs for the renovation, improvement, expansion and restoration of the entire system, because we have now begun to operate it at capacity. So, you know, with all due respect to -- yes, they made an application and they're in the process, they have not been approved, because this resolution is here before us and we haven't voted on it. They should not be approved, because we are -- we have to take a systematic long view. Do they have other operations for their expansion? You bet. There are other technologies available at greater expense, granted, that are -- that can be used to sustain the proposed development.

LEG. BISHOP:
Mr. Chairman.

LEG. GULDI:
So I will be voting against this resolution, like I have for all of these over the last several years.

LEG. BISHOP:
Mr. Chairman, my --

P.O. TONNA:
Words stand in the light of the --

LEG. BISHOP:
Yeah. Well, I want -- am I being recognized?

P.O. TONNA:
Yeah.

LEG. BISHOP:
Thank you. My comments were addressing the argument that the report is a rationale not to vote for this particular hookup. Legislator Guldi's comments, saying that I was in error, are not addressing my comments.

P.O. TONNA:
Okay. So what you're saying is --

LEG. BISHOP:
Are you following me?

P.O. TONNA:
-- he doesn't hear you. Okay.

LEG. BINDER:
He doesn't feel his pain.

P.O. TONNA:
All right.

LEG. GULDI:
No, I hear him, I can't see him. Could you stand up, please?

LEG. ALDEN:
George needs some sensitivity training.

P.O. TONNA:
Okay. Let's continue.

LEG. FOLEY:
Let's go, Paul.

P.O. TONNA:
Thank you, Brian. I'll try to move this meeting along. There's a motion to table and a second. Roll call.

(Roll Called by Mr. Barton)

D.P.O. POSTAL:
Yes.

LEG. ALDEN:
Yes.

LEG. COOPER:
Yes.

LEG. BINDER:
No to table.

LEG. BISHOP:
No.

MR. BARTON:
Nowick.

LEG. CRECCA:
It's to table, the motion, right?

LEG. COOPER:
Oh.

LEG. NOWICK:
Yes.

LEG. COOPER:
Change my vote to a no.

MR. BARTON:
Legislator Crecca.

P.O. TONNA:
You had the same look that Rosanna Rosannadanna had.

LEG. CRECCA:
No to table.

LEG. CARPENTER:
Yes -- no.

LEG. GULDI:
Which one?

LEG. FIELDS:
Motion to table, yes.

LEG. LINDSAY:
No.

LEG. FOLEY:
No.

LEG. HALEY:
No.

LEG. FISHER:
No.

LEG. CARACAPPA:
No.

LEG. TOWLE:
(NOT PRESENT)

LEG. GULDI:
No.

LEG. CARACCIOLO:
No.

P.O. TONNA:
No.

MR. BARTON:
Four. (Not Present: Leg. Towle)

P.O. TONNA:
Okay. Now there's a motion to approve by myself, seconded by Legislator

---

Bishop. All in favor? Opposed?

(Opposed Said in Unison by Legislators)

P.O. TONNA:
Opposed, Legislator Guldi --

LEG. GULDI:
Roll call.

P.O. TONNA:
-- Alden, Fields, and Postal. Thank you. Let's move on.

MR. BARTON:
Guldi, Alden, Fields, Postal.

P.O. TONNA:
Okay. Next one, let's go to Vets and Seniors.

MR. BARTON:
Thirteen. (Not Present: Leg. Towle)

P.O. TONNA:
1698 (Authorizing the erection of a monument at he Armed Forces Plaza at he H. Lee Dennison Executive Office Building by "The Chosin Few". Motion by Legislator Caracappa.

LEG. BISHOP:
On the motion.

LEG. CARACCIOLO:
Cosponsor, Henry.

P.O. TONNA:
Yes.

LEG. BISHOP:
On the motion. Now, I --

P.O. TONNA:
First, let's get a second.

LEG. CARACCIOLO:
Second.

P.O. TONNA:
Second by Legislator Caracciolo. Okay, go ahead.

LEG. BISHOP:
Yes. What -- who are "The Chosin Few", besides --

P.O. TONNA:
Do you know -- do you know the Chosin Reservoir --

LEG. LINDSAY:
Could I answer?

LEG. BISHOP:
Is that --

P.O. TONNA:
-- in the Korean War?

LEG. BISHOP:
And is that a misspelling, or is that's how they spell themselves?

LEG. LINDSAY:
Could I?

P.O. TONNA:
No. That's the Chosin Reservoir in -- oh, wait.

MR. SABATINO:
Korea.

P.O. TONNA:
Korea, yeah.

LEG. LINDSAY:
Korea.

MR. SABATINO:
Korea.

LEG. CARACCIOLO:
North Korea.

LEG. BISHOP:
Chosin is the name of a battle in North Korea.

LEG. LINDSAY:
Yeah.

LEG. CARACCIOLO:
One of the most --

P.O. TONNA:
Well, this is what I'll do, I'll let a Marine Corps -- a Marine Corps man tell the story, because this goes down in the history of one of the greatest things in Marine Korea, so tell a little history.

LEG. CARACCIOLO:
Many historians consider the battle at the Chosin Reservoir in November and December of 1950 to be one of the most significant in military warfare. It was a situation where the Chinese invaded North Korea and enveloped, surrounded over 20,000 allied troops, most of which were Marines, and those 20,000 troops in subfreezing temperatures, without the ability to be resupplied, withstood the onslaught of over 120,000 Chinese enemy forces, and imposed severe casualties. I believe it was more than half the Chinese were killed in that action. The allied suffered tremendous casualties as well, about 12,000 out of the 20,000. But every allied force member was retrieved and brought back to safe lines, if you

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will, no one was left behind. And because of the overwhelming ratio, six to one ratio, it has been enshrined in Marine Corps history, and I'm sure in other military branches as well, as one of the most significant battles of all time.

D.P.O. POSTAL:
Paul.

LEG. BISHOP:
Okay. So --

P.O. TONNA:
All right. Legislator Lindsay.

LEG. BISHOP:
No, I --

P.O. TONNA:
Wait.

LEG. BISHOP:
If I can just --

P.O. TONNA:
You have a question?

LEG. BISHOP:
-- keep my time.

P.O. TONNA:
Okay. You finish, and then Legislator Lindsay and then Legislator Caracappa.

LEG. BISHOP:
I still want to -- I still want to understand this. So this was a very significant battle in the Korean War, and this is a statute that is being donated by -- what is this?

LEG. LINDSAY:
If you could, Mr. Chairman.

P.O. TONNA:
Yes. Legislator Lindsay, maybe you could answer that question.

LEG. LINDSAY:
They came before the Armed Forces Committee. They are supplying the monument. It isn't a statute, it's a monument. It will go next to the

Korean War Monument.

LEG. BISHOP:
Oh, I see.

LEG. LINDSAY:
It will add to it, because it had to do with the Korean War. It isn't really that high, and it just pays tribute to all the people that lost their lives in that battle.

LEG. CARACAPPA:
Mr. Chairman.

LEG. BISHOP:
Okay.

P.O. TONNA:
Yes, Legislator --

LEG. CARACAPPA:
Just a little further. It's about three foot wide by about three-and-a-half foot high, a slanted --

P.O. TONNA:
About your height.

LEG. CARACAPPA:
A slanted front with a plaque on it describing what Legislator Caracciolo described, all -- it was all paid for by "The Chosin Few" who still live on Long Island, and they'd like to place it next to the existing Korean Monuments.

P.O. TONNA:
Legislator Guldi.

LEG. GULDI:
Yeah. The one point I wanted to make, and the reason to support this, is all of our monuments should come with a group that's designed it, has the monument, and has the money for it, and isn't asking us to pay for it.

P.O. TONNA:
Right. Okay.

LEG. BISHOP:
Yes.

P.O. TONNA:
Legislator Bishop, now your point.

