SUFFOLK COUNTY LEGISLATURE
GENERAL MEETING
THIRTEENTH DAY
SEPTEMBER 17, 2002

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

MINUTES TAKEN BY

LUCIA BRAATEN AND ALISON MAHONEY, COURT REPORTERS

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

P.O. TONNA:
Good morning. How's everyone doing? Henry, you doing well?

MR. BARTON:
Yes.

P.O. TONNA:
Ilona.

MS. JULIUS:
Yes. Hi.

P.O. TONNA:
How are you? Everything is good?

MS. JULIUS:

Yes.

P.O. TONNA:

All right. I would ask that we have a roll call and then we'll proceed with our meeting. We have a quorum.

(Roll Called by Mr. Barton, Clerk)

LEG. CARACCIOLO:

Here.

LEG. GULDI:

Here.

LEG. TOWLE:

(Not Present)

LEG. CARACAPPA:

(Not Present)

LEG. FISHER:

Here.

LEG. HALEY:

(Not Present)

LEG. FOLEY:

(Not Present)

LEG. LINDSAY:

(Not Present)

LEG. FIELDS:

(Not Present)

LEG. ALDEN:

Here.

LEG. CARPENTER:

Here.

LEG. CRECCA:

Here.

LEG. NOWICK:

Here.

LEG. BISHOP:

Here.

LEG. BINDER:

(Not Present)

LEG. COOPER:

Here.

LEG. POSTAL:

Here.

P.O. TONNA:

Here.

MR. BARTON:

11 are present. ***(Not Present at Roll Call: Legs. Towle, Caracappa, Haley, Foley, Lindsay, Fields, Binder)***

P.O. TONNA:

Great. Okay. Let's all rise for the Pledge, led by Legislator Caracciolo.

(Salutation)

P.O. TONNA:

Thank you very much. I'd like to recognize Legislator Ginny Fields for the purpose of our clergy introduction. Legislator Fields.

LEG. FIELDS:

Good morning. Thank you. It is my pleasure to introduce the Reverend Roderick Pearson, Pastor of the Hope Missionary Baptist Church in Central Islip, and he's been there for the past six years. And I've gone to a couple of his Sunday ceremonies and felt quite enlightened when I -- during the time that I was there and when I left, and he's going to do our morning prayer for us today. He is a wonderful Reverend and certainly my friend, and I welcome him to the Suffolk County Legislature.

REVEREND PEARSON:

Good morning. The Bible reads in First Corinthians, Chapter 12, Versus 4 to 12, it says, "Now there are diversities of the gifts, but the same spirit, and there are differences of administrations, but the same Lord, and there are diversities of the operations, but it is the same God who worketh all in all. But the manifestation of the spirit is given to every man to profit, for to one is given by the spirit the word of wisdom, to another, the word of knowledge by the same spirit, to another, faith by the same spirit, to another, the gift of healing by the same spirit, to another, the working of miracles, to another, prophecy, to the another, the discerning of spirits, to another, various kinds of tongues, to another, the interpretation of tongues. But all these worketh that one, that every same spirit dividing to every man severally as he will, for as the body is one and have many members, and all the members of that body one body, being many, are one body, so also is Christ."

Let us Pray. God, we thank you this day, because you have given us life, you've given us health, and you've given us strength. You have given us things that we have never had before. You've blessed us in so many ways, and you've blessed our country and you've blessed our community. But, Lord, this morning, as we stand before the Suffolk County Legislature, we ask that you make us one. We ask, God, that you would bring us together on those lines that are common to all of us, because all of us are affected by terrorism, all of us are affected by the ills and the wills in our communities, all of us are affected by drugs and gang warfare, all of us are affected by things that are going on that are not Godly. And, Lord, we pray this morning that we would not be divided amongst racial lines, but that we would be one people with one spirit. We

pray, God, this morning that we be not divided between Democrats and Republicans, but that we be of one spirit under one God, that we be, oh, God, one nation, that we be neither Jews or Gentiles, neither Greeks or others, but, Lord, that we be one today, that we unify, because we are fighting common ills. We pray, God, that we come today, that we would not be biased or one-sided, but that we would join together, as we are one nation under God, indivisible, with liberty and justice for all.

We ask, God, today that you remember all of us as we sit and legislate, as we sit and make decisions, as we sit and discuss. We ask, God, that you give us the wisdom, the wisdom that imparts love to every community that thinks about those who are self-sufficient, as well as those who are underserved. We pray today, God, that you unite us, black and white, Jews and Gentiles, males and females, Democrats and Republicans, and that you make us one. God, we thank you today, and we honor your presence, and we ask that you be in the midst of this meeting, that you would unify and make us one. In Jesus name we pray, Amen.

P.O. TONNA:
Okay. Everyone could be seated. Legislator Cameron Alden, for the purposes of a proclamation, I want to recognize you. Where are you, Cameron?

LEG. ALDEN:
Thank you, Mr. Presiding Officer. It's really an honor for me today to call up four firefighters, and I'm going to call up their Chief also, or he's the incoming Chief of the Department. These gentlemen, and it's all voluntary, they don't get paid for what they do, they put their lives on the line every day. But there was an incident, and some of you might recall, a burning building, a bunch of kids trapped, smoke and flames all over the place. These guys went in and got those kids out. Unfortunately, the story really doesn't have a good happy ending, but it really is an indication of what they do on a daily basis and how they do have to put their lives on the line. Sometimes it doesn't always come out the way we would like to see it come out. But I'd like to call up Firefighter Daniel {Boucher}, Lieutenant Charles Lewis, Firefighter Louis {Lodato}, Ex-Captain Robert {Suharater}. Chief Cummings, he could come up, too.

(APPLAUSE)

Again, I on the part of 1.4 million people in the County of Suffolk want to recognize your heroism, the idea that you do put it on the line every day for all you of us. And thank you very

much from the bottom of all our hearts.

(APPLAUSE)

P.O. TONNA:
Okay. I guess I recognize myself.

LEG. CARPENTER:
Do you?

P.O. TONNA:
Yes.

LEG. CARPENTER:
Excellent.

LEG. CRECCA:
We'd like to recognize Legislator Tonna, the Presiding Officer, for the purpose of a proclamation.

P.O. TONNA:
Thank you.

LEG. CRECCA:
That's as close to P.O. as I'll ever come.

(APPLAUSE)

P.O. TONNA:
Good morning. I'd like to call up some of the members of the Town of Huntington, Frank Petrone, our Town Supervisor, Town Board Member Susan Berland and Mike Cuthbertson, Huntington Chamber of Commerce, Dennis Sneden. I got that right. Bill Davidson, Ken Christensen. And then from the Youth Bureau, Kirk Mackey, Ellen O'Brien, and Gary {Serella}. Not bad. Hold it, I'm not done. Inspector Dominick Varrone, Peggy Boyd and Jim Carpenter from the Family Service League, and Debbie Rimler from the Tri-County Youth Agency. Hi, everybody. How are you doing?

SUPERVISOR PETRONE:
How are you?

P.O. TONNA:
Good. Frank, it's a pleasure to have the Supervisor --

SUPERVISOR PETRONE:
Always.

P.O. TONNA:
-- and the Chamber of Commerce. As many of you know, Huntington was recently designated the All American City by the National Civic League Convention in Kansas City, Missouri, during its 53rd annual convention. This award is a unique honor, since there are many areas within the United States which seek this designation annually, but only one comes out a winner.

National Civic League officials chose Huntington because they were impressed by Huntington's community-based projects and excellent civic collaboration. Events such as the Youth United Against Hate Day, with more than 300 students speaking out against bias crimes, family Service League's bilingual classes, and the Highview at Huntington initiative for affordable housing all pointed to the community's positive energy dedicated to its ethnic and economic mixtures.

On behalf of all my colleagues in the Legislature, and especially Legislator Cooper and Binder, wherever he is, and myself, I'd like to congratulate Dennis Sneden, and all the members of the Town of Huntington Chamber of Commerce for such a deserved award, and for the Town officials, Frank, our Supervisor, Mark Cuthbertson, Councilman, Susan Berland, Councilwoman, a first on -- I said it right, right? Anyway, first on Long Island which has brought pride to local residents, Suffolk County, and all of Long Island. Thank you very much.

SUPERVISOR PETRONE:
Thanks.

(APPLAUSE)

LEG. CARPENTER:

Wait a second. He represents Huntington.

P.O. TONNA:
Oh, wait, wait. Crecca still has six E.D.'s. come on in here. Recently, I heard they weren't sure, but during redistricting, Andrew's made a last-minute request to get those districts. No, I'm joking. Lynne, how many do you have?

LEG. NOWICK:
I'm not in Huntington.

SUPERVISOR PETRONE:
No, not yet.

LEG. CRECCA:
Not anymore, she won't --

SUPERVISOR PETRONE:
Not yet.

LEG. NOWICK:
I don't think so anymore.

P.O. TONNA:
Lynne, come on up anyway. I think there's two.

LEG. NOWICK:
I'm glad you took care of my Town. It was not to have you take care of my Town.

MR. PETRONE:
Thank you, Lynne. Thank you. It's just -- it's really a pleasure to be here and to thank you so much for recognizing the Town of Huntington, the great Chamber of Commerce, who actually applied for this and really did all the legwork behind getting this award, and our great organizations that really took the award home. The award represents something that we consider special in the Town. It tells you that we have challenges and we're going to accept them, we have problems and we're going to try and solve them. Certainly, we do have those

and that's why we were awarded, because we take an initiative to move forward, as many of you do here in many of the programs that I see before you today. So, on behalf of the Town of Huntington, we want to thank the Legislature of the County of Suffolk for recognizing us, and thank you so much for being our partner and our supporters in so many of the programs that we work together with. Thanks so much.
Dennis?

(APPLAUSE)

MR. SNEDEN:
Thank you. Once again, on behalf of the Chamber of Commerce and the Town of Huntington, we want to thank you for this honor. But I would like to introduce Ellen O'Brien, who is our Executive Director of All America City, Ken Christensen, who is our Chairman of All America City. And, Presiding Officer Tonna, we would like to present to you our award also to the Suffolk County Legislature for the All America City.

P.O. TONNA:
Oh, that's great.

MR. SNEDEN:
So thank you and thank all of you.

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

(APPLAUSE)

COUNCILMAN CUTHBERTSON:
Thank you. So many of -- so much of what we do in the Town is a partnership with the Chamber of Commerce and a partnership with all of you here in the County, and you've played such an important role in bringing us money for downtown revitalization and other things that go towards making the Town of Huntington an All America City, so thanks to all of you for all of your support.

P.O. TONNA:
Thanks, Mark. Susan.

COUNCILWOMAN BERLAND:

I'd like to echo the words of the Supervisor and Mark Cutherbertson, and thank you very much for having us here today. Unfortunately, I was not able to attend the ceremonies, I was home with the kids, but we were holding down the fort in the Town and we'll continue to do that. Thank you. Bye.

(APPLAUSE)

P.O. TONNA:

All right. We're going to take some pictures outside, if anybody else wants to say anything. Okay. Thank you. Maxine, if you could start with the cards.

D.P.O. POSTAL:

We're going to go to the public portion of the meeting. Each speaker will have three minutes to speak and can respond to questions from members of the Legislature. The first speaker is Pam Gershowitz. Is Pam here? Rick Shalvoy.

MR. SHALVOY:

Good morning. My name is Rick Shalvoy. I am a resident of East Islip.

LEG. FISHER:

Rick, can you hold the mike closer to you?

MR. SHALVOY:

Hold the mike closer, okay.

LEG. ALDEN:

Actually we need the doors closed, too.

MS. JULIUS:

Actually, you can pick it up.

MR. SHALVOY:

I can pick it up.

MS. JULIUS:
Yes. How about that?

MR. SHALVOY:
Okay, good. This is a pick-up mike. I am speaking to you this morning as a private citizen, not on behalf of any group or organization, about the illumination of the H. Lee Dennison Building sundown
October 1. A resolution related to this has been introduced by Legislator Alden.

My personal background as a volunteer is I spend a great deal of time helping to raise funds for cancer research. My career in public service has been limited to ocean life-saving with the Long Island region of the New York State Department of Parks. I have observed during the last eight years a renaissance in the parks system with the introduction by Commissioner Bernadette Castro of tastefully done public/private partnerships. This is one instance where the Estee Lauder Companies has decided to do figuratively what we -- many of us do literally, and that is to bring light to the need to either prevent, detect early, or successfully treat breast cancer, and that is what the illumination initiative is about. It is a worldwide initiative. Facilities such as Niagara Falls are being lit in pink lights, and we would here in Suffolk County, we would certainly like to have your support in approving this resolution to illuminate the Dennison Building here. Thank you very much.

D.P.O. POSTAL:
Thank you. Next speaker is ArchBishop Bruce Simpson.

ARCHBISHOP SIMPSON:
Good morning, all. Just briefly, before I get to my main comments, I wanted to state my support for the 10% tax exemption for the firefighters and ambulance workers that is going to be addressed at some point by the Legislature. I think 9/11 and I think the recent examples of our individuals in these services, the sacrifices they make and the fact that they're putting their lives in danger constantly is more than worth what we're trying to give to them.
And as an ex-police officer, I would tell you that it's serious and dangerous work that they do.

I principally rise again for the third time to address this body in or support of Legislator Cooper's

and Legislator Maxine Postal's bills establishing health care benefits for County employees that are exempt for domestic partners, along with a domestic registry. I think it is time that we acknowledge the fact that there is a situation in the community in our lives that's not going to go away. It's time for equity, it's time for fairness. We're talking about health benefits, and health benefits need to be covered one way or another, and if we don't cover them through legislation like this, the money's going to come from somewhere. And, again, as a matter of equity, I believe that it is time that we recognize that there are situations in life, such as senior citizens, who cannot marry because they will lose income, such as social security benefits. This is just not a gay or straight thing, this is a situation -- these are bills that cover situations that come up out of the ordinary in our lives, and you, as representatives of the people, and they say all politics is local, you are the representatives that only that these people can turn to outside of the State, and we know it's been 30 some years since the State has had an opportunity to address some of these issues and have not, even though they've granted the health care benefits to State employees. We have the Town of East Hampton -- East Hampton, that has taken a similar position on these issues, and I think it's time for the County to take a lead and come into the 21st Century. I was speaking both for myself and for the Benedectine Order of Saint John the Beloved and the Old Catholic Church.

D.P.O. POSTAL:
Thank you.

LEG. COOPER:
Thanks.

D.P.O. POSTAL:
The next speaker is George M. Motz.

MAYOR MOTZ:
Good morning.

D.P.O. POSTAL:
Good morning.

LEG. FISHER:
Good morning.

MAYOR MOTZ:

Thank you for taking the time to hear us this morning on what we think is a very important issue. This is the wetlands in Quogue. I've been the Mayor of Quogue for two-and-a-half months, a resident of the area for 50 years, and many changes during that time, as we know, all of Suffolk County, and we've lost a good deal of wetlands over the time and we're trying to preserve what we have left.

Thanks to the Suffolk County, Town of Southampton, 50.8 acres of wetlands have been acquired on Shinnecock Bay in Quogue, an area designated almost 20 years ago as a critical environmental area. When combined with three privately owned contiguous wetland parcels, totalling 12.9 acres, the total wetland area increased to 63.7 acres on Shinnecock Bay.

The issue is simple. Of these 63.7 acres, 11.5 lie directly to the west of the subject parcels, 50.6 lie directly to the east of the subject parcels, and 1.6 lie directly to the south. The subject parcels, which are developable in part, which, of course, explains their cost, lie in the middle of the acreage, so carefully preserved by you, the the Town and the Village. To pass on this opportunity would, in effect, negate many years of effort on the part of all of us seeking to preserve our environment. To put the final piece of the puzzle in place, on the other hand, would be a great victory for the environment.

The importance of the contiguous land mass, several actual important things to note, one, obviously aesthetic beauty. It's a beautiful area. If you drive down there, wherever you live, you can see it across the Bay from Hampton Bays, East Quogue and Quogue. That's critically important. More importantly, it's it's an important landing area for migratory bird, particularly water fowl. It's a nesting area and breeding area for many, many types of birds. We have a Group for the South Fork brochure. They thought enough of the area to publish a brochure just on that particular area. In fact, several birds such as willets and oyster catchers are now abundant in the area. They didn't exist 20, 25 years ago. Fourth is the water purification filtration system for Shinnecock Bay, which is critically important. Five is a haven for small, allowing them to develop away from predators.

In conclusion, the Village and Town have worked hard to secure these properties, and I might add, to secure them at below appraised value. And now we ask the County to complete the transaction before the owners of the properties, who have been patiently awaiting closure for

quite a period of time, rescind their offer in frustration and opt for a more lucrative development option, which is something that has come up. Thank you.

LEG. GULDI:
Mr. Presiding Officer, I have a question for the speaker. Actually, it's a two-parter. One is, would you address the proposed acquisition, the Community Preservation Fund role and the commitment of the Town and Village with respect to acquiring these two parcels with the County?

MAYOR MOTZ:
The Town of Southampton has already allocated the funds, set aside the funds for a 50% purchase of the properties, and the Village basically pays all the other costs associated with it, and we're asking for the 50% matching from the County.

LEG. GULDI:
Okay. In addition, I'm looking at the -- the handout that you've just provided to us.

MAYOR MOTZ:
Right.

LEG. GULDI:
You have the subject parcels indicated in orange, the preserved and protected land indicated in green. The -- between, if you will, the preserved land and the subject parcels, there remain to be -- there remain three strips with -- of designated -- I think by the cross hatch, if I'm reading this correct, wetlands. Could you tell us what's the story with those and how they relate to this overall accumulation of a large tract of wetland?

MAYOR MOTZ:
Yes. That's the 12.9 acres that I had mentioned and three separate parcels basically that are absolutely wetlands and have no development potential. The parcel that we'd like to acquire definitely have acqiuisition potential and development potential. The key there is that the two owners who are longtime Quogue families have basically talked about the possibility of combining their two parcels, in which case it would create even more developable lots.

LEG. GULDI:

Okay. Finally, there's one white lot in the -- in the handout you've given is. Do you have one of these to refer to there?

MAYOR MOTZ:
No, but -- the one that's on Dune Road?

LEG. GULDI:
The one that's on Dune Road, next to the -- you have in it kind of the teeth in the target parcel.

MAYOR MOTZ:
That this -- there is one house at that location.

LEG. GULDI:
There is one house at that location --

MAYOR MOTZ:
Yes, there is.

LEG. GULDI:
-- next to the preserved lots. So, basically, the preservation of this parcel will prevent any other houses, besides that one existing structure, from being built.

MAYOR MOTZ:
That is correct.

LEG. GULDI:
Thank you. Any questions? This is a resolution for planning steps, so that will -- we will later be able to address the County's financial contribution to this in the next phase, if we approve the planning steps.

D.P.O. POSTAL:
Thank you, Mayor Motz.

MAYOR MOTZ:

Thank you.

D.P.O. POSTAL:

Next speaker is Anna Marie Weber.

MS. WEBER:

I am the Director of the Children's Program at Victims Information Bureau of Suffolk, and I bring a --

D.P.O. POSTAL:

Can you speak into the microphone, please?

MS. WEBER:

And I bring a memorandum from Pamela Johnston, Executive Director, supporting Introductory Resolution 1861.

Thank you for the opportunity to comment on the provision of sexual abuse awareness education to organizations with County contracts. Victims Information Bureau of Suffolk, established in 1976, provides counseling and advocacy to victims of sexual assault and domestic violence, including sexually abused children.