LEG. BISHOP:
Yes to the point. I mean --

P.O. TONNA:
What is your point?

LEG. BISHOP:
The point -- I'm not voting against this either, but I don't like the idea that Legislators are being put in a position of having to say no to particular groups. Are we going -- isn't there a commission now being established to decide --

P.O. TONNA:
That's why it came to us.

LEG. CRECCA:
It was approved through the Commission.

LEG. BISHOP:
The Commission did approve this. And we have a commission in place that --

LEG. CARPENTER:
No.

D.P.O. POSTAL:
If we have a committee.

LEG. CARACAPPA:
No.

LEG. LINDSAY:
It went through Veterans, and it also went through Joe's committee that oversees monuments.

P.O. TONNA:
It didn't, Joe?

LEG. CARACAPPA:
No, Mr. Chairman, it hasn't, and we've scheduled that meeting.

LEG. LINDSAY:
I thought it did.

LEG. CARACAPPA:
No.

LEG. LINDSAY:
Oh, I thought it did.

LEG. CARACAPPA:
It has not. We have scheduled that meeting to take place.

LEG. ALDEN:
Then you got to table it.

D.P.O. POSTAL:
Then it has to be tabled.

P.O. TONNA:
So, do we want to table this, Joe, since it's your resolution, until it goes to the Monument Committee?

LEG. CARACAPPA:
It really -- it should be tabled. I don't want it to be tabled, but in fairness to all the others, it --

LEG. BISHOP:
All right. And I don't want to pick on "The Chosin Few", who clearly are --

---

LEG. CARACAPPA:
You blew it.

P.O. TONNA:
You don't want to, those are tough dudes.

LEG. BISHOP:
No, it's not that I don't want to. What I want to know is are we going to have outside groups bring monuments and additions to the Armed Forces Plaza for a particular battles, is that what we're -- is that the policy we want to have? You know, if you did this at the -- if you said you

wanted to put this in the Mall in Washington, it would be a major controversy. I'm not sure it needs to be a major controversy. I'm not sure it needs to be a major controversy here, I just want to know if we have a -- you know, a policy and a way to enforce the policy.

P.O. TONNA:
And if I could -- if I could just interject for on one second. I think that in listening to Legislator Bishop, and also following his nonverbals, the concern is in any way wants to disrespect veterans in any way whatsoever, and, yet, we want to make sure that we're following our own procedures and the committees that are set up. So I think, Joe, let it -- let's get this thing through the Monument Committee, so that there is some rationale and criteria, so that, in the future --

LEG. CARACAPPA:
Sure, I fully agree.

P.O. TONNA:
-- if somebody wants to have "The Battle of Chicken Run," which, you know, loses four chickens and a dog, you don't give them the same deal that a group that has fought, you know, and like the Chosin, you know, few, so there.

LEG. CARACAPPA:
Mr. Chairman.

LEG. GULDI:
Mr. Presiding Officer, the Civil War Veterans from the Battle of Chicken Run would take --

P.O. TONNA:
No, Chicken Run. No. There's Bull Run.

LEG. GULDI:
Would take great umbrage of your remarks.

LEG. CARACAPPA:
Mr. Chairman, if I could.

P.O. TONNA:
That's {Chickamunga} and Bull Run. I don't know if there was a Chicken Run. That was a movie that my kids watch, the little clay figures that run around.

LEG. ALDEN:
A bunch of clay figures?

P.O. TONNA:
Yes.

LEG. CARACAPPA:
Mr. Chairman.

P.O. TONNA:
Anyway, go ahead, Legislator Caracappa.

LEG. CARACAPPA:
I did not expect to see the bill on the agenda today. I didn't expect it to come out of Vets and Seniors until our committee had met.

P.O. TONNA:
All right. There would need to be communication, then, because, obviously, the Chairman of that Committee thought it was already out of the Monument Committee. So let's make a motion to table by myself, seconded by Legislator Caracappa. All in favor? Opposed? Tabled. Okay. So now let's --
MR. BARTON:
17. (Not Present: Leg. Towle).

P.O. TONNA:
Let's move on. We're at Consumer Protection.

LEG. GULDI:
Actually list me as opposed to that tabling.

LEG. CRECCA:
Yeah, I'll be opposed to tabling.

LEG. CARACCIOLO:
Me, too.

P.O. TONNA:
Okay, just to cover yourselves.

LEG. CRECCA:
No, not to cover ourselves.

P.O. TONNA:
All right.

LEG. CRECCA:
I think we should just move forward with it.

P.O. TONNA:
Well, we have a --

LEG. CRECCA:
I understand. Let's not redebate.

P.O. TONNA:
All right, good. Okay. All right. Did you hear that? There are two people who have abstained now.

MR. BARTON:
Three.

MS. FARRELL:
Three.

P.O. TONNA:
Three.

MR. BARTON:
14-3, 1 not present. (Not Present: Leg. Towle)

P.O. TONNA:
Okay.

MR. BARTON:
It's tabled.

CONSUMER PROTECTION & GOVERNMENT OPERATIONS

P.O. TONNA:
1681 (Adopting Local Law No. -2002, a local law to amend process server licensure enforcement and applicability provisions). Motion by-- okay. Legislator Postal, motion by Legislator Postal.

LEG. FISHER:
I'll second it.

P.O. TONNA:
Second by Legislator Alden. All in favor? Opposed?

MR. BARTON:
17. (Not Present: Leg. Towle)

P.O. TONNA:
Okay. 1501 (Establishing a Committee to study common sense alternative funding mechanisms for the Suffolk County Parks System). Motion by Legislator --

LEG. FIELDS:
Fields.

P.O. TONNA:
-- Fields, seconded by Legislator --

LEG. FOLEY:
Second.

P.O. TONNA:
Foley. On the motion?

LEG. CRECCA:
Explanation.

P.O. TONNA:
What does this do?

LEG. FIELDS:
This is to put together a committee to study ways in which we could try to figure out some additional or other funding for the Parks Department, and the Parks Commissioner is in favor of this also.

P.O. TONNA:
He is. Can I ask you a question? Have they done any studies like this in the past, do you know?

LEG. FIELDS:
I've only been here for three years, so I don't know that for sure. I don't think they've actually done it, but I think they've talked about it.

P.O. TONNA:
All right.

LEG. ALDEN:
Legislator Fields.

P.O. TONNA:
Legislator Alden.

LEG. BISHOP:
On the motion.

LEG. ALDEN:
There is a study, but it's ten or fifteen years old, that Suffolk County did as far as whether it should be a special park district or what it should be, so it's dated.

P.O. TONNA:
I just know, in the last -- I've been here for eight-and-a-half, almost nine years, that I remember that there was a study done with regard to advertising and parks, and that there was a study done and there was, you know, I think some considerable report done with regard to establishing advertising sites, whether there be on tee boxes at County golf courses, or something like that. So I would ask that -- just the sponsor of that bill just to maybe ask them. Peter Scully might not even be aware of it. I mean, he was -- he's only been Commissioner for a year or two.

LEG. FIELDS:
But that can be incorporated in this with the committee, right?

P.O. TONNA:
Yeah. I'm not opposed to it, I'm just saying, you know, that there's already significant work being done, they should already use that corpus of work, you know.

LEG. BISHOP:
Mr. Chairman.

LEG. CARACCIOLO:
Mr. Chairman.

P.O. TONNA:
Okay. Legislator Bishop, and then Legislator Caracciolo, then Legislator Fisher.

LEG. BISHOP:
If I may ask the sponsor, what I don't understand, just from reading the caption, is what makes Parks special that they should have a separate

source of funding, an alternative source of funding, as compared to Social Services, Public Works, or any of the other important County functions?

LEG. HALEY:
For the billing.

LEG. FOLEY:
For the billing.

P.O. TONNA:
Fees.

LEG. CARACAPPA:
On the motion.

LEG. BISHOP:
And that's --

LEG. FIELDS:
I think you heard a whole bunch of answers around the horseshoe.

LEG. BISHOP:
What were the answers?

LEG. FIELDS:
But I think, in addition to what the --

LEG. BISHOP:
I didn't hear what they said, so, if you -- I didn't hear.

LEG. FIELDS:
Well, we charge fees for certain parks activities. And this is the one aspect of County taxpayers that they see, and, yet, we don't have enough money to properly improve them and even maintain them. So this is going to just simply look at whether or not there is an alternative. It is not saying, "Here is an alternative, let's do it," it's looking at it. It's just a simple committee to look at it.

LEG. BISHOP:
Well, I would be hard-pressed to vote against a simple committee to look at it.

LEG. HALEY:

Thank you

LEG. BISHOP:
But I don't understand, if there's an issue of the parks not receiving what they need to operate effectively, then it's incumbent upon us as Legislators to change our budgeting priorities. You start down a slippery slope when you start dedicating monies from outside to specific government functions, because then only theoretically the most popular programs are funded and you're -- what you're doing is taking separate votes, more or less, and separate tax streams for that which is popular and going to neglect everything else that is -- doesn't necessarily have a powerful constituency behind it. That's why most governments, most that I know of, avoid that kind of practice and use the budget process as the mechanism to see to it that priorities are met.

P.O. TONNA:
Okay. No. Legislator Caracciolo.

LEG. CARACCIOLO:
Thank you, Mr. Chairman. As Legislator Fisher, and Legislator Fields, and Legislator Alden will recall several -- two years ago, we went on a field trip to a park system in New Jersey in Monmouth County where we saw a park system that is roughly, in terms of acreage, one-fourth of Suffolk County's system. It's a County with a population of about half the size of ours, a geographical area about two-thirds the size of ours, but, yet, they return back to their residents a tremendous amount in the way of resources in their park system. They have nationally reknowned parks programs, arts and crafts, golf courses, two of which consistently rank in the top 50 public courses in the United States at very reasonable golf course fees. They have boating. They have all of the programs and services that we have, but the way they maintain those services and programs far exceed those that we provide. In fact, the personnel resources they dedicate to their park system are twice as many personnel as we provide in a system that's four times larger.

So I think what the intent of the resolution is, if I may read from it, is that the people of Suffolk County have voted repeatedly to authorize the investment of public resources for acquisition and preservation of such lands to protect the underground drinking water supply and quality of life. And it goes on to state that we've acquired one of the largest municipal park systems in the United States, totalling -- it says 42,000 acres here. It's now up to 45,000 acres. It goes on to state that the park system just a quarter of a century ago, 25 years ago, was only 11,000 acres. And, finally, it says, "Additional resources are required to protect the taxpayer investment, and," and this is the key, "proper management of resulting accumulation of parkland holdings."

If we want to continue to have a passive park system that the public cannot really enjoy, we have an over -- we have overtaxed campgrounds. We don't provide enough camping opportunities for the 1.4 million

residents of Suffolk County. We don't have enough marina space. We don't have enough resources dedicated in other areas, nor do we properly maintain those facilities. And I dare say, and I know this was shared by Legislator Fields, Fisher and Alden, when we went on the visit, that we were enormously impressed with a park system and a community that is

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dedicating itself, and the way they do it is they do have a dedicated park fund.

Now, if your point, Dave, is we should establish as a priority our park system, I'm with you. But in the absence of repeated attempts for the decade-plus that I've been here of Legislators to seriously consider that alternative, I think we have to look at other funding mechanisms, and that's what this resolution is designed to do, by putting together a host of individuals that can study all of the alternatives, including the creation of a park district, which would require State legislation to do just that.

And, finally, I would encourage those of you who may interested, I, along with the County Executive, will be taking another field trip to Monmouth County during the month of July in the recess, and I'd be happy to schedule as many trips as would be convenient for other Legislators to see firsthand what a first-rate park system really is and how we could have one like it if we dedicate ourselves to doing so. Thank you.

LEG. BISHOP:
Madam Chair, when it's back to my turn, I'd like to be called.

D.P.O. POSTAL:
No, it's not your -- Legislator Fisher.

LEG. FISHER:
Thank you, Madam Chair.

LEG. CARACAPPA:
Max, take me off. Mike said what I had to say.

LEG. FISHER:
Yes, I did go on that field trip, and Mike did say much of what I had to say. But further to that, the Park Trustees have been looking for this kind of mechanism, because the Parks is different from many other departments in as much as it is a revenue producing department. Number two it's a department which the citizens use, not when they're in need, not when they're in -- looking for a service, but they use recreationally. It's part of their quality of life. When I came other

board three-and-a-half years ago, we had 38,000 acres of parkland, we now are up to 45, and we still have not kept up with the management numbers that we need. I completely agree with everything that Legislator Caracciolo said regarding our management practices. We can't continue to acquire land and not have a mechanism that would provide us a way to manage that land, so that it serves our constituents best.

D.P.O. POSTAL:
Legislator Haley.

LEG. HALEY:
Legislator Caracciolo, I'd be more than happy to fill out that foursome in July. Come on, let's tell the truth, we're going to play golf, too.

You know, Dave, I think we've been working on recreational opportunities for kids. I think the active parklands has been a very important component. And I agree that a lot of our parks have been used passively,

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and I don't think we've done enough in this County to improve what I think are recreational opportunities. When you come -- when it comes to parks, there's a whole different set of revenues that are possible for parks as there would be to some of the other departments that you had mentioned. Seems to me it's, you know, too much debate over something in which is really a no-brainer to move forward and just to see what they have and to see what we could do. And I can't believe I'm agreeing with Legislator Fields.

D.P.O. POSTAL:
Neither can she.

LEG. FIELDS:
Neither can I.

LEG. CRECCA:
I agree with Legislator Haley and Fields on this one, also, for the record.

D.P.O. POSTAL:
Legislator Carpenter.

LEG. CARPENTER:
Thank you. I just wanted to state for the record, I mean, this is a public meeting and the media is here and all, that we do ourselves a disservice if we say that -- if we leave the impression that our parks are so not maintained, because that really isn't the case. Over the past

number of years, I think this Legislative body can be proud of what we've done with some of the golf courses, some of the campgrounds. We've done things in the last number of years that weren't done in previous years. And I mentioned this in the Parks Committee the other day. I had a break between committee meetings last week and went over to Blydenburgh Park and just drove through there, and was amazed to see the incredible condition of the campground, the picnic area. There was a brand new play gym equipment. So I think that for the most part, we can be proud of our County parks, but I think that this resolution is something that we should be supportive of.

LEG. CARACCIOLO:
Madam Chair, if the next speaker --

LEG. BISHOP:
I don't think you're on the list.

LEG. CARACCIOLO:
-- would just suffer a brief interruption.

D.P.O. POSTAL:
Legislator Bishop is the next speaker, so --

LEG. BISHOP:
I'll yield to Legislator Caracciolo.

LEG. CARACCIOLO:
I would like to encourage my colleagues that when we reconvene here at the County Center, I think it's August 25th, for a nighttime session,

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that perhaps that afternoon, you get your green cards and get over to Indian Island County Course, because we have invested in that County course, something I'm very proud of, over two-and-a-half million dollars in golf course improvements. As Legislator Carpenter pointed out, we should be very proud. We are beginning to make a difference. And as Legislator Fields and Alden will also recall, we went down to Timber Point County Park at the onset of the changes that began there about that same time, two-and-a-half years ago, and I have photographs. And I'm looking forward in the next six months to going back, when the renovations are complete, and show all of you the before and after photos. We can make a difference, Dave, but it does require the resources to make the difference, and right now, those resources come out of the Capital Program and Budget. Thank you.

D.P.O. POSTAL:

Legislator Bishop.