As the only rape crisis program designated by the New York State Department of Health for Suffolk County, an important component of VIBS work is education. We provide sexual assault preventive education to schools and colleges, training to professionals and County agencies, hospitals, law enforcement and private organizations, and a general education on domestic violence and sexual assault to community groups. VIBS coordinates the Sexual Assault Nurse Examination, SANE Program, in which specially trained nurses conduct forensic examinations for children and adults who have been victimized. We work cooperatively with many systems to improve the treatment of victims within the legal and health care systems, to advocate for victim's rights and compassionate treatment, and to participate in an effective system of referrals and interventions.

With an extensive background in working with sexually abused children and their families, VIBS is most appreciative of the Legislature's attempt to ensure that children are protected from predators who might work within institutions and agencies within the County. We applaud the

new legislation that mandates contract agencies and companies to report incidents in which their employees have sexually abused children.

The sexual abuse of a child can be devastating and lifelong in its effects, and the sooner a child receives medical treatment, counseling, or psychological treatment and criminal justice intervention, the more likely the child is to recover from an emotional trauma.

We also applaud efforts to support that reporting by educating the contract agencies and companies affecteded by the legislation. VIBS supports Legislator Jonathan Cooper's Resolution 1861, to designate the Department of Social Services to determine how to provide that education. DSS is familiar with the organizations that provide sex abuse prevention and is best able to make decisions as to how and who should provide the education, and to monitor the contract compliance.

Thank you for this opportunity to speak this morning, and thank you for your support of child victims of sexual assault.

LEG. FISHER:
Question. Madam Chair, a question.

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

MS. WEBER:
Certainly.

LEG. FISHER:
I'm over here. Hi. I have a question regarding the -- some of the statements that you made, which was that there is training in VIBS to deal with victims of sexual abuse. How many other contract agencies are there who are State sanctioned, who do State sanctioned counseling of victims of sexual abuse?

MS. WEBER:
This is State sanctioned as a rape crisis program.

LEG. FISHER:

Okay.

MS. WEBER:

There are others who are sanctioned to treat incest, but they are not designated as a rape crisis program.

LEG. FISHER:

Okay. So -- but that doesn't answer my -- how many others are there that deal with -- the reason I'm asking that is because, as you know, we have been discussing this particular issue and we have the Parents for Megan's Law --

MS. WEBER:

Yes.

LEG. FISHER:

-- who are -- who have a program, and VIBS also has a program. How similar are the programs? What are the differences?

MS. WEBER:

Well, the difference with us is we do counseling and treatment and advocacy, also, that's a combined thing that VIBS does, so we will treat the children. We have a children's program that treats children 3 1/2 to 12, we also have an adolescent program, so the counseling treatment program is what we are also licensed to do --

LEG. FISHER:

I see.

MS. WEBER:

-- by the State.

LEG. FISHER:

The SANE Program that you mentioned here, is that the one that is also housed at Mather Hospital?

MS. WEBER:

Yes.

LEG. FISHER:

Okay

MS. WEBER:

Good Sam, Mather. There's another one.

LEG. FISHER:

Yes. I went to the opening there at Mather. I was very impressed by the people that I met there

MS. WEBER:

And you'll find that the children -- the Advocacy Center also does exams for the children, but when -- coming down to the fact that there is an emergency late at night, they're not open, and there's -- within the 72-hour window, which they are trying to extend, the SANE Program does see children.

LEG. FISHER:

Oh, they do?

MS. WEBER:

Yes, they do also.

LEG. FISHER:

So would they see victims of incest and domestic violence there as well?

MS. WEBER:

Yes.

LEG. FISHER:

Okay.

MS. WEBER:

It depends. Now, more apt to SANE. The police will ask that a parent will go to the police station when they found out a child, let's say, has been abused by a 16 year old and they hear about it, they will call the police, the police will send them to SANE.

LEG. FISHER:

Okay.

MS. WEBER:

So for incest, with the longer duration and the slower way that.

LEG. FISHER:

The processing, yeah, is slower.

MS. WEBER:

-- that's disclosed, that's a bit different as to the rush to have the examination take place.

LEG. FISHER:

Okay. Thank you very much

MS. WEBER:

You're welcome. Anyone else?

D.P.O. POSTAL:

Thank you. Next --

P.O. TONNA:

Next, Anna Maria -- oh, sorry. Richard {Langer}. Lange?

MR. LANGE:

It's Richard Lange.

P.O. TONNA:

Thank you, sir.

MR. LANGE:

I am the President of the State Association for Septic Haulers. It's called New York CATS for short, but it's New York State Association of Cleaners and Transporters of Septage, Incorporated. I am President and I'm also past President of Long Island Liquid Waste.

P.O. TONNA:
Sir, if you could do me a favor, just move the mike up a little, I think, just to adjust it, so we can hear you. There you go. Maybe speak into the microphone. Thank you, sir.

MR. LANGE:
Yes. I'm a past President of the Long Island Liquid Waste, which has come across this body many times before, and I'm still on the Board of Directors of that, and they're a member of the New York CATS. I'm also one of the founders of the National Association of Waste Transporters, and I'm still on the Board of Directors of that.

The reason why I came to you is because I've had meetings with the Committee for the Department of Public Works. I've met with Charlie Bartha, Commissioner of Public Works. We have a crisis. The crisis is that we don't have enough disposal at Bergen Point. The dump sometimes closes as early as 12 o'clock. That means anybody on the septic system can't get service. All right? The County has monopolized that plant. We have have asked the County to turn around and ban leachate from going in there, because it wasn't really designed to handle leachate. This would add more gallonages. We also asked them to ban all sludge coming from other treatment plants, and that would -- that, plus the leachate, would double our gallonages at Bergen Point.

P.O. TONNA:
Can somebody from staff fix this mike system, so he doesn't ring?

LEG. FISHER:
They're all working on it.

P.O. TONNA:
Okay. I could tell.

MR. LANGE:
And just recently, the Commissioner, on August 20th, made a letter giving notice that they will

no longer accept grease at Bergen Point. This means any grease traps from restaurants, any commercial, industrial places that have restaurants or cafeterias will not be able to have their system pumped by an ordinary hauler and taken to Bergen Point. Now, this also means there's no disposal site within Suffolk County. There's something like about sixteen hundred restaurants in Suffolk County. Their price per thousand gallons was probably about $85 and $85 per thousand now will go to 350, 450 or higher per thousand gallons for disposal. The reason why, the answer is they're saying, "Well, take it to Jersey." They would have to take it to Newark, New Jersey to dispose of that.

The license to get at New Jersey, the Department of Environmental Protection requires, takes six months to 12 months to obtain the license. The license is about an inch thick, and they have to do a background check, and it will cost the company approximately $15,000 to go through this process. So, therefore, the County turned around, Commissioner, gave an extension from September 7th, after he notifies on August 20th, to change it to November 1st. This is not a sufficient amount of time. This will result in people discarding their grease in an unlawful manner. No restaurant will want to pay that kind of money, and they will find other ways of disposing it, putting it into other people's septic or storm drains and stuff like that

D.P.O. POSTAL:
Mr. Lange.

MR. LANGE:
Yes.

D.P.O. POSTAL:
I'm sorry, but your time is up, but I have a question for you. Your -- we have a great many applications for out-of-district hookups to Bergen Point plant, Southwest Sewer District. They come to the Legislature almost at every meeting of the Legislature. They're from Melville and other places in the County, and the Department of Public Works has approved many of them and says that there's sufficient excess capacity at Bergen Point plant to hook up all of these applicants. Now, what you -- the problem that you're here to present to us today, it seems to me that that could be related to the capacity at the plant. Is what you're saying, when you're not -- when you don't have the opportunity to use Bergen Point plant, is that related in any way to these out-of-district hookups that we seem to be doing in large numbers?

MR. LANGE:

No, that's not directly, but the Commissioner, being the Head of the Sewer Agency, is using up the gallonages, and we asked them to reserve a million gallons at Bergen Point per day for the septic haulers. The County consists mostly of people on septic systems. We don't have the place to get rid of it. The County needs the -- needs declare a health emergency and stop all building permits until it meets the needs. We will not be able to comply with the EPA guidelines under the Clean Water Act, which I happen to be on the Nonpoint Source Committee on the State. We won't be able to meet it, we won't meet the requirements. It caused a major problem. We -- I, personally, came in front of this Legislature about 15 to 20 years ago and when Rose Caracappa was here, and they issued 100,000 gallons, Department of Public Works, to try to find some way to correct this. They did nothing in all this time. We don't have the capability.

D.P.O. POSTAL:

So that while you say it -- directly, it doesn't impact, indirectly, it does --

MR. LANGE:

Yes.

LEG. POSTAL:

-- on the amount of gallonage available to you. I know Legislator Alden has a question.

LEG. ALDEN:

What you're primarily talking about are people that are outside of the district?

MR. LANGE:

Yes, it affects the people outside of the district, and also the people who have grease traps within the district with no place to dispose of it. Now --

LEG. ALDEN:

So the people -- there's restaurants inside the district that have grease traps that are not allowed to discharge into the -- into the Southwest Sewer District.

MR. LANGE:

Right.

LEG. ALDEN:

And prior to today, they've been allowed to dispose of it at Bergen Point?

MR. LANGE:

Yes.

LEG. ALDEN:

And now what you're saying is it's a new policy that you're not going to be able to dispose of the matter at Bergen Point.

MR. LANGE:

Yes. When they had the -- and old system at Bergen Point, they were able to handle the grease, but they made modifications and did away with that process at Bergen Point. So now we have no place to dispose of it within Suffolk County.

LEG. ALDEN:

Approximately when were the modifications done that didn't allow them to accept the grease?

MR. LANGE:

The modifications were done a long time ago. That was to cure the odor problem at Bergen Point, and they did that to improve the odor, and now they can't handle the grease properly as what they could before. But it's also because there's so many package plants that have been taken over within the County or created within the County and their sludge is brought down to Bergen Point, and so the sludge goes in like septic would, and go through the plant and causes a big impact, which the DEC has warned the Commissioner on that, but he's blaming it all on grease, but it's really his trucks coming down there, which probably over 250,000 gallons worth of sludge comes down there from these package plants. If we --

LEG. ALDEN:

Package plants owned by private industry or by who?

MR. LANGE:

Excuse me?

LEG. ALDEN:

The package plants are owned by private industry or by who?

MR. LANGE:

Well, the County has say 25 package plants, and the other ones are independently owned and they have private haulers bringing this down to Bergen Point, as well as the County doing it. We had a problem a long time ago where the County was bringing their sludge to Kings Park, and I pushed them to deny their own trucks going to Kings Park, because that caused, for every four loads going in there, one load had to go down to Bergen Point, it says when they go down there directly. But, what the problem is, you have have all this sludge and it's cheaper for them to do it. The County has misrepresented everything to the Legislature and everybody else. They don't pay the fair amount of dump fee, they pay a reduced amount, so they would be able to satisfy the sewer -- small sewer district and they're not paying their fair share and making the septic haulers supplement the sewer districts, because no one wants to pay the true fee for their sewer district. So even though an industrial center or Stony Brook, whatever, they're not paying their fair share on their sewer district.

LEG. ALDEN:

I'll defer to the Deputy Presiding Officer, but the indication now of more problems, you know, and it's County-wide type of problems with the Southwest Sewer District and the impact, the possible impact. I think it has implications, you know, far beyond what we're going to go into today. But I would suggest maybe a presentation first to Legislator Caracappa's Public Works Committee and then to brief everybody in the Legislature, because we're constantly, you know, presented with these resolutions that would allow more capacity to go outside the district, and then we have problems like this, where we can't even -- you know, we can't take care of our own County problems.

D.P.O. POSTAL:

I'm going to recognize --

LEG. BISHOP:

I have a question .

D.P.O. POSTAL:

Legislator Caracappa, and then Legislator Bishop.

LEG. CARACAPPA:

Thank you, Madam Chair. Just, Mr. Lange pretty much clarified what I was going to say. But the real problem stems, and I don't know if we should be debating this, this is the public time, the real problem stems at this point is the grease. That's the wherewithal of the problem right now.

As was indicated in Mr. Lange's testimony, we used to have a system that could very easily accept the grease and process it, and now, with our new system that went in place down the line a few years back, we cannot. The amount of grease that's coming into Bergen Point is damaging the system, the processing system at Bergen Point. The real problem and the real solution, well, we don't know what the solution is yet, but what we have to look at is where the haulers are going to bring grease. Can we develop a system for them to get rid of and dispose of grease here in Suffolk County? How are we going to do that? We're, obviously, going to have to build a new plant to deal with grease, similar to the one in Newark, New Jersey, similar to the operations we used to have here at Suffolk County at Bergen Point. How are we going to do that? That's where we start debate and that's where we start looking.

I know Mr. Lange has met with the Department of Public Works, and I'm going to be meeting with him soon, and we're going to be sitting down and trying to find a solution, but it starts and ends with grease, and not so much the capacity of sewage into the Southwest Sewer District. And everything that you and Deputy Presiding Officer Postal has been -- have been talking about over the last two years, and based on that report that was issued about three months ago, that's really not the issue at this point in time, it's really the grease and what we're going to do with these grease traps at all these restaurants after November 1st without having a severe impact on the restaurant and the businesses that have grease traps, and for the haulers that take care of them.

D.P.O. POSTAL:

Legislator Bishop.

LEG. BISHOP:

Yes. I have one loaded question. Isn't it true that from the industry's point of view, from the consumers that the industry serves, the septic customers, the Southwest Sewer District residents, from the point of view of economic development in Western Suffolk, and from the

point of view of those of us who breathe air and want to have less truck traffic on our roads, from all of those perspectives, wouldn't we be better served by having an additional sewer plant somewhere from Brookhaven east; isn't that really the issue?

MR. LANGE:
Yes. It would have been better if the Suffolk County Department of Public Works didn't push for Babylon, Brookhaven and Islip to shut down their plants. If they would have kept them open, we wouldn't have had a problem. But as far as your district, sir, those tractor trailers coming in with that sludge, be coming down there, and Charlie changed the schedule, so you have them very early in the morning, waking up your residents with those tractor trailers going down there, they'll still be coming, unless you stop all that sludge. And what we need to do is stop all hookups to Bergen Point, Southwest Sewer District until we get this resolved.

D.P.O. POSTAL:
Legislator Fields.

LEG. FIELDS:
Legislator Caracappa left, but I just wanted to clarify one thing. Now, if you have grease and you need to get rid of it, where do you go?

MR. LANGE:
There is no legal place in Suffolk County to dispose of it.

LEG. FIELDS:
Say that again.

MR. LANGE:
There's no legal place of disposing in Suffolk County after Bergen Point denies us.

LEG. BISHOP:
But they still have if for the time being.

LEG. FIELDS:
Let's say I'm a truck driver with however I carry it in the -- in my truck and I drive to Bergen Point and they say, "We can't accept this," I take my truck, I leave, I have a full truck now,

where am I going with this?

MR. LANGE:
No place. Because, if you want to have -- get a license in New Jersey, it will take you six months to a year, if there's no problems, and it will cost you approximately $15,000 to go through the process.

LEG. FIELDS:
So, they're forced to dump it illegally.

MR. LANGE:
Yes.

LEG. BISHOP:
No. What they do is they pay.

MR. LANGE:
We also get -- you'll get --

LEG. FIELDS:
Where do they go, Dave? Go ahead, tell us.

LEG. BISHOP:
They'll probably go to somebody who's licensed to bring it to New Jersey, and they -- and it probably costs the consumers more. It's inefficient and wastefull, but it's not like it's going to be --

LEG. FIELDS:
You don't think that anyone's doing it illegally.

LEG. BISHOP:
They're not going to dump it illegally, you're going to find somebody to partner with who can take it.

LEG. FIELDS:

I would -- you know of --

MR. LANGE:

We already know that in Suffolk County there's been illegal dumping, we know that.

LEG. BISHOP:

So the industry is --

MR. LANGE:

And I've worked with the D.A.'s office and they could only do so much, and they said, "We'll do it every so often, but we won't really go after it." There's a lot of fly-by-nights in the Pennysaver. We worked with Consumer Affairs to change the license to make it stronger, but nobody cares enough.

LEG. FIELDS:

I think your original point, that we have an emergency or a health emergency is accurate.

LEG. BISHOP:

Yeah, absolutely. And we have a -- our fundamental problem is we need another sewer plant in the east. And the whole system brings everything west and it's inefficient and it doesn't work and it's running out of capacity. That's the point, I think the big picture point.

D.P.O. POSTAL:

Thank you, Mr. Lange.

MR. LANGE:

Now, the last meeting on the Nonpoint Source in Albany, we discussed this.

D.P.O. POSTAL:

Mr. Lange, I'm sorry to have to stop you, but there is a three-minute time limit --

MR. LANGE:

Okay.

D.P.O. POSTAL:

-- for speakers during the public portion, and you have been very informative. Thank you.

MR. LANGE:
Okay. Thank you.

D.P.O. POSTAL:
Next speaker is Roger Roper.

MR. ROPER:
Good morning.

D.P.O. POSTAL:
Good morning.

MR. ROPER:
My name is Roger Roper. I'm the Grand Knight in the Knights of Columbus. I'm also a --

D.P.O. POSTAL:
Mr. Roper, can you just try to speak into the microphone? Thank you.

MR. ROPER:
Yes. I'm also an usher at my church of Our Lady of Miraculous Medal. I also volunteer at the church in my spare time. I worked for eight years as an ambulance attendant for the Health and Hospital Corporation. I also worked for Con Edison for 11 years, until a steam pipe fell on me and smashed my knee and injured my back. My wife and I also lived in Lindenhurst for eight years. We are both 55 years old and we are homeless. My wife's been under psychiatric care for awhile and she's just been diagnosed with diabetes. I have high blood pressure for over 30 years, and I also had two heart attacks, one in 2001 and one this year. My doctor would like for me to enter into the hospital for more tests, but I am unable to do this, because my wife doesn't drive and I have to be there for her.

Like ourselves, most homeless has to pack up all their belongings daily and move out by 11 o'clock, and we can't get back in until 4:30, or whenever Emergency Services calls. I am lucky, because my church has gotten us a donated car. Most homeless people have to leave the motel by cab, go straight to the center and stay there until the end of the day, and come back by cab

at a cost of $28 per family.

I would like to see the Legislature work with the administration to help stop DSS from moving us out each day. I mean, it's embarrassing to pull up to an apartment that's for rent and the landlord think that we are trying to move in for all the stuff that we have packed in our cars.

I also would like to thank Long Island Cares for helping us to address this panel and let others know about what the homeless is going through.

D.P.O. POSTAL:
I'm going to recognize Legislator Fisher for a question. I hope that Janet DeMarzo is paying very close attention to this testimony. Legislator Fisher.

MR. ROPER:
Yes.

LEG. FISHER:
Good morning, Mr. Roper.

MR. ROPER:
Good morning.

LEG. FISHER:
I'm not certain if it was your particular situation or someone else's, but I had been informed that there were -- that there are people who have to pack up all their belongings at 11 o'clock every day and stay in their cars until 4:30 in the afternoon, when they can reregister at the motels. How long have you been doing this?

MR. ROPER:
Well, I've been doing this for thirteen months.

LEG. FISHER:
For thirteen months and there has been no placement found for you in a shelter?