LEG. BISHOP:
Madam chair, I'm going to support this resolution, but I'm going to issue a warning. The only alternative funding -- the only alternative fundings that I've heard discussed with any seriousness, one is advertising, and two is a special district. Now, both of them, in my mind, are signs of weakness by this Legislative body, if we adopt either one of them. Our parks are a precious resource and they should be fully funded, and there should be a priority, and our commitment should be unwavering. If you allow advertising in the parks, you cheapen the experience. I think we've gone through that debate in previous years and we took the right position. If you have a parks district, you don't control it, you're giving -- what you're staying, essentially, is that the Suffolk County Legislature cannot budget effectively for parks, therefore, we're going to hand it over to an authority, and that's the only way you can have a district, just like, you know, a sewer authority, you're going to hand it over to a district or an authority, which you will not have control of.

So, in my mind, I think the right approach is to gather the information about alternative funding, but to be wary of alternative funding sources that suggest that we are incapable of doing our jobs in supporting the parks through the means that we already have.

D.P.O. POSTAL:
Legislator Binder.

LEG. BINDER:
Yeah. The -- I think Legislator Carpenter makes an important point in that we shouldn't walk away thinking that we haven't done the job here. Maybe we haven't done what Monmouth County has done, but we've done over the years a pretty good job in our parks, our campgrounds. But I think, more importantly, is we're talking about dedicated funding, which Legislator Bishop eluded to the question of what it would take away from. I think we should seriously think about that. When I hear Monmouth County, when you go up to Monmouth County, I would hope that you're going to check on their health system, because we have one of the best health systems in the country right here for the people in this County who can't afford other health systems. So when you hear a national debate raging about people uninsured, they don't look to Suffolk County, because Suffolk County, there's an alternative, there's a place to go; a Social

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Services system, a purchasing of land system. Find out how many acres Monmouth County has purchased, and what they've done to protect their environment, protect their future as Suffolk County has done. And I can

go through a long list of things that we've done. I think we've done a great job in our parks. Can we do better? Sure, but there's -- but this Legislature makes the decisions and weighs it, we don't create a district so it's removed from the budget and so it's got its only funding stream, and so that we can't make that decision and that balancing act, which a budget is, to see where we want to spend that money. And so I think, and I'm here twelve-and-a-half years, this is not the first time I've heard talk of a special district. We've talked about special districts, whether it's camping, parks, golf, whatever it is, we've talked about special -- I shouldn't say special districts, I should say special funds, and we've rejected it for over twelve years that I've been here and before I was here, because I think there's a general understanding in the Legislature that this should be part of the overall budget. We should all have a say in how that budget's spent, and we should all make that decision. And that's what I'm concerned with here.

[SUBSTITUTION OF STENOGRAPHER - ALISON MAHONEY]

LEG. BINDER:
I'll break from Legislator Bishop and say I'm not going to vote for this because I think it only goes down one of the roads that Legislator Bishop talked about, advertising which we've rejected, a special funding -- special funding, specific funding for -- it's amazing, you're just so attentive, it's really wonderful to talk to all of you, too. Thanks.

LEG. BISHOP:
A horrible experience.

LEG. BINDER:
It's ridiculous.

LEG. BISHOP:
You're right.

D.P.O. POSTAL:
I know it's late in the day but can we just maintain order for a little while longer? Legislator Fields.

LEG. FIELDS:
Although I will acknowledge with Legislator Carpenter and several others that we do have some very beautiful parklands and parks, we also continue to acquire parkland and yet we do not have the parks police to patrol those areas and make sure that we're not sustaining damage. And if you take a ride and you go throughout our park system, you will see that ATV's have done a tremendous amount of damage and yet we can't afford to hire parks police to patrol it.

In addition to that, with the early retirement incentive we will be losing quite a few of our parks employees and some of the supervisory personnel and there's some concern about who's going to be following

that, if anyone. So I think that we owe it to ourselves at least just to look and perhaps we will come out with the same response as you, Legislator Binder, but we do owe ourselves I think the opportunity of at

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least just looking at it.

D.P.O. POSTAL:
Legislator Binder expressed my sentiments in that over these years this -- the concept of a dedicated fund and -- well, you weren't here for twelve-and-a-half years, that was the only reason I left you --

LEG. BISHOP:
Ten.

D.P.O. POSTAL:
See, not long enough.

LEG. CARPENTER:
Nine and a half.

D.P.O. POSTAL:
But, you know, we've discussed this idea and we've rejected it repeatedly because while there is a constituency for parks and therefore revenue does come in for parks, there's obviously not the same constituency for other County services, departments and necessities. And I would hate to see us providing funding on the basis of what's popular and what generates revenue as opposed to where we might have the greatest needs. So I think you head down a very dangerous path when you make choices about dedicating monies to specific purposes when the source of that funding is very often a big chunk of money that helps us to provide some of the services we need in health care, some of the services we need for our senior citizens and other County departments which are vital to the survival of people in this County.

LEG. GULDI:
Mercy, may I? I've asked for mercy. Please, we've debated a bill for an hour as to whether or not we should form a committee to determine whether or not money for parks is a good thing. As long as they don't ask me to go to more meetings I'm in favor of the bill, as long as we don't have to talk about it anymore; please, mercy.

LEG. FIELDS:
Motion to approve.

P.O. TONNA:

Motion to approve and a second by Legislator Foley. All in favor? Opposed?

D.P.O. POSTAL:
I'm opposed.

LEG. BINDER:
Opposed.

P.O. TONNA:
Opposed, Legislator Postal and Legislator Binder.

LEG. FISHER:
Here I am, yes.

MR. BARTON:
15-2, one not present (Not Present: Legislator Towle).

P.O. TONNA:
Okay.

MR. BARTON:
And I hope they don't have minutes.

P.O. TONNA:
Now we're on 1712A, 1712 - (Appropriating funds in connection with improvements to County Campgrounds (CP 7009) (County Executive), there's a motion by Legislator Fields, seconded by Legislator Foley -- oh, Carpenter, sorry. Roll call.

(*Roll Called by Mr. Barton*)

LEG. FIELDS:
Yes.

LEG. FOLEY:
I think Legislator Carpenter wanted to second.

MR. BARTON:
Oh, Carpenter, I'm sorry.

LEG. CARPENTER:
That's all right, yes.

LEG. COOPER:
Yes.

LEG. BINDER:
Can I do this without a dedicated fund? Yeah.

LEG. BISHOP:
Yes.

LEG. NOWICK:
Yes.

LEG. CRECCA:
Yes.

LEG. ALDEN:
Yes.

LEG. LINDSAY:
Yes.

LEG. FOLEY:
Yes.

LEG. HALEY:
Yes.

LEG. FISHER:
Yes.

LEG. CARACAPPA:
No.

LEG. GULDI:
Yes.

LEG. CARACCIOLO:
Yes.

D.P.O. POSTAL:
Yes.

P.O. TONNA:
Yes.

MR. BARTON:
16-1, one not present on the bond. (Not Present: Legislator Towle).

LEG. GULDI:
Mike, you're confusing him. Let him run the meeting.

MS. BURKHARDT:
Paul, next bill.

P.O. TONNA:
Next bill, okay. Okay, same motion, same second, same vote.

MS. BURKHARDT:
1713.

P.O. TONNA:
Okay, 1713A, 1713 - (Appropriating funds in connection with the construction of improvements to County Marinas (CP 7109) (County Executive), bonding resolution. Motion by Legislator Fields, seconded by Legislator Carpenter. Roll call.

(*Roll Called by Mr. Barton*)

LEG. FIELDS:
Yes.

LEG. CARPENTER:
Yes.

LEG. COOPER:
Yes.

LEG. BINDER:
Yes.

LEG. BISHOP:
Yes.

LEG. NOWICK:
Yes.

LEG. CRECCA:
Yeah.

LEG. ALDEN:
Yes.

LEG. LINDSAY:
Yes.

LEG. FOLEY:
Yes.

LEG. HALEY:
Yes.

LEG. FISHER:
Yes.

LEG. CARACAPPA:
No.

LEG. GULDI:
Yes.

LEG. CARACCIOLO:
Yes.

D.P.O. POSTAL:
Yes.

P.O. TONNA:
Yes.

MR. BARTON:
16-1, one not present on the bond (Not Present: Legislator Towle).

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

1739 - (Reappointing William B. Rogers as a member of the Suffolk County Vanderbilt Museum Commission (Trustee #4) (Tonna). Motion by myself, seconded by Legislator Binder. All in favor? Opposed? This is the elderly man giving us a million dollars, right? We can at least three him on the committee, okay? What the heck.

LEG. CARACAPPA:
On the motion.

LEG. GULDI:
Is there anybody else with a million bucks we can put on this board?

P.O. TONNA:

On the motion, on this motion?

LEG. CARACAPPA:
Yeah.

LEG. COOPER:
Cosponsor.

P.O. TONNA:
Okay, hold it, hold it. Wait, don't call the vote yet. On the motion, Legislator Caracappa.

LEG. CARACAPPA:
This is the gentlemen that gave us the -- well, might give us the million dollars, correct?

P.O. TONNA:
If Public Works gets it done this year.

LEG. CARACAPPA:
Right. Now we're going to make him a trustee of --

P.O. TONNA:
No, he's already a trustee, we're just reappointing him.

LEG. CARACAPPA:
Isn't there a conflict? Now, this guy is holding out, saying he's going to -- well, he gives us a contribution, he says, "You have to do a certain amount of improvements to a place where I'm a trustee and now that you're not going to do it I'm going to pull back my contribution," and he's sitting on the board of this institution? That seems a little weird to me; Counsel?

P.O. TONNA:
Well, it might be a little weird, but just let me give you my impression.

LEG. CARACAPPA:
Well, that's the Vanderbilt, weird. Counsel?

P.O. TONNA:
Well, wait, and you can get to counsel. All I can say is this, if I had 12 board members who were going to give me a million dollars each, I'd put up with their little idiosyncracies to tell you quite honestly. But still, please.

LEG. FOLEY:
We put up with yours.

LEG. CARACAPPA:
The point I'm making where I think it's a conflict --

P.O. TONNA:
You put up with mine; thank you very much, Legislator Foley, I heard that. Let's put Legislator Foley -- he puts up with mine and as I -- I'll second that.

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LEG. GULDI:
Who are you going to give a million dollars to, huh?

LEG. CARACAPPA:
Mr. Chairman?

LEG. FOLEY:
And that's without the million dollars.

P.O. TONNA:
There you go.

LEG. CARACAPPA:
Mr. Chairman, I have no problem with Mr. Rogers being benevolent with the million dollars, it's just the fact that he -- the threat of taking it back if certain improvements weren't done at a certain point in time and he sits on the board of this organization.

P.O. TONNA:
But he's old, that's what Legislator Binder said, "But he's old".

LEG. FIELDS:
May I ask something of Paul?

LEG. CARACAPPA:
I know that's a major -- how does Counsel view that?

LEG. FIELDS:
Paul, may I ask something?

P.O. TONNA:

Yeah, but let the question be answered, he's directing a question to our Legal Counsel.

MR. SABATINO:
Sitting on the board and making contributions and discussing those contributions is not illegal per se. Many boards --

LEG. CARACAPPA:
What about conditional contributions?

MR. SABATINO:
-- in particular in the cultural area do have members who are contributers. It's not per se illegal but people around him should be careful in terms of the things they say and do.

LEG. CARACAPPA:
All right.

LEG. FIELDS:
Paul?

P.O. TONNA:
Yes, Legislator Fields.

LEG. FIELDS:
For the record, Legislator Crecca was going to ask Steve Gittleman if his uncle was going to withhold the million dollars if we did not approve this today; what was the answer?

LEG. CRECCA:
That they never asked him that question.

LEG. FIELDS:
So there was never anything represented that he was going to pull the money back if he didn't get it. Okay, thank you.

LEG. BISHOP:
Things change.

P.O. TONNA:
Okay, hold it one second. All right. Okay, there's a motion and a second. All in favor? Opposed?

LEG. CARACAPPA:
Abstain.

P.O. TONNA:
Abstain, Legislator Caracappa.

MR. BARTON:
16, one abstention, one not present (Not Present: Legislator Towle).

MS. BURKHARDT:
1566.

LEG. FISHER:
Motion.

P.O. TONNA:

EDUCATION & YOUTH:
Okay, 1566 - (Authorizing the suffolk County Legislature to annually honor a Suffolk County Poet Laureate (Fisher). Motion by Legislator Fisher, second by --

LEG. CARACCIOLO:
Second.

LEG. COOPER:
Second.

P.O. TONNA:
-- let me count the ways, Legislator Cooper. All in favor? Opposed?

LEG. GULDI:
Abstain.

P.O. TONNA:
Abstain.

LEG. ALDEN:
On the motion?

P.O. TONNA:
On the motion.

LEG. ALDEN:

Who makes the decision?

P.O. TONNA:
Who makes the decision who the Poet Laureate is?

LEG. FISHER:
It's in -- the committee is listed in the resolution.

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

LEG. BISHOP:
Am I on it?

MR. BARTON:
16, one abstention, one not present (Not Present: Legislator Towle).

P.O. TONNA:
I live in Walt Whitman's Grandfather's house, I mean that counts for something. Okay, ENVIRONMENT, LAND ACQUISITION & PLANNING:

1169 - (Implementing Suffolk County Water Quality Protection and Restoration Program (County Executive). Motion by Legislator --

LEG. CARACCIOLO:
Bishop.

P.O. TONNA:
-- Crecca, seconded by Legislator Caracciolo. All in favor? Opposed?

MR. BARTON:
17, one not present (Not Present: Legislator Towle).

P.O. TONNA:
Okay, 1488A, 1488 - (Approving acquisition under Suffolk County Multifaceted Land Preservation Program (Hertlin Property in Ronkonkoma)(Town of Brookhaven)(Caracappa). Motion by Legislator Caracappa, seconded by Legislator Crecca.

LEG. CARACAPPA:
On the motion.

P.O. TONNA:
Okay, on the motion.

LEG. CARACAPPA:
I'm sorry, Mr. Chairman. At the last Environment & Land Acquisition Planning Committee, Planning came forward on this resolution and gave

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some erroneous testimony with relation to the parcel. Originally I had another parcel in the Ronkonkoma area that they are confusing with this one. That original parcel was a very small parcel, it had a low ranking and I asked back on February 5th in front of the committee, Legislator Bishop's committee, to have that parcel tabled subject to call. They're confusing that parcel with the Hertlin piece that's before us today which is a 50/50 Preservation Partnership with the Town of Brookhaven. In the last Environmental Committee meeting there was a technical correction made to this bill that discussed the house or the --

LEG. BISHOP:
The dwelling.

LEG. CARACAPPA:
-- the dwelling on the property that doesn't exist, it's from the other -- it was from the original legislation which was 1088 which was tabled subject to call back in February of 2002. So what I'm asking is through the Chair of the committee is that the technical corrections that the committee made relating to the Hertlin piece be pulled --

LEG. BISHOP:
Tecnically corrected.

LEG. CARACAPPA:
Technically correcterd once again and approved tonight.

LEG. CRECCA:
I will second that motion.

P.O. TONNA:
Okay, there is a motion and a --

LEG. CRECCA:
There is a motion to make corrections and approve.

LEG. BISHOP:
There is a ruling that Counsel asked for.

P.O. TONNA:
Legal Counsel, please.

MR. SABATINO:
That's the correct action to take. The change that was made was based on what Planning had represented at the committee. The Clerk should be directed, pursuant to this motion, to just strike the phrase exclusive of

the dwelling which was a technical correction that was added from the bill.

LEG. BISHOP:
Wonderful.

LEG. CARACAPPA:
Thank you.