MR. ROPER:

I was told -- well, I'm in a shelter, I'm in Rainbow Motel. But I was told by our housing worker down at DSS that they are unable to provide housing for my wife and I, because we're married. They have to take people with kids, single women and single men first, and then they'll deal with the married couple. I was --

LEG. FISHER:
Actually, when I say shelter, I'm not referring to the emergency shelter at a motel, because that's not really a shelter, that's supposed to be an emergency situation for a short period of time, not for thirteen months. This is the type of thing, Madam Chair, that we have been talking about at the Social Services Committee, not simply the fact that sometimes there's a distraction presented to us by -- we know that there's a -- that there's not enough affordable housing, we know that there are not enough shelters. However, it is the individual situation, such as what Mr. Roper is describing where people are caught in a bureaucratic tangle, where they are not placed in a shelter. This emergency housing is not the kind of shelter that you're talking -- that we we need for you to find. Thank you very much for coming down here.

MR. ROPER:
Thank you very much for --

D.P.O. POSTAL:
Mr. Roper, I have a question.

MR. ROPER:
Yes.

D.P.O. POSTAL:
I think, Legislator Fisher, you're absolutely right, it's a bureaucratic mentality. I have some questions, aside from the, I guess, viability of a motel as a residential facility for people to live in. You side that you're required to leave between -- did you say 11 and 3:30?

MR. ROPER:
We have to be out by 11 o'clock.

D.P.O. POSTAL:

And you have to take all your possessions?

MR. ROPER:

We have to take everything we own.

D.P.O. POSTAL:

So that, for example, if you have bedding, if you have pillows, if you have blankets --

MR. ROPER:

We have to take everything that we own out of there.

D.P.O. POSTAL:

You have to take those with you.

MR. ROPER:

Everything.

D.P.O. POSTAL:

Now, when you come back at the end of the period that you have to be out of the room, do they assign you to a different room?

MR. ROPER:

Yes, sometimes.

D.P.O. POSTAL:

But in the same motel.

MR. ROPER:

In the same -- sometime, we're -- if we can get back into the motel. Other times, they'll send us -- I have been out as far as the Red Inn by the airport.

D.P.O. POSTAL:

So that you said you've been there, I think you said thirteen months?

MR. ROPER:

Yeah, but I've been to different motels, though, but I've been at the Rainbow for approximately 12 months, you might as well say.

D.P.O. POSTAL:

So, am I accurate to say that there are times that you're at the Rainbow Motel, you're asked to leave between 11 and 3:30, and you come back --

MR. ROPER:

No, we have to be out by 11.

D.P.O. POSTAL:

At 11. And you come back at the end of the day --

MR. ROPER:

We have to call on the way -- at 4:30 to see if we can get back into the Rainbow. If not, they will find us another place for us to go.

D.P.O. POSTAL:

Okay. Now, have they ever explained to you why they don't reserve a space for you at the Rainbow? I mean, if you were there last night, have they ever explained why they don't assume you're coming back tonight? Because then they send you someplace else if they don't have a room for you, is that what you're telling us?

MR. ROPER:

Well, it's an active motel, and, I guess, if they have transients that comes in to use the rooms and your rooms are not unavailable, you have to go someplace else.

D.P.O. POSTAL:

I think maybe we need to discuss with Social Services what their arrangement is with these motels. Another question. In terms of food, what do you eat when you're at the Rainbow or other motels?

MR. ROPER:

Well, mostly, we eat sandwiches, because it's hard to buy food and then have to pack it up each day, and it sits in your car in the heat all day, it spoils. It's hard to have milk, it's hard to have

food that's good for vitamins for us, because once you leave there, we're five-and-a-half hours out in the sun, you know, so there's no place to take out food.

D.P.O. POSTAL:
So that you don't even have a place to store food.

MR. ROPER:
No.

D.P.O. POSTAL:
But now your wife, I think you said she's just been diagnosed with diabetes?

MR. ROPER:
Yes, because of her diet.

D.P.O. POSTAL:
Okay. So it's very important for her to be able to eat in such a way as to manage her diabetes.

MR. ROPER:
Certain fresh vegetables and stuff, but we can't do it, because of the way we have to pack up and leave. Right now, she's home, because in case I leave out of here too late, she's going to pack up and meet me at DSS.

D.P.O. POSTAL:
Thank you, Mr. Roper.

MR. ROPER:
Thank you very much.

D.P.O. POSTAL:
Question from Legislator Nowick.

LEG. NOWICK:
Mr. Roper, I'm sorry if you already mentioned this --

MR. ROPER:

That's okay.

LEG. NOWICK:

-- and I missed it, but how long have you been a resident at the Rainbow Motel.

MR. ROPER:

Oh, I was a resident there since August 14th of 2001.

LEG. NOWICK:

And you have been there continuously since then?

MR. ROPER:

No, I've been in other hotels. I've been at the Brook Hotel, I've been at the Red something Inn out by the airport, I've been at Sunrise Inn.

LEG. NOWICK:

And each time, each hotel that you go to, you must leave at 11 o'clock, take all your stuff and --

MR. ROPER:

Well, at the Brook Motel, they make you leave at eight.

LEG. NOWICK:

Eight in the morning?

MR. ROPER:

Yeah. But the other hotels, they let you stay until checkout time, which is 11 o'clock.

LEG. NOWICK:

You take all your food with you and you take everything back.

MR. ROPER:

You have to take everything, because anything that you leave, you're not -- we're not -- we don't know if we're coming back to the same place and the stuff is gone.

LEG. NOWICK:
Are you there by yourself or with your family?

MR. ROPER:
Me and my wife.

LEG. NOWICK:
Okay.

LEG. BISHOP:
Max.

D.P.O. POSTAL:
I'm sorry. Legislator Bishop.

LEG. BISHOP:
Yes. I just want to thank you for bringing this to our attention. But could you tell us who you complained to about this? Is there a -- how do --

MR. ROPER:
Well, I have --

LEG. BISHOP:
Is here -- every day, do you -- is there a social worker that you deal with or --

MR. ROPER:
I have a main social worker, but when we go down to DSS, we see the housing person to find out if they have anything for us, and he has told me right off the bat that there's nothing he can do for us because we're married. One lady down there also suggested that maybe we should split up, they would find housing faster.

LEG. BISHOP:
Now, that's every day you go to the --

MR. ROPER:

Every day we're supposed to report down --

LEG. BISHOP:

You check in at DSS, you say, "Do you have any suitable housing," they say, "No, it's particularly hard because you're married," that's what they tell you?

MR. ROPER:

Right.

LEG. BISHOP:

And then they assign you to a --

MR. ROPER:

No. Well, they tell us at 4:30 to call Emergency Services to see if we can get back into the hotels, one of the hotels.

LEG. BISHOP:

I know you're not in a position where you can demand answers from them, but, I mean, have you spoken to people above that person to see -- I want to understand what their logic is.

MR. ROPER:

Yes, I have been to -- I have to the supervisor, I have been to Maxine Postal's Office, I have been -- I'm sorry, I forgot that lady's name sitting behind me. I've been here.

D.P.O. POSTAL:

Chris Reimann.

MR. ROPER:

Miss Reimann.

D.P.O. POSTAL:

For Presiding Officer Tonna.

MR. ROPER:

Yes.

LEG. BISHOP:

What does the Supervisor at DSS -- do you recall what they -- what they told you? Was it just the same information?

MR. ROPER:

They told us that housing is scarce. We're not the only one, there's more people out there that's been out there longer than we have .

D.P.O. POSTAL:

Legislator Bishop, I can answer your question, because we called the Commissioner, so, you know, we went to, I guess, the highest level in DSS. We were told that with regard to this issue of being forced to leave --

LEG. BISHOP:

Right .

D.P.O. POSTAL:

-- taking all your possessions, that's a rule, that's what we were told. That's a direct quote, that's a rule. And, apparently, the rule exists, and individual cases and individual clients are never looked at as individual cases and clients to see if it's appropriate for them to have to abide by this rule or inappropriate. So every client has to do this. And despite the fact that Mr. And Mrs. Roper are permanently disabled, cannot go out and find employment, will undoubtedly be in the same situation at the end of the day, DSS has determined that it is a rule and, therefore, it cannot be broken. Now, you know, that's certainly illogical, it's inhumane, but that's the response that we got from the Commissioner. That's why I'm hoping that the future Commissioner will develop a different policy.

LEG. BISHOP:

Does the rule -- is there a logic to the rule?

P.O. TONNA:

We should be asking -- we should ask -- we should be asking the speaker.

LEG. BISHOP:

I did ask the speaker and the Deputy Presiding Officer --

D.P.O. POSTAL:

I jumped in.

LEG. BISHOP:

-- offered this information, which is in response to my question, which I still would -- if you have it, I'd like to know what they state is the logic of the rule, and then I will end my inquiry.

D.P.O. POSTAL:

There is no logic. The only -- you know, the only explanation is it's a rule.

LEG. BISHOP:

Okay.

D.P.O. POSTAL:

Now, I assume it's a rule so that people are encouraged to go out and seek employment during those hours and don't remain in their room, but, as I said, in this case, it's not possible for Mr. and Mrs. Roper to work, they're permanently disabled.

LEG. LINDSAY:

I have a question.

LEG. FISHER:

Madam Chair.

LEG. LINDSAY:

Yeah, I have a question, too.

LEG. FISHER:

In response to that rule, quote-unquote, Legislator Bishop, Mr. -- is a line of people?

P.O. TONNA:

Yeah, go ahead. Vivian, you want to ask Mr. Roper something?

LEG. FISHER:
No. I just wanted to respond to Legislator Bishop's question, because there has -- there have been other explanations to that rule, which, by the way, we, as Legislators and as the Social Services Committee, have gone to -- through the pecking order trying to get responses to this. Apparently, people who do not have children are not the priority to have permanent shelter or continuous shelter, they try to have more continuous housing for those people who have children. So that's where that issue comes up that Mr. Roper has mentioned time and again, that he's told that they're a married couple without children, right, Mr. Roper?

MR. ROPER:
Yes.

LEG. FISHER:
Is that what you were saying?

MR. ROPER:
Yes.

LEG. FISHER:
And that's the, quote-unquote, rule I think that the Commissioner might have referred to when Legislator Postal spoke with him. And we are trying to work very hard on this issue, and we are meeting resistance and trying to find ways to make those rules more responsive to individual needs.

LEG. NOWICK:
Max, when you get a chance .

D.P.O. POSTAL:
Yeah. Legislator Lindsay, and then Legislator Nowick.

LEG. LINDSAY:
Mr. Roper, because of your disability, do you qualify for Social Security benefit or disability benefits from a former employer?

MR. ROPER:
Well, I'm in the process now of filing a grievance with Social Security, because I have been on the same salary since I've been disabled since '97 and Social Security has not helped me. My wife is on social security, and the money that we make, we fall short of even trying to get an apartment.

LEG. LINDSAY:
So your problem isn't that your penniless, you have income, you just can't afford an affordable unit --

MR. ROPER:
Housing, right.

LEG. LINDSAY:
-- in our community.

MR. ROPER:
Right.

LEG. LINDSAY:
Do you get any help with that, any counseling with that, any assistance in trying to find an affordable apartment?

MR. ROPER:
Well, like I said, we go out every day looking, and we go down to DSS for the housing. People down there, they have nothing. And my wife has a case management worker who's trying to help us, and Sister Eileen and Long Island Cares, they've been trying to help us, but we need affordable housing. I guess there is none out there. I'm on the list for Section 8, on two lists, but they say it's going to take at least three years.

D.P.O. POSTAL:
Legislator Nowick. I'm sorry.

LEG. NOWICK:

Yeah. What I don't understand is I was -- I actually went to the motel two weeks ago, actually, with Legislator Fisher and myself took a tour of many of the motels. Why is it that you have to leave at 11 o'clock every day, or 8 o'clock, but some of the other residents in other motels stay continuously?

MR. ROPER:

Well, most of the residents that stay have children that's in school.

LEG. NOWICK:

And that's why they stay there.

MR. ROPER:

That's why they stay. But most of them -- the ones that doesn't have children that's in school has to be out of there by 11.

LEG. NOWICK:

Do you know if, when the County pays for that stay, they pay for the full day or they pay for a week?

MR. ROPER:

I have no idea what they do.

LEG. NOWICK:

Because I would be curious to know, if we're paying for one week's stay or two week's stay, why then -- if you check into a motel, usually, and you're staying for a week, you stay from a -- you don't move out during those hours, your checkout time is at the end of the week. Why -- I can't understand how a motel would move you in and out every three hours. Something doesn't sound right with that.

LEG. FISHER:

I think it's one day at a time.

D.P.O. POSTAL:

Legislator Fisher, I think, may have --

LEG. NOWICK:
One day at a time?

D.P.O. POSTAL:
-- a response to you.

LEG. FISHER:
I think that, if I recall certain conversations at committee, Social Services had said that there are certain motels that give them -- allow DSS to use the motels only if there's availability. So I believe what Mr. Roper also indicated earlier was they have to leave, if the motel has a room that's not -- that's available, because it hasn't been taken by a private individual, then DSS can put them back into the room; isn't that what you indicated Mr. Roper?

MR. ROPER:
Yes, yes, yes.

LEG. FISHER:
So it's day by day.

LEG. NOWICK:
I think they're pulling the wool over, because you --

LEG. FISHER:
No kidding.

LEG. NOWICK:
You saw those motels and I don't think that vacancy sign says full very often with private individuals .

D.P.O. POSTAL:
I would suggest, I mean, obviously, I don't know -- I know Legislator Fields has a question, but I would ask that -- I think we're all so horrified that it's very hard to confine ourselves to questions of
Mr. Roper.

LEG. NOWICK:
Yeah, it is.

D.P.O. POSTAL:
But I would ask that we please try to do that. And I feel that we need to at very least, because many of us are not on the Social Services Committee and cannot attend the Social Services Committee, that we need to have the Commissioner of Social Services, whoever that person may be, come to the Legislature as a whole and address some of the questions that we have, because there have been problems -- this is my fifteenth year. Back in 1988, these problems existed with the Department of Social Services. They've never been resolved. I mean, this is probably the most illogical and inhumane situation I've ever heard of. So I would -- I would ask that the Commissioner of Social Services come before the Legislature and answer some of the questions that we have, and talk about why this is necessary, and certainly hear our feelings about these policies and rules and procedures. Legislator Fields.

LEG. FIELDS:
Thank you very much for coming here today. I wish that the other Legislators were sitting here and could hear this story. And that is the beauty of the public portion, for the public to come here and bring things to our attention that we did not know about. You said you have to go back at 11 o'clock?

MR. ROPER:
Yeah, I have to go back to check out.

LEG. FIELDS:
Where will you be going later?

MR. ROPER:
Today I'm going down to Emergency Services, and then I'm going to my doctor. I have an appointment this afternoon.

LEG. FIELDS:
I was just wondering if, maybe, Legislator Postal -- is it possible, after you finish what you have to do today, that you could come back with your wife and, at that point, maybe we will have the

Commissioner, or the future or the past or present or --

LEG. FISHER:
Acting Commissioner.

D.P.O. POSTAL:
Well, I think that --

LEG. FIELDS:
Acting Commissioner here, that we could present --

D.D.P.O. POSTAL:
I think it might be better -- I would hate to ask Mr. And Mrs. Roper to come back here. But, you know, I certainly would be happy to ask the Commissioner designate, if that's what you call this person, to come to my district office and ask Mr. And Mrs. Roper to come to my district office and let members of the Legislature know about it, so that anybody who would like to join us at that meeting, I think that would be -- with all the inconvenience they have to put up with, I would like to arrange something that's most convenient for them.

LEG. FIELDS:
Again, I appreciate it, and I think that those who are here who heard your story today appreciate the fact that you did come here. I don't know who told you to come here, but it was a wonderful suggestion, and thank you very much.

MR. ROPER:
Thank you very much.

LEG. NOWICK:
Can I just ask one more -- one other question?

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

LEG. NOWICK:
When I was at the motel, I think might have been one of your neighbors, I know that, and

correct me if I'm wrong, she would leave every day at 11:00 and she would go sit in her car all day; is that correct?

MR. ROPER:
She's Mrs. {Bezikowksi}. She has a sleeping sickness.

LEG. NOWICK:
Yes.

MR. ROPER:
And right now, their car is down and they were unable to --

LEG. NOWICK:
Yes, the car is not working.

MR. ROPER:
-- unable to fix it and this is what she has to do. Before, when they had the car, she was able to go down and sit down at Social Service and then leave and go look for an apartment. But to sit down there all day, you know, it takes -- and then you can't -- how are you going to find an apartment if your're stuck down there, so she sleeps in her car.

LEG. NOWICK:
She stays all day in her car.

MR. ROPER:
In her car with all her belongings.

LEG. NOWICK:
When you go to Social Services and you come here, you have a car?

MR. ROPER:
Excuse me?

LEG. NOWICK:
You have your own car or --

MR. ROPER:

Yes, thankful for the church.

LEG. NOWICK:

Excuse me?

MR. ROPER:

Thankful to my church, yeah, they got me a car.

LEG. NOWICK:

Okay. So you are mobile, you can get around.

MR. ROPER:

Yes.

LEG. NOWICK:

Someone such as your neighbor sits in the car all day long.

MR. ROPER:

Yes.

P.O. TONNA:

Is there a list? Can I have the floor?

D.D.P.O. POSTAL:

We're all finished.

P.O. TONNA:

Okay. Mr. Roper.

MR. ROPER:

Yes.

P.O. TONNA:

I just want you to know, as the Chairman of the Social Services Committee, believe it or not, I was never aware that this was a policy, never aware that this was a policy for adults. And at our next committee meeting, I will definitely bring this up as an issue, and my staff will be working on it today. It just does not seem to make any sense whatsoever, so we will -- we will --

MR. ROPER:

No. To me and the others, that doesn't either.

P.O. TONNA:

Okay?

MR. ROPER:

Okay. Thank you very much.

P.O. TONNA:

Thank you very much, sir.

MR. ROPER:

Thank you, sir. Thank you, committee.

P.O. TONNA:

James Stephens.

MR. STEPHANS:

Mr. Presiding Officer and members of the Legislature, I come before you for a third time today to talk about two bills, 1830 and 1838, which are the domestic partner benefit bills and the domestic partner registry bill. There is a broad base support for the creation of a domestic partner registry and it's more than just for the gay and lesbian community, it is for both the straight and gay community.

Many senior citizens who have lost their longtime married partner move in with someone that they find later on in life. They are restricted from marrying, because they would lose social security benefits. Gays and lesbians, they do not have the right to marry, and I'm not asking for the right to marry.

The majority of New Yorkers and of Long Islanders believe in fairness and equal treatment for all citizens. These resolutions is a start to that fair and equal treatment. This is not a Republican issue, it is not a Democratic issue, it is an issue of fairness.

In 1988, Suffolk County led the way in adopting a law outlawing discrimination based on sexual orientation. Many in the County said that the Legislators and the County Executive, Patrick Halpin, would pay a political price for this law. It never became an issue in the following election.

This former legislation is supported by many people of both parties, including President Gerald Ford, Presidential Advisor Mary Matlin and Mary Cheney, the daughter of the Vice President of the United States.

In Sunday's Newsday, Monsignor Daniel Hamilton of Lindenhurst was quoted as saying homosexual relationships are not legitimate. I beg to differ with you. Our relationships are legitimate. We are in loving, caring relationships. Many other Fortune 500 companies recognize domestic partners. Many governmental agencies, including the State of New York, recognize domestic partners. We also faced with a quote recently out of Miami by a minister who said that gay people don't need laws, they need to turn straight. Well, I'm sorry to say it's not going to happen. It hasn't happened in 47 years, it's not going to happen now.