MS. BURKHARDT:
Roll call.

P.O. TONNA:
Yes, roll call.

LEG. BISHOP:
No roll call needed.

LEG. CARACAPPA:
It's a bond.

P.O. TONNA:
No roll call needed?

LEG. CRECCA:
There is, it's a bond.

P.O. TONNA:
It is a bond. Dave, could you say you stand corrected?

LEG. BISHOP:
Yes, I stand corrected; I sit corrected.

(*Roll Called by Mr. Barton*)

LEG. CARACAPPA:
Yes.

LEG. CRECCA:
Yes.

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. GULDI:
Yes.

LEG. CARACCIOLO:
Yes.

D.P.O. POSTAL:
Yes.

P.O. TONNA:
Yes.

MR. BARTON:
17, one not present on the bond (Not Present: Legislator Towle).

LEG. CARACAPPA:
Thank you.

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

All right, we're at 1589 - (Authorizing planning steps for implementing Greenways program in connectino with adquisition of active parklands at Wall Property (Town of Huntington) (Binder). Motion by Legislator Binder.

LEG. COOPER:
Second.

P.O. TONNA:
Seconded by Legislator Cooper. Where is this?

LEG. COOPER:
Across the street from my district office.

P.O. TONNA:
All right, this isn't the wall on the LIE, the little wall that we're going to buy?

LEG. BINDER:
Wrong wall.

P.O. TONNA:
No, wrong wall, okay. Anyway, all in favor? Opposed?

LEG. COOPER:
Cosponsor.

MR. BARTON:
17, one not present (Not Present: Legislator Towle).

P.O. TONNA:
There you go, there's true bipartisanship.

1657A, 1657 - (Appropriating funds in connection with the acquisition of land under the Clean Water Bond Act (CP 8233) (County Executive). Motion by Legislator Bishop, seconded by Legislator Carpenter. Roll call.

(*Roll Called by Mr. Barton*)

LEG. BISHOP:
Yes.

LEG. CARPENTER:
Yes.

LEG. COOPER:
Yes.

LEG. BINDER:
Yes.

LEG. NOWICK:
Yes.

LEG. CRECCA:
Yes.

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.

D.P.O. POSTAL:
Yes.

P.O. TONNA:
Yep.

MR. BARTON:
17, one not present on the bond (Not Present: Legislator Towle).

P.O. TONNA:
There you go. Same motion, same second, same vote.

1724 - (Making a SEQRA determination in connection with the proposed replacement of security booths at Suffolk County's Correctional Facilities - Brookhaven and Riverhead (Presiding Officer Tonna). Motion by Legislator Tonna, seconded by Legislator Bishop. All in favor? Opposed?

MR. BARTON:
17, one not present (Not Present: Legislator Towle).

P.O. TONNA:
1725 - (Making a SEQRA determination in connection with the proposed improvements to CR 80, Montauk Highway between NYS Route 112 and CR 101, Sills Road, Eat Patchogue, Town of Brookhaven (CP 5534) (Presiding Officer Tonna). Motion by --

LEG. FOLEY:
Motion.

P.O. TONNA:
-- Legislator Foley, seconded by Legislator Bishop. All in favor? Opposed?

MR. BARTON:
17, one not present (Not Present: Legislator Towle).

P.O. TONNA:
1732 - (Making a SEQRA determination in connection with the proposed Vector Control and Wetlands Management Long-Term Plan County-Wide (County Executive). Motion by Legislator --

LEG. BISHOP:
Motion to table.

P.O. TONNA:
Wetlands, yes. Motion to table.

LEG. CRECCA:
Why?

LEG. GULDI:
Second.

P.O. TONNA:
Seconded by Legislator Fields. Legislator --

LEG. BISHOP:
On the motion to table, pending a --

LEG. FISHER:
Is there an EIS?

LEG. BISHOP:
They asked for a question of Counsel whether approval of this resolution would have the legal impact of shutting down Vector Control this year. This was brought to my attention by the County Executive's Office, I thought they had discussed it with the sponsor.
LEG. GULDI:
Isn't there pending litigation on this issue?

LEG. FOLEY:
That's true, too.

LEG. GULDI:
There has been a lawsuit commenced against the Vector Control Plan this year for failure to comply with SEQRA. So I don't know that we should even be discussing this in public session.

P.O. TONNA:
Well, I don't think we're talking about legal strategies. But my concern is that it got out of your committee, you're chairman; explain why it's here and why you want it tabled.

LEG. BISHOP:
I personally don't want it tabled, the County Executive's Office asked me if I would consider tabling it as a request has been made to the County Attorney for a legal opinion as to whether approval of this measure today would have the legal impact of forcing the entire Vector Control Program

to shut down.

LEG. HALEY:
Second to table.

LEG. GULDI:
Motion to recommit to committee.

LEG. BISHOP:
I said it seemed reasonable to me that we could table it for one meeting.

P.O. TONNA:
Okay, so you're the Chairman. You basically said -- you're the Chairman, you got briefed, you would like to basically have it tabled for one cycle while they get whatever they need together.

LEG. BISHOP:
Pending this legal -- right.

P.O. TONNA:
Okay.

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LEG. FOLEY:
Second the motion to recommit.

LEG. BISHOP:
And believe me, if they don't have it at the next meeting after a six week layoff, we go forward.

P.O. TONNA:
Okay. Now, there are some that want to bring it back to the committee but the Chairman is telling you of that committee, he's very comfortable with it being here.

LEG. GULDI:
Well, I think --

P.O. TONNA:
But you want to send it back to him so he can just bring it back here again.

LEG. GULDI:
I would rather see -- I would certainly rather see the executive session occur in committee than have to occur here at full Legislature. And obviously one is going to be required to --

P.O. TONNA:
What is the point of that; you're saying that you don't trust the full Legislature in an executive committee to deal with things?

LEG. GULDI:
No. Because frankly I don't think we should see it until it gets through committee with exec session.

LEG. BISHOP:
I don't think it requires executive -- I think you're making a huge leap in logic to say that there's necessarily an executive session required.

P.O. TONNA:
Right. Well, George, I would advise, if you're concerned about the County's legal strategies, just go to one of those guys over there, the pointy headed lawyers and have a debate with them about legal strategy. But right now we have the Chairman of a committee who's saying don't give it back to me in my committee, I'm just giving the County Executive some time.

LEG. BISHOP:
I'm just a beard for the County Executive.

LEG. GULDI:
I think I had a second on the motion to recommit.

P.O. TONNA:
Yes, okay. So now we'll bring it to the vote. There's a motion and a second to recommit to committee, that takes precedent over tabling, yes?

LEG. FOLEY:
Correct.

MR. SABATINO:
Tabling takes precedence.

LEG. BISHOP:
Why are you forcing it to go back to a committee that doesn't want it?

P.O. TONNA:
Tabling takes precedence. So there is a motion and a second to table,

okay. Roll call on the tabling.
LEG. BISHOP:
On tabling?

P.O. TONNA:
Yeah, it takes precedent over recommit to committee.

LEG. BISHOP:
Thank you.

LEG. GULDI:
Does it? I don't think so.

(*Roll Called by Mr. Barton*)

MR. BARTON:
Roll call on tabling the SEQRA determination. Legislator Bishop?

LEG. FOLEY:
That's new to me.

P.O. TONNA:
All I can tell you is this. We have a Legal Counsel --

LEG. FOLEY:
I would think recommit.

P.O. TONNA:
-- he just gave me the rule, I asked him a direct question. I do not hear Legislator Binder jumping up and down, so there must be some -- there must be some confluence of agreement with regard to Robert's Rules of Orders or our own rules.

LEG. GULDI:
Paul, are you looking at the list? Did you look at the list?

P.O. TONNA:
Usually when Binder says one thing and our Legal Counsel says another, depending on how I like the outcome, I go with that guy, but right now it's our Legal Counsel.