Also, we are faced with people like the Reverend Fred Phelps of Topeka Kansas who has a website, and you can check it out, www.godhatesfags.com, and see what he says about this issue. If you agree with Reverend Phelps, that's your right. Reverend Phelps is a dangerous person.

I urge you later today, when the Legislators ask for discharge petitions on both bills, to support the discharge and have an open and honest debate and to vote your conscience, whichever way that may be, but I ask you to at least take a vote on the issues.

P.O. TONNA:

Thank you. I just -- I have to do this in a form of a question, but I hope you're aware that Reverend Hamilton, although a Roman Catholic Priest, does not speak for Roman Catholics around the world.

MR. STEPHENS:

I realize --

P.O. TONNA:

Are you aware of that?

MR. STEPHENS:

Yes, sir.

P.O. TONNA:

And that, you know --

MR. STEPHENS:

I only brought that up because in Sunday's Newsday he was quoted --

LEG. TONNA:

Right.

MR. STEPHENS:

-- in the paper.

P.O. TONNA:

And I've received letters from him, I've received all -- and having a degree in Theology, you know, I could tell you that it's very specious grounds upon which he bases his opinions. And I just -- I want you, you know, to know that, because, obviously, there's a religious factor that's involved and, you know, supposedly religious leaders, you know, speaking one way or the, another and everyone's entitled to their opinion.

MR. STEPHENS:

Yes, sir.

P.O. TONNA:

But clearly, you know, he does not speak for the teaching authority of the Church or anything else, and I would say that he should go back to the seminary, maybe, and take a few refresher

courses, you know, so --

MR. STEPHENS:
Well, I appreciate that.

P.O. TONNA:
All right. About the dignity and human -- you know, worth of human beings and people. And to say that somebody is not legitimate is just -- you know, it has a little more to do with the -- you know, with planet Mars than it does with the actual, you know, life situations. Okay.

MR. STEPHENS:
Thank you.

LEG. HALEY:
Did they throw you out?

P.O. TONNA:
No, no, no. But, if they did, it would be a good issue to be thrown out over. Diane Freedman.

MS. FREEDMAN:
Good morning. My name is Diane Freedman. I have been a resident of Suffolk County for over 25 years. I am a social worker in Suffolk County. I'm speaking on the same issue that was just brought up on domestic partnership. I will -- I also, having sat here and listened to Mr. Roper, would like to say that I deal with the homeless every day. I worked for eight years in one of the Suffolk County clinics dealing with people that had no housing and this is nothing new. I honestly have to say just very quickly on this issue that I'm amazed that the Legislature is not aware of the housing issue.

(APPLAUSE)

I'm floored. So I, as a social worker in the County of Suffolk for many years, would be more than happy to share my experiences on a daily basis with trying to find housing for the homeless.

But back to the issue of domestic partnership, which is why I'm here as a private citizen. I have

been with my partner for over 20 years in Suffolk County. I own property in the Town of Brookhaven, I own property in the Town of Islip. The very first thing I had to do when I bought a house with my partner was to see an attorney to make sure that if something happened to either one of us, the laws that exist in Suffolk County would not take the house away from my partner or my belongings, our belongings away. Domestic partnership registration is a first step, and I really hope that Suffolk County Legislature will get together to at least bring this to a vote to have some honest discussion on this issue, instead of tucking it away like the State has done for years, and instead of tucking it away and making this issue invisible. And I just believe that. And thank you for allowing me to speak.

D.P.O. POSTAL:
Thank you. The next speaker is Chief John Hoeffner, Jr.

CHIEF HOEFFNER:
Good morning, everybody. I'm here today to help support Fred Towle's bills that he has introduced and I understand is still in committee, which would be Resolution Number 1647 and 1649. This has to pertain to also as myself and being a County employee for DPW Fleet Service, which I'm very proud to be employed by the County, and also just as proud to be a member of a fire department.

Mr. Towle has requested or put into resolution that firefighters or EMS personnel would get seven days off a year for training, which I feel is not out of line at this particular time, especially since all the terrorism going on and all the NFPA updates we have to do and OSHA regulations. Training is very hard to do at particular times for certain people who are working two jobs, so on and so on.

Also, I would just like to also say that, with that, the County does give military time to people that are in the reserves, and rightfully so. They do a good job. They help people, they protect our country, they protect us. Also, they protect the volunteer firefighters and EMS people do the same thing.

Also, the County also has a policy which isn't involved in any of the bills that Mr. Towle has at this particular time, but they do have a Fire Department Release Policy, that if there is an emergency, the Chief can call their department, and if the department head deems it not necessarily (sic), the Department could operate without the person leaving, the request is

denied.

Also, if a firefighter does leave to go to an alarm or an EMS personnel, they have to use vacation time or personal time, which to me, myself, that's all right with me, but I know other people don't necessarily agree with that.

But it seems like at times, as an employee for the County, I've been with the County now 29 years, I've been a firefighter for 32 years, I see the Town of Brookhaven, other townships, the State, so on, and I feel that as a volunteer firefighter with the County, you seem to be a little bit of a minority sometimes. I know people like to try to help, they do bills for this for that, but as far as like getting release to go to alarms, as far as having days off for training, I believe this is very important, and I believe that this would be a step in the right direction. Thank you.

LEG. TOWLE:
Legislator Postal.

P.O. POSTAL:
Legislator Towle.

LEG. TOWLE:
Thank you. This mike isn't working this morning. Good morning. I appreciate you coming down. Were there any specific problems that you've had recently with release time for employees?

CHIEF HOEFFNER:
Yeah, there was a problem that we had with DPW Highway. The other firefighter here with me today is Matt Quinn, who's also in my fire department. As the release policy states, that the chief in charge can call up and have the person released, if it's a major alarm and they feel they need it. Well, at times, he was denied. And also, the policy was going to change. Now, this policy has been in existance since, I believe, the mid '80's, and they seem to have changed it a little bit, as far as saying that the requests would have to come from FRES. I have spoken to the person, and I am a Chief in the fire department, I do work in the fire district, they don't have a problem with me leaving, but they seem to have a problem with other firefighters leaving. That's why I feel -- and EMS people. That's why I feel the Legislature really has to sit down and really come up with some kind of concrete policy, as far as having fire fighters released. And

this isn't the first time that it's ever been brought up. This is the first time myself that I have been here. Also, I I will continue to push this, I'm not going to let it lay. Mr. Towle said that he would be very supportive of this. I am in big support of his legislation, introduced legislation on getting volunteer firefighters released for training also.

LEG. TOWLE:
The policy is clear. I had checked with our Counsel, and I know he's talking to Legislator Bishop right now, but the policy is clear in that you, as a chief, if requested, a Department Head or a Division Head for an employee to be released, and as long as that person is not in a crucial, role, for example, they're the one person operating the Bergen Point Sewer Treatment Plant, and, obviously, if they were to leave the facility, there would be no one there, as long as that circumstance doesn't exist, you know, the SOP, the County's SOP, does provide for that release time. So whoever the supervisor was, that person, obviously, didn't properly follow the SOP.

You know, I know Lou Calderone is in the audience. Lou is not here today for the purpose of that, but I'd ask him to go back to the Commissioner and alert him of this problem, because, clearly, in my mind, it is a problem, particularly in today's day and age with the services that our volunteers are providing, at the very least, when you're not in a crucial position, if you need to be responding to a fire or an emergency, we should try to attempt to accommodate you. And I appreciate you coming down today, you know, to bring that issue to our attention, that problem, and also for your support of the bills.

CHIEF HOEFFNER:
And I would also like to add, if I could, that there have been times where, even if some of the Legislators wanted to meet two people that I know that made an impact with myself and a couple of other County employees or Town employees actually being released from work and leaving right away, did make an impact and did save the person's life. So, if anybody would like to meet them, they said that they would be more than happy to do that.

LEG. TOWLE:
Appreciate your time this morning .

D.P.O. POSTAL:
Thank you, Chief. Next speaker is Ann Arthur from the County Executive's Office.

MS. ARTHUR:

Good morning, Legislator Postal and members of the Legislature.

LEG. CARPENTER:

Madam Chair, if I could just --

MS. ARTHUR:

I'm here to -- actually, as part of a group of people to speak on Resolution I.R. 1671. Would that be okay if I asked them to come up?

LEG. CARPENTER:

If I would, Madam Chair --

D.P.O. POSTAL:

Go ahead.

LEG. CARPENTER:

-- just ask that you call all Legislators who were able to, to come to the horseshoe, because I know there were some questions on this resolution and they're here --

LEG. HALEY:

What is the resolution?

D.P.O. POSTAL:

This is -- yeah.

LEG. CARPENTER:

They're here on the security guards for the Dennison Building and the Riverhead County Center.

D.P.O. POSTAL:

Right.

LEG. CARPENTER:

And --

D.P.O. POSTAL:
Will all Legislators please come to the auditorium? There were many questions about a resolution concerning security guards for the Riverhead County Center and the Dennison Building, and we have the opportunity to have those questions answered, so will all Legislators please return to the auditorium. Give us a minute.

MS. ARTHUR:
I'll hold there, sure.

LEG. TOWLE:
Legislator Postal, if I could just ask you a question before Anne starts. How many speaker cards do we have left ?

D.P.O. POSTAL:
Well, this is number 12 and we have 29 filled out.

LEG. TOWLE:
You know, just if I may.

D.P.O. POSTAL:
Sure.

LEG. TOWLE:
Having been here now, I guess, for seven years and having worked in the Legislature, not that I'm opposed to talking to Anne or the County Executive's staff now, this is usually a little irregular. Normally, when we have members of the County Executive's staff here about resolutions, we usually have them up when we're debating the resolutions. We normally don't have them up during the public's portion to speak and I just -- you know, it's not my policy, it's, obviously, the Legislature's policy to allow the public to speak during the public portion. I just think it's unfair to allow County employees to take up that time .

D.P.O. POSTAL:
Well, actually --

LEG. CARPENTER:

If I could.

D.P.O. POSTAL:

-- Miss Arthur filled out a card. I mean, had she come here and asked to be called first, but she filled out a card, her card is number 12, that's why she's being called up now. We've had other people here before on many occasions who are County employees, both appointed and elected officials, and, as a matter of fact, we've extended them a courtesy, not only from a County, but from our towns or villages, of allowing them to speak first, in some cases, people who represented villages and towns in your Legislative district. But I think that this is something that many Legislators have had many questions about. Those of us who are in the committee have had the opportunity to have those questions answered, but there are many other people who are going to be asked to make a decision on this and I think that this is an important opportunity for people to have those questions answered. I'm sure that Miss Arthur and the other people who are here to address this question are going to keep their responses very brief.

MS. ARTHUR:

Absolutely.

D.P.O. POSTAL:

Miss Arthur, I think you can go ahead now. Thank you.

MS. ARTHUR:

In February of this year, this body passed a resolution, 119 of 2002, which appropriated funds for the installation of emergency systems, including security systems, for both the H. Lee Dennison Building and the County center in Riverhead. And as part of that resolution, we installed a card access system, similar to the one that's here in the Legislature, which would allow County employees to use a card swipe system to enter entrances to the building. And then the second half of that system would be the hiring of security guards to allow the entrance of visitors to each of those complexes. And I know that some of the Legislators on this body had some questions regarding, you know, why we needed the security guards, and how many security guards were needed, and what their responsibilities would be once they were hired, and I thought it was best that I come and address those questions to the best of my ability and try to put some of those questions to rest. So I would really like to put it back to this body to find out specifically what outstanding issues remain regarding the resolution that's pending before

you.

D.P.O. POSTAL:

Legislator Lindsay has a question.

MS. ARTHUR:

Sure.

LEG. LINDSAY:

Yes, Miss Arthur. One of the questions that came up when this bill was debated last time, I think the resolution calls for six security guards --

MS. ARTHUR:

Yes.

LEG. LINDSAY:

-- whether -- is that enough to cover the two facilities.

MS. ARTHUR:

We conferred with the Office of Labor Relations and they actually were the ones that designed the plan for the hiring of six security guards in total, three for each facility, and they designed a plan that would cover overlapse, vacation time, break time, and the full-time that the building would be staffed by security personnel.

LEG. LINDSAY:

So the security will only be there during the normal business hours, Monday through Friday?

MS. ARTHUR:

Before and after hours. They start at 6 a.m. and they will be there until 8 p.m., and that --

LEG. LINDSAY:

But again, only Monday through Friday.

MS. ARTHUR:

Correct. Or if the building is open on the weekends for special events, they will be called in for

that .

D.P.O. POSTAL:

Before I recognize Legislator Bishop I just want to point out that the other people who are here to answer questions with regard to the security system, and you may choose to address a question to one of these individuals specifically, are Judy Pascale from the County Clerk's Office, Lou Calderone from the Department of Public Works, Lieutenant Jim Rooney from the Suffolk County Police Department, Joe Michael's, Assistant County Executive. So, you know, please be aware that if you have a specific question, you can address it to one of these individuals as well. Legislator Bishop.

LEG. BISHOP:

Yeah, sorry. I'm not on a committee that jurisdiction over this so --

MS. ARTHUR:

Okay.

LEG. BISHOP:

-- these questions may have been answered in committee or they may not have. Is this budgeted for in next year's 2003 budget that we're going to be hearing on Thursday?

MS. ARTHUR:

Yes, but the hiring would take place now. They're in this year's -- the vacancies are in this year's budget and then they would be carried forward to next year's budget as well.

LEG. BISHOP:

But it is in the budget --

MS. ARTHUR:

Yes.

LEG. BISHOP:

-- the presentation that we're going to have?

MS. ARTHUR:

Yes.

LEG. BISHOP:

Are they going to be County employees?

MS. ARTHUR:

Yes, civil servants off of a list.

LEG. BISHOP:

Okay. And what is the annual salary per --

MS. ARTHUR:

Lou might be able to answer that.

LEG. BISHOP:

Roughly.

MR. CALDERONE:

Approximately 23,000 to start.

LEG. BISHOP:

Approximately 23,000 to start he said. Okay. Thank you very much .

D.P.O. POSTAL:

Legislator Crecca, I think you had question, and then Legislator Carpenter, and then Legislator Nowick.

LEG. CRECCA:

At the Dennison Building, which entrance would it -- it would only include one entrance?

MS. ARTHUR:

The security guards would be stationed at the north entrance. We would have -- we already constructed --

LEG. CRECCA:

The plaza entrance?

MS. ARTHUR:

It's the one that faces Veterans Highway.

LEG. CRECCA:

Okay. Would there be public access, then, to the plaza level via the south parking lot?

MS. ARTHUR:

Employee, yes, anyone with a card access.

LEG. CRECCA:

Otherwise, the public would all have to come through that --

MS. ARTHUR:

The north entrance.

LEG. CRECCA:

And what about in Riverhead?

MS. ARTHUR:

Riverhead, it's the main -- the central lobby.

LEG. CRECCA:

And then right now, it's easy enough to come through the double doors by the health clinic?

MS. ARTHUR:

Uh-huh.

LEG. CRECCA:

That access would be limited there, then, too?

MS. ARTHUR:

Let me let Lou answer those questions, because Riverhead was a little bit more complex than the Dennison Building. They had to do some -- they isolated the health center. But he could address

that question.

MR. CALDERONE:
Yes. The health clinic will be separated by double doors in the hallway, if you're familiar with that rear entrance, which would be locked. It will be emergency exit only. No one will be able to get in through that side except card access, again, or employees.

LEG. CRECCA:
Is there any plan beyond the Dennison Building and the Riverhead Center to address security needs, or are these the only two buildings? I guess one of our concerns was, is that we're seeing a bill for six security guards, and I understand that. We haven't seen from the County Executive's Office any master plan to address security overall with the County buildings, and I guess that was -- one of our concerns was should we expect that, or is this going to be a piecemeal type approach?

MS. ARTHUR:
Well, I think what -- right now, a lot of other County buildings do have security. They either have security guards or they have a controlled access. We have a unique situation in Riverhead and the Dennison Building, because there are so many entrances and it's such a wide open area that people can come and go as they please. But if you go to DSS on Vets Highway, there is -- there's a security guard and there's only one real main entrance for people to enter, and many of the health centers, as well as health on Rabro Drive, there's only one central access area, and all the other places, all the other entrances are either locked down or they have a key pad access. So, yes, DPW is looking at all County buildings to make sure that they are not vulnerable to any kind of unauthorized entry or any criminal activity.

LEG. CRECCA:
I guess what we're looking for is, it sounds like it is being addressed, maybe some type of -- and we're not talking about anything extensive, but some sort of report as to -- I mean, you're saying that DPW has looked at or is looking at all County facilities. We'd like to see something, even if it's in confidence, if that's what it needs to be because of the security issue, of what's being done, what's being addressed, where you guys have identified problems, even if we don't have solutions to all those problems, because it allowed us -- that was, if I remember correctly, the reason why this bill got held up early on was, you know, it was just adding six position and it wasn't -- we had -- none of us had seen any type of comprehensive approach that was taking

place to address the security issues, and I think that's what we would like to see here, you know, at least that's what I think the feeling is among my colleages.

MS. ARTHUR:
I think that -- I believe that this body passed a resolution late last year directing DPW to examine the security of all County buildings and the HVAC systems as well, and Lou could probably address that better than I can.

MR. CALDERONE:
I am presently on a committee with the Suffolk County Police Department and that's exactly what we're doing, prioritizing the buildings, looking at the HVAC systems, besides entrances, exits, the amount of people in those buildings, the vulnerability of those buildings. So, yes, that's ongoing as we speak.

LEG. CRECCA:
Then probably the way to do it, then, would be to address what the Legislature, if it has to be done in some sort of executive session because of sensitivity, but I would certainly recommend that that be done through the Chairwoman of Public Safety Committee and she could set that up maybe for a briefing for all Legislators, if that's -- I mean, that's what I would recommend.

D.P.O. POSTAL:
Legislator Carpenter.

LEG. CARPENTER:
If I could respond to that. The Police Commissioner has -- had some discussion with the committee, and as soon as those plans are formalized for all of the buildings, we certainly will have -- make arrangements for those kinds of presentations.

Also, I just want to thank everyone for coming down this morning and, Anne, for filling out a card. And I think -- and I appreciate the Chair for hearing you now, because there are a number of County employees who are sitting here to answer our questions this morning, and I think it's in everyone's best interest to do it as expeditiously as possible, so that they can get back to the duties that they have to address each and every day. So thank you for being down here. And Todd Johnson, who is pretty well versed in this issue, will be here all day, so that when we go to address this during the voting process, he'll be able to answer any additional questions that may

come up .

MS. ARTHUR:

Just -- I just would like --

D.P.O. POSTAL:

Legislator Nowick.

MS. ARTHUR:

I'm sorry..

LEG. NOWICK:

Yeah. I'm just curious. The six positions that you're going to fill that are coming off a list, 23,000 a year?

MR. CALDERONE:

Grade 13.

LEG. NOWICK:

Okay. What is the title of the position for the security guards?

MR. CALDERONE:

Security Guard.

LEG. NOWICK:

Security Guard. Do they -- I'm sure they're trained. Do they carry weapons?

MR. CALDERONE:

No, they will not.

LEG. NOWICK:

No.

MR. CALDERONE:

But they're required by -- they do not carry weapons, but there is a New York State requirement

to get them -- they have to get a certificates from the State of New York that they're -- a training certificate. But, no, they do not -- they we not carry weapons, no.