LEG. FOLEY:
Okay, okay, okay, let's go.

P.O. TONNA:
Thank you.

LEG. BISHOP:
As enjoyable as that tangent is, I cast my vote in the affirmative; yes to table.

LEG. FIELDS:
Yes.

LEG. COOPER:
Yes.

LEG. BINDER:
Yes.

LEG. NOWICK:
Yes.

LEG. CRECCA:
Yes.

LEG. CARPENTER:
Yes.

LEG. ALDEN:
Pass.

LEG. LINDSAY:
Yes.

LEG. FOLEY:
Yes to table.

LEG. HALEY:
Yes.

LEG. FISHER:
Yes.

LEG. CARACAPPA:
Yes.

LEG. GULDI:
No.

LEG. CARACCIOLO:
Yes.

D.P.O. POSTAL:
Yes.

P.O. TONNA:
Yes.

LEG. ALDEN:
Yes.

MR. BARTON:
16-1, one not present (Not Present: Legislator Towle).

P.O. TONNA:
Can I just make one small observation for the future that will speed up our meetings. If you make a motion, please have some type of mental inventory that actually you might have a majority of people that feel your way, even a 50/50 split wouldn't be so bad.

LEG. GULDI:
Like a motion to override a veto that you had no support for, for example?

P.O. TONNA:
Right, right. Well, that was a waste.

LEG. GULDI:
Is that the kind of thing you meant? I just wondered. Sometimes, however --

P.O. TONNA:
Yeah, anything at all, but have -- I didn't make a motion, I didn't make -- oh yeah, that's the zero one.

LEG. GULDI:
Yeah, you did, you made the motion.

P.O. TONNA:
Perfect example, I'm a hypocrit. Thank you, Legislator Guldi.

LEG. BISHOP:
He failed to take his mental inventory at that point.

P.O. TONNA:
Yeah, there you go. I was a momentary mental lapse.

LEG. GULDI:
I got a whole lot more votes for this than you did for yours.

P.O. TONNA:
Yeah, two; double, 200%. Okay.

LEG. FISHER:
Well, you had yourself.

P.O. TONNA:
You had yourself, one, that's right.

LEG. GULDI:
More than a hundred percent than you had.

P.O. TONNA:
Okay, where are we?

MS. BURKHARDT:
1733.

P.O. TONNA:
1733 - (To allocate vehicle to Suffolk County Soil & Water Conservation District for Environmental Preservation (Fields).
Motion by Legislator --

LEG. FIELDS:
Fields.

P.O. TONNA:
-- Fields.

LEG. FOLEY:
Second.

P.O. TONNA:
Seconded by -- no, this we just voted on, it was tabled.

LEG. BINDER:
No.

MS. BURKHARDT:
No, that was the one before it.

P.O. TONNA:
33, okay. 1733, motion by Legislator Fields, seconded by Legislator Foley. All in favor? Opposed?

MR. BARTON:
17, one not present (Not Present: Legislator Towle).

P.O. TONNA:
Okay, 1741 - (Authorizing planning steps for the acquisition of land under the Pay-As-You-Go 1/4% Protection Program in connection with acquisition of open space property (land at Iron Point Park, Flanders, Town of Southampton (County Executive). Motion by Legislator Guldi, seconded by Legislator Caracciolo. All in favor? Opposed?

MR. BARTON:
17 (Not Present: Legislator Towle).

P.O. TONNA:
1742 - (Authorizing planning steps for implementing Greenways Program in connection with acquisition of active parklands at Iron Point Park, Flanders, Town of Southampton (County Executive). Motion by Legislator Guldi, seconded by Legislator Caracciolo. All in favor? Opposed?

MR. BARTON:
17, (Not Present: Legislator Towle).

P.O. TONNA:
BUDGET:
1591 - (Amending the 2002 Operating Budget and transferring funds for the ARC Adult Community Alternative Sentencing Program (Carpenter). Motion by Legislator Carpenter, seconded by Legislator Foley. All in favor? Opposed?

MR. BARTON:
17 (Not Present: Legislator Towle).

P.O. TONNA:
1593 - (Amending the 2002 Operating Budget and transferring funds for the Child Care Council of Suffolk (Fisher).

LEG. FISHER:
Motion.

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

LEG. COOPER:
Second.

P.O. TONNA:
-- Legislator Fields. All in favor? Opposed?

LEG. BINDER:
Roll call.

LEG. ALDEN:
Abstain.

LEG. CARPENTER:
Henry, cosponsor.

P.O. TONNA:
Roll call on 1593. Roll call.

(*Roll Called by Mr. Barton*)

LEG. FISHER:
Yes.

LEG. FIELDS:
Yes.

LEG. COOPER:
Yes.

LEG. BINDER:
No.

LEG. BISHOP:
Yes.

LEG. NOWICK:

Yes.

LEG. CRECCA:
No.

LEG. CARPENTER:
Yes.

LEG. ALDEN:
No.

LEG. LINDSAY:
Yes.

LEG. FOLEY:
Yes.

LEG. HALEY:
Yes.

LEG. CARACAPPA:
Yes.

LEG. GULDI:
Yes.

LEG. CARACCIOLO:
Nope.

D.P.O. POSTAL:
Yes.

P.O. TONNA:
Yeah.

MR. BARTON:
13-4, one not present (Not Present: Legislator Towle).

P.O. TONNA:
Okay. 1594 --

LEG. CARACCIOLO:
On 1593, just for future reference, we're going into the budget cycle in two months, there's a $2 million additional cost to fund this program annually, it's not submitted in the County Executive's budget. Just keep in mind that if anybody is going to propose a budget amendment, it's $2 million.

LEG. CARACAPPA:
That's true. We'll deal with it then.

P.O. TONNA:
Okay. 1594 - (Amending the 2002 Adopted Operating Budget and appropriating funds for various contracted agencies (Guldi).
Motion by Legislator Guldi, seconded by Legislator Haley. All in favor?

Opposed?

MR. BARTON:
17 (Not Present: Legislator Towle).

P.O. TONNA:
Okay, now we have one more resolution we have to come back to, page nine at the bottom; you surprised I remembered that?

Okay, 1734 - (Designating contract agency for education component of Universal Child Sexual Abuse Reporting Policy for Suffolk County (Caracappa). There is a motion by Caracappa. Seconded by?

LEG. CARACAPPA:
There is a motion to table.
P.O. TONNA:
Motion to table by Legislator Binder, seconded by Legislator Cooper to table. Okay, all in favor? Opposed?

LEG. CARACAPPA:
Opposed.

P.O. TONNA:
Opposed, Legislator Caracappa.

LEG. FIELDS:
I'm opposed.

P.O. TONNA:
Haley and Fields. Okay, everybody is going to get a piece of the pie eventually, right.

All right, late starters we have and then we go to the Senseless Resolutions.

MR. BARTON:
14-3, one not present. It's tabled. (Not Present: Legislator Towle).

P.O. TONNA:

Okay. I have three late starters, I want to waive the rules and lay on the table Resolution No. 1799, that's going to be assigned to Public Safety; 1800, that's going to be assigned to Ways & Means; and 1801, that will be assigned to Ways & Means. There are -- all in favor? Opposed?

MR. BARTON:
17 (Not Present: Legislator Towle).

P.O. TONNA:
Thank you. Okay, I would like to --

LEG. HALEY:
Do the CN's?

P.O. TONNA:
Yes. I would like to do our first Certificate of Necessity, No. 1697 - (Making a technical correction to Omnibus Budget Amending Resolution

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1024-2001). Motion by myself, seconded by Legislator Postal. Oh, motion by Legislator Nowick, seconded by myself. All in favor? Opposed? Great.

MR. BARTON:
17 (Not Present: Legislator Towle).

P.O. TONNA:
The next one is 1701 - (Authorizing use of picnic area at Lakeland County Park by Daphne's Divine Dance and 3-D Studios Creative Arts Foundation for Festival and Fund Drive). Motion by Legislator Fields, seconded by myself.