LEG. NOWICK:
But they won't be carrying any type of weapons at all.

MR. CALDERONE:
No.

LEG. NOWICK:
So it's mostly a matter of checking identification when somebody walks in?

MR. CALDERONE:
Correct.

LEG. NOWICK:
Is that what they're actually doing there?

MR. CALDERONE:
Correct.

LEG. NOWICK:
Okay. They're not -- if there's a problem, they would call 911.

MR. CALDERONE:
Absolutely.

D.P.O. POSTAL:
Legislator Fields.

LEG. FIELDS:
I may have missed this. And six positions, and is it because of the nature of Riverhead that you cannot have one entrance and use those little white things that we use to get in and out here and just have one guard?

MS. ARTHUR:

You would still need to have time for the guard to either have a lunch break, bathroom breaks, if he takes vacation time, or if he is sick, there would have to be coverage. And, as I said earlier, this was the plan that Labor Relations designed that would provide adequate coverage for all those different scenarios. It's one entrance for each building, the north entrance for the Dennison Building and the main entrance and the lobby of the Riverhead Center. And he's -- the Director of Labor Relations said that this plan adequately covers the time frame that we need that area staffed without having any lapse in coverage.

LEG. FIELDS:

So you're talking about how many buildings?

MS. ARTHUR:

It's two buildings.

LEG. FIELDS:

Two buildings, six employees, which really needs -- you're really hiring more than double just to take care of vacation, sick time, lunch and bathroom breaks.

MS. ARTHUR:

If we only hired one and the person went out to lunch, there'd be no way that any visitors could enter the building.

LEG. FIELDS:

Thank you.

D.P.O. POSTAL:

Are there any other questions? Legislator Towle.

LEG. TOWLE:

Good morning, Anne. How are you?

MS. ARTHUR:

Fine, thank you.

LEG. TOWLE:
Why don't you just walk us through the procedure of what's going to happen now if somebody goes into the County Center? Because, obviously, that building is far more traveled publicly than the Dennison Building and that's, obviously, been a concern to Legislators.

MS. ARTHUR:
Okay. Why don't I let Lou walk you through that building.

LEG. TOWLE:
That would be fine. Good morning, Lu.

MR. CALDERONE:
Good morning. Obviously, there are -- as you said, Fred, there are a lot of people that enter the County Center. They'll be required to check in with the guard. They'll be asked what's the purpose of their business. They'd be asked for I.D. And I'll just use a for instance. If someone's there to pay his taxes, he would sign in. There'd be a sign-in log with the name, date, and where he was going, and at the -- he could be issued a temporary visitors pass that would expire that day. And when he was done with his business, he'd be required to also sign out, so that you can ensure that the person that -- all the people that, hopefully, go into the building have signed out of the building.

LEG. TOWLE:
What would prevent the person -- let's hypothetically say they were going in to see Mrs. Pascale, who's standing behind you. What would prevent the person, when they get done with meeting with Mrs. Pascale to go down and look up a deed, to go down and look up court records, to go down and have lunch in the cafeteria, and to possibly walk out another door and not go out the front door?

MR. CALDERONE:
To be honest with you, nothing. What hopefully will happen is, first of all, once the guard realizes that a certain person hasn't been checked, hasn't signed out, we would look for that person, A. If he goes -- if he goes out another exit, all the other exits will be monitored, they'll be electronically monitored. We will know someone opens a door who shouldn't open a door. Also, there'll be an alarm, one of the paddles that say "Emergency Exit Only", so we will know if

someone went out a door who should not have gone out a door. But like going to the cafeteria or, you know, going to other agencies in the building, that would be very, very hard to monitor.

LEG. TOWLE:
Yeah. So they would not be prevented from going to other agencies, however, we would know if they exited the building in some other way.

MR. CALDERONE:
Correct.

LEG. TOWLE:
Okay. Now, let's talk about the building as late as yesterday, because I was in the building yesterday. Let's talking about the east side of the building where the bus stop is.

MR. CALDERONE:
Yes.

LEG. TOWLE:
And where the cafeteria is.

MR. CALDERONE:
Yes.

LEG. TOWLE:
And where the doorway locks are broken and are kept -- put in place by some little device that we've, I guess, jimmied to keep people from getting in and out of the building. I mean, how is that secured, how is that been replaced --

MR. CALDERONE:
Okay. That particular --

LEG. TOWLE:
-- how is that updated?

MR. CALDERONE:

Yes. That particular entrance, which right now is open, will be locked down, it will be card access only, meaning employees. The public will not be allowed to enter that entrance.

LEG. TOWLE:
So we're replacing those doors.

MR. CALDERONE:
That is correct.

LEG. TOWLE:
When are we going to do that?

MR. CALDERONE:
There's a --

LEG. TOWLE:
Because I've been led to believe, prior to this conversation, that the building was up to par and ready to go.

MR. CALDERONE:
No. I've always stated we're about 90% complete. Based on some concerns with the County Clerk, we've enhanced certain other aspects of security. We've added a few more doors and card readers and, the P.O. numbers are actually -- been issued. Hopefully, within the next three to -- three weeks, four weeks, everything should be complete, including the doors of the east entrance.

LEG. TOWLE:
So you think within four weeks, by the middle of October, the building itself will be completed, as far as --

MR. CALDERONE:
It should, physically ready, yeah.

LEG. TOWLE:
-- the Capital Program is concerned.

MR. CALDERONE:
Physically ready.

LEG. TOWLE:
Okay. What about the other glass doors in the building that we're, obviously, not replacing, such as the doors in the lobby area, let's say on the -- I guess it would be the west side, north said maybe.

LEG. GULDI:
West.

LEG. TOWLE:
West side. Legislator Guldi --

MR. CALDERONE:
Just to make sure, the one that's facing criminal courts.

LEG. TOWLE:
The other side of the --

MR. CALDERONE:
Also, lock down -- I believe there's two sets of doors there, as I have prints here, if anyone wants to see them. But one set will be designated employee entrance only, meaning there'll be card access. The other doors will be just locked down and monitored --

LEG. TOWLE:
Okay.

MR. CALDERONE:
-- meaning you cannot get in from the outside.

LEG. TOWLE:
And are we going to put crash bars on those doors, too, so --

MR. CALDERONE:

That's correct. Everything will be -- will basically turn into a fire exit only.

LEG. TOWLE:

Is that for all the glass doors in the building or just those two that we've mentioned?

MR. CALDERONE:

As far as?

LEG. TOWLE:

Well, I mean, there are other glass doors, obvioulsy, in the building. I mean, I'm not going to sit here and go through each of them in order.

MR. CALDERONE:

Well, some -- okay. Some -- just in general, some exits will be designated employee entrances only and some will be locked down. So there will be some inconvenience. Some people that are used to coming in from all points of the compass in the building will be stopped from doing that. They're going to -- we'll be designating employee entrances only and some will be locked down.

LEG. TOWLE:

So there'll be no way for somebody to get out of the building without going back out the way they came in.

MR. CALDERONE:

Correct.

LEG. TOWLE:

Now, on the assumption that somebody goes and does that, then what's the policy. How do we find out whether that person is still in the building. Obviously, they're not going to know until, you know, after 5:00 in some instances. How late are the Clerk's Offices open until? I mean, what's your --

MR. CALDERONE:

I can't answer that.

MS. ARTHUR:

I'm sorry?

LEG. TOWLE:

Your hours of operation, how late are people in your office?

MS. PASCALE:

Well, we're open from 9 to 5, but our Title people are there from 7 to 7.

LEG. TOWLE:

Okay. So let's hypothetically say now we're at 7:15, Title Searcher ABC is supposed to be out of the building and they're not, or didn't sign out and maybe we can't find them in the building, what do we now?

MR. CALDERONE:

Okay. Using the Title Searchers as a for instance, correct me if I'm wrong, you'll be handling that end of it, but let's just say it's someone else.

LEG. TOWLE:

Mr. Smith, whoever it may be.

MR. CALDERONE:

We're going to check -- search the building. And keep in mind the custodians play a major role in this. After hours, the building is full of custodians. They would be -- the custodial foreman would be notified that we're not sure so and so exited the building, keep an eye out, you know, etcetera, to question someone. If you see somebody wandering around the building at night, question that person and notify the appropriate supervisor.

LEG. TOWLE:

Have we prepared a specific SOP for the security guards to follow?

MR. CALDERONE:

Yes, but I don't have it finalized, I have it in draft form, yes.

LEG. TOWLE:

Okay. Do you want to get us a copy of that? I'd like to see that. The other thing was the question of radios, obviously, between the security that's in the building. I know the Clerk's Office has security, I guess the methadone clinic has security.

MR. CALDERONE:
Correct.

LEG. TOWLE:
I guess Surrogates Court has security. Obviously, you're going to have these security people now in the building. How does one security group talk to the other or do that?

MR. CALDERONE:
Well, group to group, it would be via internal phone, but security guard to security guard, we have tested the new Nextels that we've just received and they do work in the building.

LEG. TOWLE:
Okay.

MR. CALDERONE:
So we're going to use Nextels.

LEG. TOWLE:
So then all those people are going to be provided with Nextels.

MR. CALDERONE:
Correct. In the two-way radio mode, correct.

LEG. TOWLE:
Okay. What's the time frame for the hiring of these six people? Obviously, if we were to approve the resolution today and the County Executive were to sign off on the resolution, what's the time frame for getting these people on board, trained, certified, and being able to start work?

MR. CALDERONE:
Well --

D.P.O. POSTAL:

Before you answer, I have a motion from Legislator Alden.

LEG. TOWLE:

Second.

D.P.O. POSTAL:

Seconded by Legislator Bishop to extend the public portion. Go ahead.

MR. CALDERONE:

Obviously, it's a civil service list, it's got to be canvassed, letters have to go out, interviews done, selections made. I'll just guess. You're probably looking at a good -- a four-week period from the time we get the okay to hire, just guessing.

LEG. TOWLE:

Yeah, I was going to say that's very --

MR. CALDERONE:

To do that complete -- to do that complete process.

LEG. TOWLE:

Very optimistic, I think. I think you're probably more looking at six to eight weeks by the time you get people interviewed.

MR. CALDERONE:

Maybe six.

LEG. TOWLE:

Now, do these people have their security -- have they already taken the security license that you said or the test?

MR. CALDERONE:

No, they have not. They have taken the civil service exam and passed it, but now they're required to take the -- it's a one-day course in the State of New York.

LEG. TOWLE:

And is that given all the time or --

MR. CALDERONE:

Yes, it's given all the time.

LEG. TOWLE:

Okay.

MR. CALDERONE:

Same course private security guard firms also take.

LEG. TOWLE:

Okay. And what are you -- what are your offices using as the offset for these six people?

MR. CALDERONE:

I believe, and I'm not positive, I believe we earmarked certain vacant positions for these six, and I'm not -- really don't know which ones.

LEG. TOWLE:

You don't know what we're using for an offset for these six positions?

MR. CALDERONE:

Oh, that's correct. There were -- that's right. They're brand new positions that were being created. We're creating the positions.

LEG. TOWLE:

Okay. And how are we funding them or how are we paying for them? That's the question I ask.

MS. ARTHUR:

I don't have the resolution in front of me for the financial impact. I'd have to look and find out and see what it says. I don't remember where the offset was coming from.

LEG. TOWLE:

Legislator Postal, if you'd let me ask Budget Review a question, I guess maybe they could answer that. I just wanted to ask Budget Review a question, but I didn't want to do that --

D.P.O. POSTAL:
Sure, go ahead.

LEG. TOWLE:
What is the offset for the six positions, do you know?

MR. REINHEIMER:
No, I don't have that information here also.

LEG. TOWLE:
Okay. I guess that's the $50 question.

D.P.O. POSTAL:
We actually --

LEG. TOWLE:
Okay.

MR. WEISS:
The offset included in the resolution, which I stated at the June meeting, I think, or -- yeah, the June meeting, as another resolution, it's including the surplus 110 savings in the appropriation that the positions will be budgeted in.

LEG. TOWLE:
Okay. All right. That's all the questions I have.

D.P.O. POSTAL:
Legislator Guldi. Yeah, I've got a couple more. Back to -- Lu, you're probably on deck for this. One of the concerns I have is, in terms of building operation, I don't see how you make the following equation work. The County Clerk's Office probably takes thousands of lis pendens a year. The procedure for filing a lis pendens is that you must go to Real Property on the second floor. After you go to Real Property on the second floor, you then must go to Court Records.

And the way that it's customarily done is by exiting one of the stairwell fire exits and walking along the outside of the building. There is no public interior corridor connecting those. If you close that doorway, the distance from the main doorway you have, is essentially around the building, is probably, if you're going to walk it, the best part of a mile.

MR. CALDERONE:
Well, let me back up. First of all, the issue --

LEG. GULDI:
How are you going to do this?

MR. CALDERONE:
-- with the Title Searchers are --

LEG. GULDI:
I'm not talking -- Title Searchers have nothing to do with this.

MR. CALDERONE:
Go ahead.

LEG. GULDI:
Title Searchers have nothing to do with this. This is anyone who wants to file a lis pendens must take it to the second floor to Real Property, have it stamped as proper description, and then must take it to court records, which is not accessible through the building.

MR. CALDERONE:
Oh, forgive me. Where is Court Records, is that in Surrogates Court?

LEG. GULDI:
Court Records is on the west side. They have a separate entrance over by the Criminal Courts.

MS. PASCALE:
Yeah.

LEG. GULDI:

How are we going to handle those thousands of transactions a year?

MS. PASCALE:
Well, those thousands of transactions will be handled by people who have to exit the building, which they do now. Some -- yeah.

LEG. GULDI:
Yes, they do now, but they do now by going from court -- from the Real Property section a few feet to a stairway, down two flights of stairs, out a door --

MS. PASCALE:
No, no. They can go --

LEG. GULDI:
-- and 100 feet along the outside of the building.

MS. PASCALE:
No. They'll still be able to go to Real Property Tax Services, they'll just, you know, sign in.

LEG. GULDI:
They'll sign in.

MS. PASCALE:
When they come back down, they will then exit the building, walk around the building and go to court actions.

LEG. GULDI:
All rignt. Has anybody measured the distance to walk around the building?

MS. PASCALE:
No, I have not.

LEG. GULDI:
Have you ever walked it?

MS. PASCALE:

Yes, I have.

LEG. GULDI:

From that doorway to Court Records?

MS. PASCALE:

Yes, I have.

LEG. GULDI:

How long did it take you.

MS. PASCALE:

Yes, I have.

LEG. GULDI:

How long did it take you?

MS. PASCALE:

Probably five minutes.

LEG. GULDI:

So it's thousand of people are going to take a five-minute walk to -- as part of our ordinary -- how many lis pendens a year get filed in Suffolk County?

MS. PASCALE:

Off the top of my head, it really depends on the economy. I would say maybe 30,000, maybe more.

LEG. GULDI:

Thirty thousand transactions a year are going to -- 30,000 five-minute walks.

MS. PASCALE:

But let me -- may I just -- with all due respect, Legislator Guldi, a lot of those LP's come in via mail, so --

LEG. GULDI:
Okay.

MS. PASCALE:
Okay.

LEG. GULDI:
But for those that are time critical and are being filed in a hurry, as lis pendens are designed for, they're walked in, they're hand-carried from door to door, and we have now just created a totally unworkable situation. I don't see how this works.

MS. PASCALE:
Well, you know, like we side, that, you know, we'd have some security in our building now, and this is a new system, and as is the case with any new system, we anticipate a couple of glitches, but we are very confident that we will be able to work these things out with DPW security and our security as well.

LEG. GULDI:
Well, I don't think you've worked this out if your proposal is to send people for a walk around the building for these 30,000 filings.

The second question I have for you is -- relates to the Health Department officers that are on the north end of the second story, which is the Offices for Subdivisions and Sanitary System Licensing for all five East End towns. The access to those offices, which are just above the health clinic, is going to be solely through the front door. So people are going to have to come through the front door and walk through the maze of the building from the center to the far end.

MR. CALDERONE:
That's correct.

LEG. GULDI:
And then back to the center to exit.

MR. CALDERONE:

That's correct.

LEG. GULDI:

The exit, however, that you're turning into the security center is at the corner of the parking lot, isn't it?

MR. CALDERONE:

I'm sorry, George. Which exit are you talking about now?

LEG. GULDI:

The main exit, the one that you're going to staff with security.

MR. CALDERONE:

Will be the main entrance now, where the lobby is.

LEG. GULDI:

The main entrance, which is at the corner of the parking lot. So that if you're on the far side, or even if you're in the middle of the parking lot, you're covering a huge amount of distance. The parking area is much more centered around the north exit, isn't it? Isn't the north exit by the Health Clinic and the Health Department far more accessible to parking?

MR. CALDERONE:

Depends where you're parking

LEG. GULDI:

Or to the majority of parking places, instead of locating one -- you've got one located at the extreme corner, you've got one located in the vortex of an "L" that the parking lot forms. It's vastly closer to the majority of parking.

MR. CALDERONE:

I really -- people walk it now. I mean, we really haven't changed anything.

LEG. GULDI:

Yes, you're changing -- you're closing -- you're closing four or five entrances to the building and you're making people wander all over the place.

MR. CALDERONE:
Well, could I just say something? People that go up to the Health Department on the second floor can't go through those double doors, because the Health Department keeps them locked. They have to come through the main lobby anyway and go upstairs.

LEG. GULDI:
That's not been my experience ever in walking in the building --

MR. CALDERONE:
Well, what's the Health Department --

LEG. GULDI:
-- that those double doors have been locked.

MR. CALDERONE:
That's what the Health Department's told me. You know, we did this -- and, by the way, this was not unilaterally done just with the Department of Public Works, this was -- plan was put into effect with the input from every department within the County Center.

LEG. GULDI:
Yeah, except for the input from the public that has to access the building. I don't think you had -- did you have any -- who did you consult with for that?

P.O. TONNA:
You know, George, could I just ask that we finish up this issue --

MR. CALDERONE:
Can I make one last statement.

D.P.O. POSTAL:
-- because, you know, it really has been very lengthy. I think that there have been questions answered, and I would like to move on, go back to the opportunity for the public to speak.

MR. CALDERONE:

Could I make one last comment on the building?

D.P.O. POSTAL:
Well, let me see if Legislator Guldi is finished.

LEG. GULDI:
I agree that this is an inappropriate time for this. This should be done with the County personnel waiting for the public to be done and when we're prepared to debate this bill. It should not be done now, this is the time for the public to speak, but, you know, unfortunately, you decided to commence this now. I would certainly suspect there'll be more questions and more need for dialogue on this before we can make a decision.

D.P.O. POSTAL:
Well, I would ask that when we get to this bill, when we're going to address the bill, that these same individuals be here to address any questions that may come up that might not have come to mind at this point. Legislator -- at least one of these people, you're saying?

LEG. LINDSAY:
Yeah .

D.P.O. POSTAL:
Okay. Anne Arthur, who can be electronically hooked up to each of the other individuals. Okay?

MS. ARTHUR:
Okay, sure.

D.P.O. POSTAL:
All right. Thank you.

MS. ARTHUR:
Thank you very much.

D.P.O. POSTAL:
Okay. We're going to go back to the public portion. The next speaker is Reverend Henry Bacon.

REVEREND BACON:
I'd just -- first, I'd like to say that I'd like the ears of all of our Legislators. I have a pertinent issue for you, and this is an issue of life or death. Please, don't take me lightly.