LEG. GULDI:
Hold on.

P.O. TONNA:
On the motion?

P.O. TONNA:
This is the Divine Dance with the 3-D Studios.

LEG. GULDI:
Oh, okay, okay.

P.O. TONNA:

All in favor? Opposed?

LEG. ALDEN:
They're a not-for-profit, right?

LEG. FIELDS:
Yes.

P.O. TONNA:
Yeah, 501(C)3.

MR. BARTON:
17, one not present (Not Present: Legislator Towle).

P.O. TONNA:
Okay. No. 1796 - (Approving the particiation of Suffolk County Community College in the Retirement Incentive Program Pursuant to State of New York Chapter 69 of the Laws of 2002). Motion by Legislator Fisher. Seconded by?

LEG. CARPENTER:
Second.

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

LEG. ALDEN:
On the motion.

LEG. CRECCA:
On the motion.

P.O. TONNA:
Okay, on the motion, Legislator Alden. This is the retirement incentive for the AME employees and that was approved by the board of --

LEG. GULDI:
It was not approved by the Board of Trustees?

LEG. FIELDS:
It was.

P.O. TONNA:
Yes, it was, the AME employee early incentive, not the Community College.

LEG. GULDI:
AME without the Faculty?

LEG. FISHER:
The AME employees were approved by the College Board of Trustees, it was The Guild and The faculty Association which we're still negotiating.

P.O. TONNA:
Okay, great. All in favor? Opposed?

MR. BARTON:
17, one not present (Not Present: Legislator Towle).

P.O. TONNA:
Okay. 1797 - (Approving the appointment of a Summer Employee Pursuant to Section 6-3 of the Suffolk County Code). Motion by myself, seconded by --

LEG. BINDER:
Crecca.

LEG. CARPENTER:
Second.

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

LEG. GULDI:
On 1797, on the motion?

P.O. TONNA:
Yeah.

LEG. GULDI:
I don't see the -- wait a minute, I do see the attached list. Thank you.

P.O. TONNA:
Okay, there's the attached list, George. Okay, there's an abstention, right?

LEG. CRECCA:
Yeah, I abstain.

P.O. TONNA:
Okay, great.

MR. BARTON:
16, one abstention, one not present (Not Present: Legislator Towle).

P.O. TONNA:
Great. And then there is 1798 - (Amending the 2002 Operating Budget and transferring funding for the Philharmonic Concert at Hecksher State Park). Motion by myself, seconded by Legislator Carpenter. All in favor? Opposed?

MR. BARTON:
17, one not present (Not Present: Legislator Towle).

P.O. TONNA:
Great, okay, now we go to the SENSE RESOLUTIONS:

Sense Resolution No. 30 - (Memorializing Resolution requesting the State of New York to authorize Drug and Alcohol Rehabilitation Program through Suffolk County Dedicated Fund)(Fields). Motion by Legislator Fields.

LEG. FIELDS:
Table.

P.O. TONNA:
Table by Legislator Fields, second by myself. All in favor? Opposed? Tabled.

MR. BARTON:
17 (Not Present: Legislator Towle).

P.O. TONNA:
Motion on 46 - (Memorializing Resolution requesting the State of New York to mandate installation of DWI Ignition Interlock Device on motor vehicles sold in New York State)(Postal) by Legislator Postal, seconded by myself. All in favor? Opposed?

LEG. HALEY:
Opposed.

MR. BARTON:
16-1, one not present (Not Present: Legislator Towle).

LEG. CRECCA:
Cosponsor, Henry.

P.O. TONNA:
There you go.

LEG. CARPENTER:
Me too, Henry.

LEG. FIELDS:
Cosponsor.

P.O. TONNA:
47 -- now, Legislator Crecca, if you're in the U.S. Senate, will you push for that type of legislation?

LEG. CRECCA:
I did this same Sense Resolution I think last year, so.

P.O. TONNA:
Okay, great. Okay, Sense 47 - (Memorializing Resolution requesting the State of New York to require expanded mandatory Drug and Alcohol testing in connection with fatal vehicular accidents (Crecca). Motion by Legislator Crecca, seconded by Legislator Carpenter. All in favor? Opposed?

LEG. HALEY:
Opposed.

P.O. TONNA:
Okay.

MR. BARTON:
16-1, one not present (Not Present: Legislator Towle).

P.O. TONNA:
Okay, No. 48 - (Memorializing Resolution requesting New York State Department of Transportation (NYSDOT) to avoid rest stops on Long Island Expressway (LIE) at residental locations (Binder). Motion by Legislator Binder. Is there a second?

LEG. CARACAPPA:
Second.

P.O. TONNA:
Seconded by Legislator Caracappa. Okay. All in favor? Opposed?

LEG. LINDSAY:
Opposed.

LEG. CARPENTER:
Opposed.

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

LEG. CARACCIOLO:
Was that pre or post Assembly?

(*Roll Called by Mr. Binder*)

LEG. BINDER:
Yes.

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LEG. CARACAPPA:
Yes.

LEG. COOPER:
Yes.

LEG. BISHOP:
Yes.
LEG. NOWICK:
Yes.

LEG. CRECCA:
Yes.

LEG. CARPENTER:
No.

LEG. ALDEN:
Yes.

LEG. FIELDS:
No.

LEG. LINDSAY:
No.

LEG. FOLEY:
Yes.

LEG. HALEY:
Yes.

LEG. FISHER:
No.

LEG. GULDI:
Yes.

LEG. CARACCIOLO:
Yes.

D.P.O. POSTAL:
Yes.

P.O. TONNA:
Remember the Jim Lack editorial; yes.

MR. BARTON:
13 (Not Present: Legislator Towle).

P.O. TONNA:
Okay. Sense 49 - (Memorializing Resolution requesting the State of New York to enact Comprehensive Energy Policy Reform (Fisher).
Motion by Legislator Fisher, seconded by myself. All in favor? Opposed?

LEG. HALEY:
Abstain.

P.O. TONNA:
Okay, there we go.

MR. BARTON:
16, one abstention, one not present (Not Present: Legislator Towle).
P.O. TONNA:
HOME RULE MESSAGES:

Home Rule Message No. 7-2002 - (Home Rule Message requesting New York State Legislature to amend Section 224(18) of the County Law to authorize Suffolk County to establish a foreign Trade Sub-Zone in Nassau County (County Executive).

LEG. BISHOP:

Motion to table.

P.O. TONNA:
Motion to table by -- hold it one second. Table by Legislator Bishop, seconded by Legislator Cooper. All in favor? Opposed?

LEG. GULDI:
Opposed.

P.O. TONNA:
All right. Just a couple of things just quickly. One is I do not see that we're going to need to have a meeting until --

MR. BARTON:
Guldi & Caracciolo, 15-2, one not present (Not Present: Legislator Towle).

P.O. TONNA:
-- you know, our next --

LEG. ALDEN:
September.

P.O. TONNA:
No, August. There is -- for those who are on the Water Authority Committee, we have an additional meeting on August 2nd to give time, an earlier time.

MR. BARTON:
There is also a public hearing on the Community College Budget Thursday.

LEG. BINDER:
If he vetoes the four year bill, what happens?

P.O. TONNA:
If he vetoes the four year bill and I have Legislators like Legislator Binder, Crecca to make it worth our while, we will entertain that.

Okay. Everybody have a really good summer vacation. There is a public

---

hearing, of course, all of you know that on June 27th there is a public hearing at 10 A.M., I expect to see you all there. Thank you very much. Oh, and Ralph Rienzo, happy birthday. Happy Birthday, Ralphy Boy. Ralphy Boy, what are you going to do with that picnic basket? Meeting adjourned.

[THE MEETING WAS ADJOURNED AT 7:23 P M]

{ } Indicates Spelled Phonetically

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