And just to divert for a moment, the gentleman that spoke in regards to the homeless situation, Mr. Roper, I deal with that -- I guarantee you, I will deal with that four or five times today. Even after being here all morning, when I go back to Wyandanch, I'm dealing with that four or five times every day. And I'm surprised to hear that the Legislature didn't seem to be familiar with that, and I want to request that you come and spend one hour in my office any day.

Greetings to our Honorable Presiding Officer, Legislator Tonna, and to our Deputy Officer, Legislator Postal. Before I say anything else, I want to keep in prayer Reverend Bond, who has a leg condition, who had to go to London to get some rest, and Reverend Talbert, who is the President of the Clergy Association, who lost his brother on this week, who's normally my right-hand man, and also Dr. Roberts, Sherman Roberts, who is ill. Let us keep them in --

D.P.O. POSTAL:
You know, sir, you have three minutes. I just want you to know.

REVEREND BACON:
Okay. Yeah, okay.

P.O. POSTAL:
You have a minute and a half left.

REVEREND BACON:
I'll be back -- I'll be back anyway. And I'm appalled that, you know, the situation regarding what happened here today and the lack of community concern. But we must try to create some semblance of the spirit of community and togetherness in this very difficult time and behave in a loving, kind, forgiving, giving attitude. It must be a day of peace amongst us in these worldly circumstances that we're faced with today. Our families are just a smaller part of a larger family. We are really all one, and we cannot allow the forces of evil to separate us in this difficult time.

I'm here today in an overdue, a well overdue necessity to articulate the longings and desires of those that are less fortunate than ourselves and often overlooked. I'm here to ask you to determine the true legal and equitable issues concerning Compel and our recent eviction, then to request that you immediately rescind this decision. I am told that they'll be there any day to carry us out, because that's exactly what they're going to have to do. I've invested my entire life into this and the contract has been tampered with on an ongoing basis.

Our schools are on the bottom academically. There are more homeless people in Long Island than ever before. There are over 100,000 homeless people in wealthy Long Island.

LEG. FIELDS:
Time is up.

REVEREND BACON:
And an inadequate number of middle class and lower class families don't receive the appropriate education. There's overwhelming new {digital} divide where there's a glass ceiling and it's leaving us behind. America has produced more millionaires, billionaires, and people making over 100,000 than ever before.

P.O. TONNA:
Sir.

REVEREND BACON:
The last sixty years --

P.O. TONNA:
Sir.

REVEREND BACON:
We have --

P.O. TONNA:

Reverend.

REVEREND BACON:
Nobody else was cut off and you didn't do that.

P.O. TONNA:
No. Reverend.

REVEREND BACON:
Yes.

P.O. TONNA:
Reverend, as I sit at the podium for the last three years as Presiding Officer, when the bell rings, I ask people to summarize their comments.

REVEREND BACON:
I'm going to summarize.

P.O. TONNA:
Summary, meaning a paragraph at most, sir. You have -- now, we have four or five more people going to speak on this same thing. We have 27 people who will speak overall. Everybody gets three minute, sir.

REVEREND BACON:
Okay, sir, but did you take in account the County that came up here and took all that inappropriate time? Okay.

P.O. TONNA:
Well, as long as there's a question -- as long as there's a question of Legislators, people are asked to respond. You have three minutes, and I'll give you one more paragraph. Thank you, Reverend.

REVEREND BACON:
I'd just like to say that if you can allow a multimillionaire in Long Island to have nine years to close on a property, and someone that's a non-for-profit with less than a hundred thousand

dollar budget, you're going to try to evict me. And this same individual sold the County property for $500,000 -- I mean, for 5 million dollars, which he purchased for $500,000, and then, all of a sudden, we're talking about a $73 deficit. All I'm requesting is an equitable legal stance.

Please, read the documents that I've given to you. I'm asking you to rescind this decision by September 25th. We will be back. I didn't have time, opportunity to organize and to structure this. We will be back and we will -- I will use every means of demonstration possible, and we will start with the Presiding Officer and Presiding Deputy Officers. We will go to each district to make sure that Long Island is aware of how I was treated. And I'm asking you again, read the documentation.

P.O. TONNA:
By the way, we'll also furnish you with the County Executive's Office to -- just in case, you know.

REVEREND BACON:
Okay, okay.

P.O. TONNA:
Thank you.

REVEREND BACON:
And, again, please read the documentation. I love you, but it's the time for America to come together. You cannot address --

P.O. TONNA:
All right. Sir.

REVEREND BACON:
-- terrorism until you take care of home first.

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

REVEREND BACON:

Take care of home first.

P.O. TONNA:

Glenn Ford. Hi, Glenn. How are you today?

MR. FORD:

I'm fine, thank you.

P.O. TONNA:

You have three minutes, sir.

MR. FORD:

Yeah. I just want to piggyback on Reverend Bacon's ability to work with people in the community that is an intellectual wasteland. All right? To be and see what I see, and I grew up in this town and I left, and it has not changed. Nothing has been done. You guys sit here and the town is the same. There's no computers, but there's computers in Dix Hills. There's computers in Wheatley Heights. All right? Wyandanch School District is an abomination. But you feel compelled, all this other County feel compelled to actually get rid of him. So who do we replace him with? Any of ya'll? Ya'll want the job? You can have the job. It's the worst job in the world. All right?

All I'm asking is you to consider what he was talking about. And you know what, and he spoke with compassion. He feels very strongly about this. This is not about a legal issue, this is a moral issue. All right? And you need to consider that. And that's all I have to say. Thank you.

P.O. TONNA:

Thank you very much, sir. Sakinah Kareem. How are you today, Sakinah?

MS. KAREEM:

I'm fine. Good morning to everybody.

P.O. TONNA:

Good morning.

MS. KAREEM:

Thanks for having me.

P.O. TONNA:

Thank you.

MS. KAREEM:

I'd like to speak on two issues. One, Mr. Roper is his name?

P.O. TONNA:

Yes.

MS. KAREEM:

It saddens me, and I'm sure that everybody felt the same pain, I felt it in the room, that people are suffering like this in this great America. Maxine Postal know. I've been to her office plenty of times. And I said, the County, we have so much roped up property, buildings that are deteriorating, give them to a nonprofit agency. A couple of us will get together, throw our hands in there and fix these places, and now families like that to buy them. The County and the State pays $5,000 a month on for one family to stay in a sheltered home. Five thousand times 12 is 60,000. That's a home you could purchase for somebody and allow the family to pay taxes for the rest of their life and contribute to the County or the Town. These are things we have to explore. We have to step outside of the box and look into some original ways of doing things. And that's why I'm here again this morning, too, to stand on behalf of Reverend Bacon. He steps outside of the immediate circle to try to help community people, people who will normally, on most basis, be ignored. He brings technology to our children. Any child can come in off the street and he grabs them off the street and brings them in and sit them down to a computer, and you have no idea how many lives he's touched and changed. And when you make a decision to put a nonprofit organization that works hard out and no funding, I mean, we do these things with no funding. I'm an agency that works with no funding at all, but I work on behalf of making society better for all of us, and so does Reverend Bacon. And I think that we need to take that into consideration.

If there are any difficulties and problems, we need to learn to sit down. The problem with the world today, the terrorists and all these other things that we're faced with, not enough dialogue sincerely from the heart. Everybody, have a good day.

LEG. FISHER:
Thank you.

P.O. TONNA:
Thank you very much, ma'am. Thank you. Okay. William Lewis.

MR. LEWIS:
Mr. Presiding Officer and members of the Legislature, I'm William Lewis of Elwood with Ann MacGuire. I'm Co-Chair of the Elwood Taxpayers Association Library Services Committee. I'm speaking on behalf of the children of Ellwood and all residents of Ellwood today.

Since Resolution 52, which you will be voting on later today, calls for the Commissioner of Education and the Suffolk Cooperative Library System, that is SCLS, to continue to offer library services to the children of Elwood, should the November 19th vote to establish an Elwood Library District be rejected by the voters.

Many Elwood residents view the November 19th vote as a squeeze play by SCLS to extort Elwood into voting for a library district, a library that we do not want and we do not need.

The geographic center of Elwood is only 2.2 miles from the -- from one of our contracting libraries, Harborfields, and 3.3 miles from each of the two other libraries, and we tax ourselves 1.2 million dollars a year to pay them for library services.

Elwood needs this Sense Resolution Number 52 to protect our families from loss of library services, and although SCLS will not admit to this, their charter from the New York State -- New York State Regents and the Legislature requires SCLS provide library services, regardless of this vote. Your resolution requests that the system only fulfill its charter to all Suffolk citizens.

Our special thanks to Legislator Binder and the Committee on Education and Youth. Please pass Sense Resolution Number 52 for Elwood. Thank you.

P.O. TONNA:
Thank you, sir. Okay. Jean and Clarence Dember.

MRS. DEMBER:

I injured my foot yesterday, but I wouldn't miss this opportunity. My husband and I have been residents of Suffolk County for almost 50 years. I want to give honor to Almighty God, who is mother and father to us. And though we are mistreated, we are not orphans. I salute our ancestors who endured horrible injustice in the United States of America. It's interesting to note that {Jupiter Hammond} was an enslaved African poet in the Town of Huntington, yet when the delegation from Huntington appeared, there was no representation from African indigenous, Latino, or Asian people. We do not have representatives from these groups on the Legislature or many of the town boards where we reside and pay taxes.

I wrote each member of the Legislature. You may have not had time to read my letter, but in my letter, I noted that the protracted battle to secure Andrews Avenue as a permanent home for Compel Academy has been met with foot-dragging, bureaucratic delay, and indifferent treatment than accorded local millionaires. There were more enslaved Africans on Long Island than in Virginia at one time.

The history of this country is terrorism. This history and the racially motivated arson, prejudice, and systemic discrimination have isolated African Americans and others from government. We questioned how our Legislature would be acting to undermine the efforts of Reverend Bacon to serve constituents in Wyandanch. It's possible that anti-poverty money coming to the County for poor people might keep the Legislature from allowing self-determination, so they can put their greedy hands on this anti-poverty money. If you keep us poor and down forever, then we'll never be able to rise.

We support Compel Academy. We applaud Reverend Bacon for courage, integrity and heroic work, and his son, Preacher, who is here today taking a lesson in civics. Reverend Bacon has confronted poverty, alcoholism, homelessness, and duplicity when government does not act in community interest. A homeless addicted person came to me for help, rode in my car. The same thing happened 25 years ago, a family was evicted because they couldn't pay the rent and they were evicted into my car. I took this lady to Reverend Bacon and he has since gotten her in a program.

Reverend Bacon is an answer to prayer. Over many years I had visited prisons. I call myself an outmate. Those are supposed to be inmates. I have presented black history programs as a volunteer to inspire and help captives of the injustice system to work with the community, study

and come out of prison prepared to work with our people for positive change. Reverend Bacon is a champion.

The Legislature should rescind the eviction of Compel Academy from 8 Andrews Avenue. The Legislature should sell this facility for a dollar to continue the work of Compel. If you look at -- excuse me, Miss Postal. I don't know how you could talk over me, whatever.

P.O. TONNA:
No. She was answering a question of mine.

MRS. DEMBER:
The point is --

D.P.O. POSTAL:
Miss Dember.

MRS. DEMBER:
Yes.

P.O. POSTAL:
I was clarifying some issues that the Presiding Officer was asking me as the representative of the district.

MRS. DEMBER:
Well, you know what, you may be legally the representative of the district, but I don't feel you represent the district. Now, I'm here to say that. I say that unequivocally.

P.O. TONNA:
Okay. Just --

MRS. DEMBER:
-- because if this program is going to be put out, I think we should all park in front of Miss Postal's door and sit in the Legislature. I don't think Mr. Roper should go to a, whatever that is, he should come and sit here as a citizen of the United States who has suffered the indignities of

working as an African American. And my husband supported our family. We've been married, we raised six children, all law abiding, and I feel that we are not properly served by our Legislator.

P.O. TONNA:
Ma'am, believe it or not, your time is up.

LEG. CARPENTER:
Mr. Chairman.

MRS. DEMBER:
I know. My time is not up in actuality --

P.O. TONNA:
No, no.

MRS. DEMBER:
-- because if you figured out -- I understand what you're saying, sir, but if you figure it out, we are the last to the table and the first to be told that our time is up. I don't think my time is up, my time has just begun, yours is up.

(APPLAUSE)

LEG. CARPENTER:
If I could just have a point of personal privilege.

P.O. TONNA:
Sure.

LEG. CARPENTER:
I had to step in the back for a moment, and for anyone's information who may not know, the speakers are on in the back so that we can hear, even though we're not sitting here, what is going, and I was absolutely appalled to hear that someone who lives in Legislator Postal's district could possibly feel that she does not represent her district well, because in all of the years that I --

MRS. DEMBER:

Don't speak for me, please.

LEG. CARPENTER:

In all of the years that I've sat on the Legislative body --

P.O. TONNA:

Ma'am. Ma'am, you had your opportunity to speak. A Legislator is speaking right now.

MRS. DEMBER:

She's speaking for me, she's correcting my remarks.

P.O. TONNA:

No, she's -- no.

MRS. DEMBER:

I don't need her to correct my remarks. Okay? I need my remarks to stand. I don't need her to mitigate my remarks, explain my remarks, or color my remarks. She wasn't here. I'm an African-American woman. My people had slaves on both sides of their family. And she cannot represent me, nor Miss Postal, when she's moving against Mr. -- Reverend -- Compel's program. This is not representation. She is to facilitate improvements in our community and not move against him with bureaucracy.

P.O. TONNA:

Ma'am. Ma'am.

MRS. DEMBER:

She does not represent us. And I don't want this young lady to color my remarks.

P.O. TONNA:

Ma'am, I would ask that you please be seated. Thank you very much.

MRS. DEMBER:

I thank you, too.

P.O. TONNA:

Okay. So we're both thankful for each other.

MRS. DEMBER:

And I paid for the seat. I'm a taxpayer.

P.O. TONNA:

There you go. So why don't you use it? Okay. Now, I would just say, Legislator Carpenter, you can please finish your remarks.

LEG. CARPENTER:

I don't mean to color anyone's remarks, but I do want to say that in all of the years that I've sat on this Legislative body, that there isn't a Legislator who can represent her district better than Legislator Postal can, or who works harder for her constituents than Legislator Postal does.

MRS. DEMBER:

Do you live in the district?

(APPLAUSE)

P.O. TONNA:

Okay. Okay. Thank you. All right. We'll say amen to that and we'll go on. Hellen Keller.

LEG. FISHER:

As she's -- as she comes comes up, I would like to second the remarks made by Legislator Carpenter.

P.O. TONNA:

Are we going to -- let's put a sense resolution together. All right.

LEG. FIELDS:

Cosponsor.

P.O. TONNA:

There you go. Okay. Thank you.

MS. KELLER:

Good morning. I promise not --

P.O. TONNA:

Hi, Helen. How are you? Welcome.

MS. KELLER:

Fine, thank you. I promise not to take up too much time. I would just like --

P.O. TONNA:

That's okay. You got three minutes.

[TRANSCRIBED BY DONNA CATALANO]

MS. KELLER:

I'd like you to support the sense resolution of Mr. Binder, 52-2002. I can't stress enough how important library services are to our people. The only point I want to make is that the regents, their goal is to provide services to everyone whether they can afford it or not. And we feel that we have ten libraries in our district that provide services. And after hearing some of the stories today, I think some of the money could be better used to help the less fortunate rather than us building a building and a monument. But we do want services for our children. And I think the surrounding libraries are currently giving us adequate service and we would like to continue that service. Thank you.

P.O. TONNA:

Thank you very much, Helen. Phil Goldstein. Phil, three minutes. Make it two minutes and 57 seconds, 56, 55.

MR. GOLDSTEIN:

You're going to make me have to talk very fast.

P.O. TONNA:

Go right ahead.

MR. GOLDSTEIN:

In behalf of the Independence Party, I would like to urge everybody at the horseshoe to please vote in favor of the 1391 bill of Mr. Cooper, regarding campaign finance reform. I believe today's editorial in Newsday says it all, so I won't bother to touch upon all of those points. The campaign finance board is nonpartisan. The Board of Elections is bipartisan. I believe that the people would be better served by a nonpartisan organization. As far as the argument of a burgeoning bureaucracy, that's false. A single civil service employee with the campaign finance board could do a job that requires two people; a Republican and a Democrat in the Board of Elections. Insofar as the Presiding Officer is concerned, I had a personal conversation with him.

P.O. TONNA:

Which I enjoyed very much, Phil. It was just -- it highlighted my day.

MR. GOLDSTEIN:

I don't deny it. I recognize the honesty of the position that you hold, however, the point very simply is that reform within the democratic system is incremental by nature. And I believe that this is a step in the right direction, it is not a panacea. We never alleged that it was, but we feel that we deserved to have this step taken by the County government, because it is a move in the right direction, and insofar as the lack of enforcement of state law is concerned, that is a responsibility that falls upon the shoulders of the State Legislature and state enforcement agencies with regard to that aspect of the fulfillment of disclosure. And so we should not use that as an excuse not to have the County act in this matter.

To touch upon three other items, and here I am speaking for myself, not for the Independence Party, with regard to the homeless issue, may I urge this Legislature to contact the State Legislature and to ask them to mandate that in connection with construction funds for schools, the County is growing, our population is growing, schools will have to be built, additions will have to be built. The air space over schools should not be wasted. We have emergency situations and it is horrendous. The inhumane treatment of citizens of Suffolk County, and I heard a Legislator say that has been going on for years back in the '80s when she first joined the Legislature, she was aware of it and so on, how this can happen and the hypocrisy here. When you're concerned with your personal security, when you want to put security guards and waste taxpayers money, what is this paranoia that exists that you need to be secure while at the same

time we are forcing people to be subjected to the inhumane conditions that they have to face. It's inexplicable.

P.O. TONNA:
Phil. Phil, you built it up to a crescendo. The only problem was that it was about 30 seconds late, because, you know, your time is up.

MR. GOLDSTEIN:
Well, you cut me off on two other subjects I'd like to address.

P.O. TONNA:
There you go. Well, you always have another meeting. I'm sure we'll see you.

MR. GOLDSTEIN:
Okay. Thank you.

P.O. TONNA:
Thank you. David Kilmnick. As Homer Simpson says, "doh."

MR. KILMNICK:
Good morning, and I'll get right to the point in three minutes. I'm here to speak in favor of the -- both Legislator Cooper's and Legislator Maxine Postal's bill on domestic partnership. At the last meeting in Riverhead, what I had talked about was that this is an issue of fairness and an issue of equity. And as a homeowner and a taxpayer in Suffolk County, and in the Town of Islip, specifically, I am not assessed differently because I'm gay. However, I am treated differently in terms of not given equal rights in terms of -- in terms of benefits and otherwise. Also, because I'm going through this very quickly because we have three minutes, what Maxine's -- what Legislator Postal's bill would provide for me as a Suffolk County resident is -- I would be able to receive certain benefits as car insurance discounts, because my partner, my domestic partner and I would be able to register here in Suffolk County and would be able to receive those -- receive those benefits.

One of the previous speakers had said that this issue was not a Democrat or Republican issue, and I certainly agree with that. Over the years through my work, I've gotten know many Legislators here, and I feel very fortunate to have a Legislature that we have sitting right here

around the horseshoe. While we may not agree on everything, I truly do believe that you're all here for the people and the constituents. However, while it's not a Democrat and Republican issue, it's my feeling that it's a Democrat-Republican-Conservative issue. And after getting to know most of -- most of you here on the Legislature, I am convinced that most of you would vote -- there would be way more than ten votes to vote for both of these pieces of legislation.

And just two things about the Conservative Party and conservative ideology, because I think it's one of the key issues here that may be preventing some people from voting on this, and this is just an assumption. The conservative ideology actually supports -- strongly supports this legislation. Conservative ideology supports stable relationships, and this is what -- this is one of the benefits of this piece of legislation. Also, I do believe that those people who are involved in the Conservative party would want to see their children whom we are serving right now at Long Island Gay and Lesbian Youth. Some of -- some of the top conservative leaders in this County have their children coming down to our agency for support and help. And I'm sure they would want to see their children grow up in a County in which their children have an equal chance at -- and equal rights.

I guess to sum it up, perhaps -- perhaps summing it up in my words is not the best, but in one of the Legislators who I truly do admire the most and that's Legislator Paul Tonna, is that I did look on the website of the Suffolk County Legislature, and I believe that this really says --

P.O. TONNA:
Okay. Your time is up.

MR. KILMNICK:
I really believe that this says it all. And it was a quote on Legislator Tonna's page that says, and this is really what I feel this is all about, is that let's begin to drown out the voices of hatred and intolerance by affirming the dignity and worth of all human beings. Please affirm the dignity and worth of myself as a Suffolk County resident who happens to be gay. Thank you.

P.O. TONNA:
Thank you very much.

(APPLAUSE)

P.O. TONNA:

Okay. I would assume that the card that says Homer Simpson was a joke.

LEG. CARACAPPA:

Doh.

P.O. TONNA:

Doh. Okay. Thomas Kirdahy. Hi, Thomas, how are you? Is that your dad right there?

MR. KIRDAHY:

These are my parents right here.

P.O. TONNA:

Hi, Dad, how are you doing. Good to see.

MR. KIRDAHY:

My name is Tom Kirdahy. I'm here to speak on behalf of the creation of a domestic partner registry and the extension of domestic partner benefits to certain County employees. I'm the Chairperson of a group called the East End Gay Organization.

P.O. TONNA:

Please talk into the mike a little more just so it's easier for us to hear you, Tom.

MR. KIRDAHY:

Sure. I'm the Chairperson of a group called the East End Gay Organization, and I'm an attorney. Since 1989, I've worked on a grant providing free legal services to people living with HIV and AIDS. In my work, I have become deeply familiar with the need for individuals to be able to register their relationships with authorities, specifically with government authorities. The creation of a registry in Suffolk County would merely be the extension of the right to declare ones love to another human being. It would create presumptions in favor of the truth of relationships that people have.

On September 4th -- excuse me, September 6th, the Town of Easy Hampton, a Rebulican controlled board, passed legislation creating such a registry in the Town of East Hampton. That legislation was introduced and sponsored by a Republican who ran on the Conservative and Right

to Life parties as well. This issue is about family values. I want to thank Presiding Officer Tonna for recognizing that my parents are here. I'm one of the luckiest people on the planet. I have my heros standing right here, two people who taught me what family values are. And I've had the opportunity to dance on a dance floor with my partner as my parents shared the dance floor. What this legislation would do is create a means for declaring the truth of our love to the world, nothing more, nothing less. I implore you all to permit a vote on the legislation and to let us simply say to the world, this is who we are, this is what our love is, it is real, it is viable, and it is good for the County to permit it to be declared. Thank you.

P.O. TONNA:
Thank you. Thomas, just you mind, I have a question for you. Obviously, you're speaking in behalf of Legislator Postal's domestic partner registry.

MR. KIRDAHY:
That's correct.

P.O. TONNA:
You've read the legislation, and you're an attorney, so I feel pretty comfortable asking these type of --

MR. KIRDAHY:
By all means.

P.O. TONNA:
What about the person who would say or maybe some of the people who I talked to who say, I don't have a problem with the domestic partnership as it comes to those who are living in same sex homosexual relationships, but I do have a problem with the issue of heterosexual relationships where there is the option of marriage and which ministerially, you know, takes care of a number of the things that this registry, you know, is attempting to do. Why -- you know, I mean, am I in one hand on the homosexual issue, I'm saying let's recognize something. On the heterosexual issue, I'm saying -- am I undermining marriage?

MR. KIRDAHY:
No, I don't think that you are. That's an issue that frankly the lesbian-gay community has grappled with and private industry has grappled with. Folks fall on both sides of the issue. I will

candidly tell you that most often it's necessary for heterosexual couples who are senior citizens not to marry, because to marry would jeopardize some of the benefits that they've worked all of their lives to earn. So to exclude the heterosexual community from this legislation could potentially have devastating effects on the senior citizens.

P.O. TONNA:
They create the registry, what -- you know, ipso facto will actually happen? In other words, we create the registry for the potential now for -- but does it really actually do anything? I mean, it registers people, but now we have to wait for everybody else to catch up, right?

MR. KIRDAHY:
That's not necessarily so.

P.O. TONNA:
What does it do today to enhance or to help let's say --

MR. KIRDAHY:
If I got a job working for Microsoft or Lexus or -- I could go to my Human Resources Department with my registry in hand, say I have a domestic partner, I've declared it, and I would be able to access the benefits that they would offer me as a private employee.

P.O. TONNA:
You would be. They demand that there's access -- in other words, a private sector is asking for a registry?

MR. KIRDAHY:
Exactly.

P.O. TONNA:
You know, the public sector to basically set up a registry so that they can fulfil their own employee policies, is that what --

MR. KIRDAHY:
That's one of the advantages of such legislation, and it's used all the time. It's used by municipalities to attract talent. It's good for business. Most of the Fortune 500 knows of the

benefits of the extension of domestic partnership.

P.O. TONNA:
Right. So from an economic development standpoint, we would be able to attract companies that have this as a policy?

MR. KIRDAHY:
That's correct.

P.O. TONNA:
Because we can then --

MR. KIRDAHY:
You know, I'll tell you anecdotally there was a town in Texas that -- that attracted Apple to their midst, and some folks in the town said if they extend domestic partnership benefits, we're leaving town, we're not going to permit them to come into our town. Well, Apple said, if you don't want us because we do provide these benefits, we're not going there.

P.O. TONNA:
Right.

MR. KIRDAHY:
And those voices of descent were silenced very quickly, and the economy of that town is booming. There's no question that this is the next wave for private industry, and any Fortune 500 CEO would tell you as much.

P.O. TONNA:
Right.

MR. KIRDAHY:
If I may add anecdotally, on Sunday I was with a gentleman who lost his partner of 18 years in the Trade Center disaster. And to look into that man's eyes and talk about the pain of his loss just three days before September 11th, is an experience that I'll never forget. And if he had had the opportunity to have registered his relationship with a municipality, he would not have gone -- he would not have had to jump through the many, many hoops and pay hundreds of dollars in

attorney's fees in order to prove that he was in love with his partner of 18 years. It simply creates -- it's about truth and humanity, and it creates the presumption for the truth of our relationships.

P.O. TONNA:
Well, you've been very compelling. Thank you. I think, Legislator Fisher, you had a question.

LEG. FISHER:
Actually, Mr. Chairman, it was my recollection of a story that you had told last time you came, which is not only the economic ramifications of having the registry, but the human ramifications, a notification in case of a tragedy. I had remembered that story from the last time you came to speak.

MR. KIRDAHY:
That's correct. I mean, I think I shared one of my clients who died as a result of AIDS, he had been with his partner for over 20 years, and the gentleman who died, his family through him out of their house, said we don't love you, you're gay, you have AIDS, we don't -- you're not a part of our family. When he died, they came to the house to throw his partner out because they said, you know, you have no marriage license, we don't want you here, you're not a part of the family. So we didn't have the means of telling the world that there was a presumption in his favor.

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

MR. KIRDAHY:
I thank you all for your time, your integrity.

P.O. TONNA:
To tell you quite honestly, listening to different testimony, I think you have helped convince me. You know, I was on the fence about this. You have helped convince me. Seeing your father in the audience who spent years working in the Wyandanch area to help the poor. To have a family of such credibility, you have helped me.

MR. KIRDAHY:

I'm the luckiest person alive. I thank you.

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

D.P.O. POSTAL:
Next speaker is Ken Drange.

MR. DRANGE:
Thank you. Good morning and, I guess, good afternoon. My name is Ken Drange. I represent the Shinnecock Hills Association, a coalition. And I would like to talk about emergency shelters for the homeless. I have spoken before you on a few occasions, and I have spoken to the Social Services Committee. And I first want to acknowledge Mr. Roper, who represents an area that I think should be enlightening to all of you. I and members of our coalition have spoken before you also. We have not understated anything that we have presented to you. If anything, we've been conservative. What has happened is three of your members, Lynne Nowick, Mr. Lindsay and Ms. Fisher have also been out to take a look. We have not exaggerated, we have not sensationalized anything.

We have children who are kept prisoners in motels when they're not in school or going to a DSS meeting. We have DSS, which is really a bureaucratic nightmare, as you've heard from Mr. Roper, which is requiring and keeping them a prisoner of this system by the way they work. That is outrageous that for over ten, 12 years, as Ms. Postal has made reference, that has been going on. Nothing's changed. I worked in Human Services as an executive director several years ago, and nothing has changed. Were it not for a private industry and not-for-profit, many of these individuals would die as the Reverend has mentioned. With not for profits, they are the only life blood. DSS is not the source and solution.

Over this past weekend, I returned home to find out there's been at least four additional crimes in my community because of four motels in my immediate area that are used as emergency shelters. The owners that I have presented to the DSS committee were up to nine motels and properties that they owned in Southampton Town, and it is growing. The Best Eastern Motel in East Quogue has been reopened for the homeless. The numbers are growing. The last count I had was a total of 493 families in the emergency shelter community. That is ridiculous. Our

school district has now expanded to two classes, one for residents, and one for the migrants and one for the homeless, because they are the latest additions and they are the most transient in and out. I think the ACLU would probably be interested in something of that nature, quality of education. What this means is that everyone is being abused, the home owners in the community because of dumping, the people who are residents of this hotel and have no choice, as you heard from Mr. Roper and from others. They are locked in prisoners of the system once they've entered it.

You also have the abusers of the system, DSS. They don't sign contracts with these emergency shelters, as you heard at DSS meetings. There's no contract. I thought everything from the County had to be issued in the form of a contract. What I'd like to say in conclusion is that I thank the members of the DSS Committee. Please inform yourselves, those who are general members of the Legislature, it's an important issue where millions of dollars can be saved. The only winners thus far are the one family who are running these slavery-like conditions. Thank you.

D.P.O. POSTAL:
Thank you, Mr. Drange. Question from Legislator Guldi.

LEG. GULDI:
Thanks for coming down again. I have -- the question I have is really that I know that you and a group have been making efforts to put together a meeting with the state representatives to try to address the real substantive systemic problems that create this situation.

MR. DRANGE:
Yes, sir

LEG. GULDI:
And I just asked my staff if you've notified me that such a meeting has been set up yet, because I want make sure I can be there with you when and if you succeed in getting --

MR. DRANGE:
A meeting has been set up with Senator LaValle, Mr. Theile, Mr. Wing, who's the DSS Commissioner for New York State, his assistant, Mr. Sullivan, members of the Southampton Town Board meeting.

LEG. GULDI:
When is this going to be held?

MR. DRANGE:
It will be held later next week.

LEG. GULDI:
Could you give me -- could you personally get me the exact time?

MR. DRANGE:
I will tell you that this is Mr. LaValle's meeting. He has been made aware of my request to have members or certain members of the Legislature involved, but it is not up to me. It's been made very clear to me that they do the inviting. I will also tell you that --

LEG. GULDI:
So that may explain why myself and none of my colleagues have been invited. But I'm perfectly willing to walk in on the meeting and have them throw me out.

MR. DRANGE:
That's not my call, so please understand that.

LEG. GULDI:
I understand that.

MR. DRANGE:
I do know that one of your members have essentially said at a prior meeting a month ago at this forum that there's nothing that the Suffolk County Legislature can do, we are tied by the state, there's nothing we can do, laws, etcetera, etcetera. And he was very eloquent in terms of giving dollars and cents and why you couldn't act. But I think from your own peers you're learning that you manage DSS, they report to you. You can do certain things. You can interact with not-for-profits. You can clear funds. You can do a wealth of things that apparently are not being done now. I know at the DSS meeting I gave handouts from Governmental Magazine, publication February 2002, where they rated the 40 largest counties in the United States of which Suffolk County is one of them. In terms of overall performance, they're rated third from the bottom, a

C-minus. By the way, this includes budget and fiscal management, computer technology, and managing for results. Suffolk came C-minus.

[SUBSTITUTION OF STENOGRAPHER - ALISON MAHONEY]

In terms of managing for results, they were the absolute last, they rated an F. Now, I bring this to your attention that it's not just we the citizens who have been pointing this out as you have heard in our frustration. But it is the rest of the country that is now reading this material. We have to do something. As Maxine Postal has mentioned, this has been going on for 15 years. When do you take action? When do you bite the bullet? Some of you will be elected to higher office, some of you will be appointed Judges, some of you will retire, and if nothing happens, are we then in two or three years to hear the same thing over and over again?

This is a human issue. And we have already pointed out that you can save millions of dollars by going from this emergency shelter to changing to shelters basically and also to buy into the homes. A young lady whose name I did not get earlier said why are you not using some of this money to buy permanent housing? At one of the prior sessions here you said, "Well, it's only not-for-profit, Suffolk County doesn't want to own these."

LEG. GULDI:
Well, it's not that we don't want to own these, it's that we have a prohibition against owning property for housing. The town governments -- the State has essentially said that that power is reserved for the town governments and you Suffolk County can't do it.

MR. DRANGE:
Trust me when I say this, we are very, very much into low and moderate income housing efforts and we are pushing for that. But as you know and you read in Newsday, it has taken years in some communities and legal costs just to get the towns to act. Now you represent your own communities in certain towns, why aren't you dealing with many of the towns in your own community to get low and moderate cost housing? It is ludicrous that we the public are constantly paying escalating taxes, seeing them wasted with DSS-like functions, albeit for good purposes but being wasted, and then to come back to you and say, "Why are we getting dumped on in our community? We have over 40% within nine motels in our community for emergency shelters now. There's only 15 throughout Suffolk County as far as emergency shelters; it's ludicrous.

Quality of life. Children being perpetuated, locked into a system, locked into a motel room. Adults not being able to do the appropriate thing by trying to get a job because they don't have transportation, sleeping in their car. I mean, this is ludicrous. They work for you and the County Executive. These are appointed positions that you must approve in many cases. Why are you not being better informed or being surprised that these constantly come before you and you hear the same thing repeatedly? I beg you, take a closer look, just as some of your peers have done, take a much closer look and begin to act. This is not the way government should work. Thank you.

UNKNOWN AUDIENCE MEMBER:
Here, here

LEG. GULDI:
Ken, I've got one more question and that is do you think State legislation merely changes the require -- adds an additional requirement that emergency housing include cooking facilities is going to do anything to substantively change this program?

MR. DRANGE:
It will do some initial marginal changes because it will involve a few thousand dollars to change each motel room. But when you get a 12 by 12 room where you have four, five, six people, and I am not exaggerating in this as some of you have been in touring these motels have witnessed. When the County -- our DSS then states that we bypass local health and safety rules, there's something dramatically wrong when you get six kids sleeping on mattresses on floors, when there's no cooking facilities, when ceptic systems are over pouring, when kids have no place to play, when there's no counseling at these locations; it's absolutely ludicrous. How can we as a civilized society allow people to live in this type of environment?

UNKNOWN AUDIENCE MEMBER:
(Inaudible).

MR. DRANGE:
I am talking as a resident of these communities where we have two motels within 500 feet of where I live, one on either side. What is ludicrous is that we allow this where DSS can take one community and create a really horrendous situation, not only for the community but then begin

to lock them up like their prisoners? I saw The Bird Man of Alcatraz a few years ago, some of you probably did, where they're locked up, well, that's what reminds me of families with children are like, that's exactly the way they're treated. You heard about these adults where they're kicked out at eleven in the morning. By the way, each motel has its own rules, they set the guidelines, it's not DSS strictly.

LEG. GULDI:
Ken, the rules and guidelines that we passed last year required a number of services to be provided by DSS.

MR. DRANGE:
They have them.

LEG. GULDI:
I'm told from people who work the food -- the food -- the community kitchen -- the food pantry, thank you -- at the Sacred Heart in Southampton that one of the primary -- in addition to having their stock stripped by the residents of the hotels, one of the primary shortages that they have is to meet the demand for soap and soap is one of the required provisions in our rules --

MR. DRANGE:
That is correct.

LEG. GULDI:
-- that we adopted as a Legislative body last year.

MR. DRANGE:
Yes.

LEG. GULDI:
How can the DSS permit an operator to meet -- to continue to operate under our rule without providing even something as basic as soap?

MR. DRANGE:
They don't enforce their own rules, it's that simple. Many of these children and families have no food when they go into the motel. As I told the DSS or Social Service committee, one resident

that was interviewed had two bottles or cans of ravioli in her purse for she and her two young children that had gone in the day before, they had no means of eating it because they couldn't open the cans, there was no heating or cooking utensils, there was no plates, no cups, no can openers. So I think -- you were one of those that went to the store and helped purchase food, and this is not exaggerating in terms of clothing either. This is not an exaggeration that we and members of our coalition have come before you, we are not exaggerating; if anything, we are understating it, if anything we're understating it.

I mean, when you get folks who come here out of their hardship, their time and their money, when you heard Mr. Roper, he is not exaggerating; for him to come here, that takes a major, major effort. Now, every one of us will have a profile in our mind what it is to be homeless, we're talking about someone who's drunk and is wandering downtown, all of that. No, that's not modern America. It's a condition that is existing right now because there are many among us who have a marginal income and they can't afford to live here on Long Island. There is not enough money in terms of paying rent when it costs two and three thousand in some communities.

Now, someone who has lost their job, they're earning 30 or $40,000 a year, is married with one or two children and they have to get a three bedroom home here on Long Island which might cost him $2,000 a month. After taxes, that take-home pay for that person might be for someone earning three or $4,000 a month might be 25 to 3,000 a month once you've taken out health insurance; how are they going to pay for $2,000 and live on the rest? They can't, and they need transportation, they need money to go to and from work, they need food for their families, they need health insurance funds. They can't live here without some means of support or at least help in terms of having a roof over their head. So what happens? Their home is sold and they're now on the street because they can't get an apartment or a place they can rent that is affordable.

And now they are, some of them, migrant people in the DSS system which takes them to an emergency shelter if all the regular shelters are full. And once out in the emergency shelter system, they are now told, "You must leave at eight o'clock," well, not the families but mostly just the couples, the singles. But as a family they are now locked into the motels, at least the children are, or if they still maintain going to their home school district they are now bussed for two, three hours a day where the children will wake up at five thirty in the morning and maybe they get a meal at the school they go to, maybe they get lunch and they come home at four or

five in the afternoon and they're expected in some motels to stay there. For parents who can't afford their car now, even though they might have some subsidiary income from some sources, are now locked into the system. And the minute they apply for a job and list the motel as their home, they are denied that job because they have no permanent residence.

D.P.O. POSTAL:
Mr. Drange, I know you're answering very, very fully, but I would like to see if we could move along. I think --

LEG. GULDI:
All I have to say, Ken, is thank you for your continued effort to come down here and bring these matters to my and my colleagues' attention. And I hope that we together can make some progress on this. Thank you. I have no further questions.

MR. DRANGE:
I thank you very much.

D.P.O. POSTAL:
And I think that -- did Legislator Nowick have a question?

LEG. NOWICK:
No, we'll move this along. But actually I do want to thank you for bringing this to our attention because at least it pushed us to take a ride and to visit with these people and I'm sure you have done that as well and to have the opportunity to speak to some of the residents of the motel and also to see that the children here are victims.

MR. DRANGE:
Absolutely.

LEG. NOWICK:
Thank you.

MR. DRANGE:
And more importantly, from the County perspective, what we have proposed in terms of creating more shelters, renting more homes, its going to save Suffolk County millions.

LEG. NOWICK:
Right.

MR. DRANGE:
That's not an exaggeration, that's real numbers, real numbers. Thank you very much.

D.P.O. POSTAL:
Thank you, Mr. Drange. Next speaker is Antonio Kelly. Antonio Kelly?

MR. KELLY:
Good afternoon. I'm here on behalf of Reverend Bacon and Compel. The gentleman that just left, what he was talking about, Reverent Bacon, his organization offered some of the solutions. I worked with him last year, I gave out turkeys for Thanksgiving, we gave out over a thousand between Christmas and Thanksgiving. He has a computer camp there for the kids, they train the kids, he has a job bank. So some of these people that are disenfranchised and not working, he trains them, he refers them, he sends them out, he does a lot for the community and I don't understand how it would be shut down, how he would be evicted. And he's right there while all these things are going on and he's trying to do what, in fact, the County cannot do and that's what's being done.

And I just think it would be a travesty if it was shut down because it's just a help to what we're all trying to get which is a better environment for all of us. Thank you.

UNKNOWN AUDIENCE MEMBER:
Thank you.

D.P.O. POSTAL:
Thank you. The next speaker is Michael P. Clark. Michael P. Clark? Next speaker is Roger Schneider.

MR. SCHNEIDER:
Thank you. I'll be quick because I've got to go meet the school bus. Briefly I wanted to speak on the Campaign Finance Reform. I think we need all the Campaign Finance Reform we can

get. I'd ask that you vote for Jon Cooper's bill. We need -- you know, there's good people at the BOE, there's fair people at the BOE, it's structurally set up to favor the two parties. There are a third of the people in Suffolk County which don't belong to the two parties and the one thing -- the two major parties. And the one thing I've learned that Democrats and Republicans agree on is supporting each other when it comes down to it.

So I think what we need to do is to look to a place that is nonpartisan and -- even Newsday which is a big fan of the major parties uses the word duopoly in its editorial today. So I would ask that you support that bill and we need to move farther along the road to Campaign Finance Reform.

The only other thing, domestic partnership bills, I think both bills are a start. I would ask that people vote for both bills. I'm not even sure why we're discussing this at this point, it seems a basic issue of fairness and I would ask that people support and vote for both bills. Thank you.

LEG. COOPER:
Thank you.

D.P.O. POSTAL:
Thank you. I have no more cards. Is there anyone who would like to address the Legislature at this time who has not had the opportunity to do so?

Okay, we're going to move to the agenda. I would -- have you spoken previously today?

MR. STORY:
No, I haven't.

D.P.O. POSTAL:
Okay, come up and give your name.

MR. STORY:
My name is Bishop Johnny J. Story, I'm the Pastor of the Church of God and True Holiness in Wyandanch and I'm here on behalf of our Reverend Bacon and Compel. And I just want to say that I know that he's doing a great job there in Wyandanch for the community, it would be very

detrimental if he's evicted and not allowed to continue the great work that he has started. I would ask you if you would to please give him the support that's necessary that would be a benefit not only to the people in Wyandanch but the people all over. Thank you.

D.P.O. POSTAL:
Thank you.

LEG. FOLEY:
Thank you.

D.P.O. POSTAL:
Come up and give your name.

MS. GOLTZ:
Hi. I'm just going to read something briefly regarding the smoking bill. My name is Janet Goltz, resident of Suffolk County. Okay, this is -- the bill I understand is going to be introduced today by Legislator Foley in a press conference. It's from August 12th, New York Times, it's an editorial about the city bill.

"The few remaining outposts of smoking in public indoor spaces in New York City such as small restaurants and bars will soon be smoke-free if Mayor Michael Bloomberg has his way and it seems that he will. While most of the workers in these establishments and their non-smoking customers breathe a sigh of relief, smokers find their universe shrinking yet again. The law, if passed by the City Council, will put the city alongside California and Delaware as the nation's most unaccommodating places for smoking. Causing a major loophole in the city's anti-smoking law, the Mayor has framed the proposed new ban as a worker's health issue and that has merit, especially considering that most other workplaces don't allow lighting up indoors. Studies show that bar and restaurant workers are at a greater risk for lung cancer than other workers. Bartenders in particular currently have no choice but to breathe in large quantities of secondhand smoke. Since taking office, Mr. Bloomberg has been a kind of anti-Marlboro man, targeting smoking as a public health enemy which makes him one of the best things to happen to lungs since the chest x-ray. Earlier this summer the Mayor put the squeeze on puffers with new cigarette taxes that pushed the price of a pack to more than $7, about twice the national average. Once the new ban is in effect, those extremely expensive cigarettes may burn a hole in some pockets and pocketbooks while their owners look for a place to use them. Expect

smokers to congregate just outside the establishments that once allowed them to light up in more social convivial surroundings. Mr. Bloomberg can anticipate challenges to the new ban, including the argument that it will hurt business. His staff rejects that notion with one exception, restaurants and bars will do just fine but the tobacco companies they say will feel the heat."

And of course I do support this legislation. Thank you.

D.P.O. POSTAL:
Thank you. Will all Legislators please come to the auditorium, we're going to address the agenda.

P.O. TONNA:
We're almost all here. Okay, I'd ask one more time, as the Deputy Presiding Officer has asked, I'd ask all Legislators to please come to the horseshoe. Okay.

I'm going to make a motion to approve the Consent Calendar, seconded by Legislator Postal. All in favor? Opposed?

MR. BARTON:
18.

P.O. TONNA:
I'm going to make a -- I'm going to request a discharge -- do we have it in front of us? Does everybody have it?

LEG. FOLEY:
What's the bill?

P.O. TONNA:
All right, then just get it all in front of everybody so I can at least make a motion to discharge and then at least this afternoon we can address it.

Okay, ***2001:***

Resolution No. 1957-01 - Dedicating certain lands now owned by the county of Suffolk to the county Nature Preserve pursuant to Article I of the Suffolk County Charter and Section 406 of the New York Real Property Tax Law at Bergen Point (West Babylon) (Bishop). Legislator Bishop, is there a motion?

LEG. BISHOP:
Motion to table one more meeting.

P.O. TONNA:
Second by myself. All in favor? Opposed? Tabled.

MR. BARTON:
18.

P.O. TONNA:
Great. Okay, ***2002:***

Motion 100 -- 1000-02 - Imposing reverter clause on non-Brookhaven Town PILOT Payments pending appeal of Gowan decision (Haley). Legislator Haley makes a motion to approve, seconded by Legislator Caracappa. I make a motion to table, seconded by Legislator Postal. All in favor? Opposed? Tabled. You have opposed to table, Legislators Haley, Fisher, Caracappa, Towle; surprise, surprise.

LEG. BINDER:
And Binder.

P.O. TONNA:
Okay, and Binder, right. And Crecca I'm sure if he's around.

LEG. CRECCA:
Crecca is right here.

P.O. TONNA:
Okay. You're opposed to that, too, right, because it has to do with Brookhaven; you never know

what the future holds.

MR. BARTON:

12, it's tabled. (Opposed: Legislators Haley, Fisher, Caracappa, Towle, Binder & Crecca).

P.O. TONNA:

Okay.

All right, No. ***1050-02 - Authorizing retrofitting of traffic lights and LED fixtures (Cooper).*** Motion by Legislator Cooper; to table, Legislator Cooper?

LEG. COOPER:

Yes, please.

P.O. TONNA:

Seconded by myself. All in favor? Opposed? Tabled.

MR. BARTON:

18.

P.O. TONNA:

1275-02 - To implement Town of Babylon Affordable Housing Plan (Postal). Motion by Legislator --

LEG. POSTAL:

Motion to table.

P.O. TONNA:

-- Postal to table, second by myself. All in favor? Opposed? Tabled.

MR. BARTON:

18.

P.O. TONNA:

1391-02 - Adopting Local Law No. 2002, a Local Law to facilitate full public

disclosure of County Election Campaign Finances (Cooper). Motion by Legislator Cooper to?

LEG. COOPER:
I'd like to delay the vote on this until later in the session.

P.O. TONNA:
Okay. You know what? We're going to hold off, we're going to skip this resolution, okay. Do you mind that, everybody? I think that would be great, we can get some of the other stuff out of the way.

1395-02 - Initiating procedure for Environmental Impact Statement (EIS) for 2003 Vector Control Plan of Work (Fields). Legislator Fields, there's a motion?

LEG. FIELDS:
Table.

P.O. TONNA:
Table, seconded by myself. All in favor? Opposed? Tabled.

MR. BARTON:
18, it's tabled.

P.O. TONNA:
1421-02 - Authorizing the county executive to establish a Unified Child Placement Committee (Postal). Motion by Legislator Postal to table, second by myself. All in favor? Opposed? Tabled.

MR. BARTON:
18.

P.O. TONNA:
1556-02 - 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). Motion by Legislator Towle.

LEG. TOWLE:

To approve.

P.O. TONNA:

To approve, seconded by Legislator Fields. All in favor? Opposed? Approved.

MR. BARTON:

18.

LEG. FOLEY:

Cosponsor.

P.O. TONNA:

1585-02 - Authorizing waiver of interest and penalties for property tax for Joseph Bryan and Marie Bryan (SCTM No. 0200-979.70-02.00-025.000). Motion by Legislator Foley to approve, seconded by -- Paul, we can't?

MR. SABATINO:

You have to table that bill.

P.O. TONNA:

Okay, table, seconded by myself. All in favor? Opposed? Tabled.

LEG. GULDI:

Opposed.

LEG. FOLEY:

Opposed.

P.O. TONNA:

Opposed, Legislator -- okay, so the -- I am the motion, the second would be Legislator Postal.

MR. BARTON:

16 (Opposed: Legislators Guldi & Foley).

P.O. TONNA:

1596-02 - Authorizing installation of monument on County property in Town of Babylon to honor volunteer firefighters and rescue workers (Postal). Motion by Legislator Postal to approve, seconded by myself. Just on the motion, it went to the Memorials and Symbols Committee and we're all set, raring to go.

LEG. POSTAL:

Mr. Chairman, I would just like to thank the committee and its Chair.

P.O. TONNA:

Great; I can feel the love. All in favor? Opposed? Approved.

MR. BARTON:

18.

P.O. TONNA:

1660A, 1660-02 - Amending the 2002 Capital Budget and Program and appropriating funds in connection with Mental Health Information System (CP 4063) (County Executive). There's a motion by I guess myself, second by Legislator Foley. Roll call.

LEG. GULDI:

On the motion.

P.O. TONNA:

On the motion.

LEG. GULDI:

Why were we tabling this and what has changed to let us move it now?

P.O. TONNA:

I think that the Health Committee had some questions about the $182,000 or whatever else and I think those questions were answered.

LEG. FOLEY:

Yeah, the questions were answered. This year we can appropriate the funds through the Capital Program. This is a priority of the Division of Mental Health. We've tabled this for a long period of time when we were originally were going to use operating dollars, but because of the one year exemption we're allowing some projects to be funded through the Capital Program. Because of the importance of this particular program, the sponsor the bill, the County Executive, has changed the appropriation from operating funds to the Capital Budget and Program which is in keeping with the exemption that we've permitted for --

P.O. TONNA:

Thank you very much.

MR. SABATINO:

This would require a 14 vote, Mr. Chairman.

P.O. TONNA:

This is a 4 vote resolution. Legislator Guldi, you still have the floor. Any other questions?

LEG. GULDI:

No. Thank you.

P.O. TONNA:

Fine. Roll call.

(*Roll Called by Mr. Barton, Clerk*)

P.O. TONNA:

Yes.

LEG. FOLEY:

Yes.

LEG. CARACCIOLO:

(Not Present).

LEG. GULDI:

Yes.

LEG. TOWLE:

Yes.

LEG. CARACAPPA:

Yes.

LEG. FISHER:

Yes.

LEG. HALEY:

Yes.

LEG. LINDSAY:

Yes.

LEG. FIELDS:

Yes.

LEG. ALDEN:

Yes.

LEG. CARPENTER:

Yes.

LEG. CRECCA:

Yes.

LEG. NOWICK:

Yes.

LEG. BISHOP:

Yes.

LEG. BINDER:

Yes.

LEG. COOPER:

Yes.

LEG. POSTAL:

Yes.

MR. BARTON:

17, one not present on the bond (Not Present: Legislator Caracciolo).

P.O. TONNA:

Thank you.

1671 --

LEG. CARPENTER:

Motion.

P.O. TONNA:

Oh, same motion, same second, same vote on 1660; thank you.

1671-02 - Amending the 2002 Operating Budget in connection with the addition of six security guards for County Buildings (County Executive).

LEG. CARPENTER:

Motion.

P.O. TONNA:

Motion by Legislator Carpenter, second by myself. Legislator Towle, do you have any questions?

LEG. GULDI:

On the motion.

P.O. TONNA:

No, they have been answered? Legislator Guldi.

LEG. GULDI:

On the motion, yeah. After -- during -- after the presentation, I spoke to the people from the County and they indicated that they would be making some changes in the implementation of the plan as a result directly addressing the comments and concerns I raised and that the -- they expect that the experience will give them other changes in the implementation that they need, even between now and the redesign. Given that kind of flexibility and the fact that this resolution merely approves the positions, I'm going to support it.

P.O. TONNA:

Thank you very much. Oh, wonderful days. Yes, Legislator Towle.

LEG. TOWLE:

Mr. Chairman, two things. You weren't't in the room before when we debated the issue --

P.O. TONNA:

But I was listening.

LEG. TOWLE:

-- but I know -- I know you were listening. I just wanted to, A, thank you for listening and knowing that you must have made a note on your pad that the Legislature received a copy of the SOP regarding the security plan that they obviously did not have today, and if they could continue to give us progress report on their movements in attempting to secure both the County Center in Riverhead and the Dennison Building, I think it's appropriate that we be kept in the loop on that subject.

P.O. TONNA:

Great. Thank you very much, Legislator Towle, and thank you very much for your work in asking for those things. 17 -- oh, motion and a second. All in favor? Opposed?

MR. BARTON:
16, two not present (Not Present: Legislators Caracciolo & Crecca).

P.O. TONNA:
Thank you.

1734-02 - Designating contract agency for education component of Universal Child Sexual Abuse Reporting Policy for Suffokl County (Caracappa). Motion by Legislator Caracappa, seconded by Legislator --

LEG. COOPER:
Motion to table.

P.O. TONNA:
Okay, hold it, we have to have a second. Who's the second? Second by Legislator Towle. Legislator Cooper has made a motion to table, seconded by Legislator Binder. Okay, on the tabling motion, all in favor? Opposed?

LEG. CRECCA:
Opposed.

P.O. TONNA:
Okay, tabled but with the abstention -- opposition of Legislator Crecca, Alden, Haley, Caracappa, Towle. Thank you.

Okay, 1746 --

MR. BARTON:
12-5, one not present (Not Present: Legislator Caracciolo).

P.O. TONNA:
Thank you, sir.

1746-02 - Authorizing, empowering and directing the Department of Law to implement the provision of Resolution No. 1024-2001 creating a credit card payment system for County departments (Carpenter).

Motion by Legislator Carpenter?

LEG. CARPENTER:

Table.

P.O. TONNA:

Table, second by myself. All in favor? Opposed? Tabled.

MR. BARTON:

17, one not present (Not Present: Legislator Caracciolo).

1784-02- Adopting Local Law No. 2002, a Local Law to include Gabreski Airport facility use as Ethics Law Exception (Towle).

Motion by Legislator Towle to table, seconded by myself. All in favor? Opposed? Tabled.

MR. BARTON:

17, one not present (Not Present: Legislator Caracciolo).

P.O. TONNA:

1786 --

LEG. GULDI:

Abstention on that last one.

P.O. TONNA:

Yes, I'm sure we're going to have a few of those.

MR. BARTON:

16-0-1, one not present (Not Present: Legislator Caracciolo).

P.O. TONNA:

1786-02 - Authorizing the lease of vacant land located at Francis S. Gabreski Airport, Westhampton, New York, for aircraft hangar purposes (Towle). Motion to table by Legislator Towle, seconded by myself.
All in favor? Opposed? Tabled.

MR. BARTON:
16, 1 abstention, one not present (Not Present: Legislator Caracciolo).

P.O. TONNA:
1799-02 - Designating certain contract agencies for education component of Universal Child Sexual Abuse Reporting Policy for Suffolk County (Nowick). Motion by Legislator Nowick. Is there a second?

LEG. NOWICK:
I have to table that.

P.O. TONNA:
You want to table it? Seconded by myself, tabling. All in favor? Opposed? Tabled.

MR. BARTON:
17, one not present (Not Present: Legislator Caracciolo).

P.O. TONNA:
1833-02 - Implementing Pay-as-you-Go 1/4% Taxpayer Protection Plan for Water Quality Protection and Restoration Program for Pilot testing of unique "Storm Box" drains (Bishop). Motion by Legislator Bishop to approve.

LEG. CARPENTER:
Second.

P.O. TONNA:
Seconded by Legislator Foley. On the motion; what do we do here, what is this?

LEG. BISHOP:

This is the rocks in the box.

P.O. TONNA:

Rocks in the box.

LEG. BISHOP:

What I refer to as rocks in the box.

P.O. TONNA:

I've heard that analogy used before but not in relation to this.

LEG. BISHOP:

This is experimenting on Bergen Avenue in Babylon with a technology that's been developed here in Suffolk County using volcanic rocks from Wyoming as natural agents that can clean our storm water runoff. It was approved by the Quarter Cent Committee, that was the delay, it's been CEQ approved as well.

P.O. TONNA:

Okay.

LEG. BISHOP:

And actually, in laboratory testing it's been proved more than 90% effective in cleaning stormwater runoff. So if this actually works, placing these rocks in a box into our storm drains, we will have in a decade a much cleaner estuary.

P.O. TONNA:

Great. Rocks in a box, I've heard that related to some people's heads, but anyway. All right, Legislator Fields.

LEG. FIELDS:

I was just going to comment that it was approved in the Quarter Percent Committee.

P.O. TONNA:

Great. Thank you. All in favor? Opposed?

MR. BARTON:

17, one not present (Not Present. Legislator Caracciolo).

P.O. TONNA:

There you go, rocks in a box.

LEG. LINDSAY:

Cosponsor.

LEG. FOLEY:

Cosponsor.

P.O. TONNA:

18 -- cosponsor, Legislator Lindsay and Legislator Foley for rocks in a box.

1856-02 - Adopting Mass Transportation System Map Policy for Suffolk County (Postal). Legislator Postal?

LEG. POSTAL:

Mr. Chairman, I will make a motion to table this. The Department of Public Works has indicated that they have these maps and they were just having them printed and they told me that they would have them, as a matter of fact, this month.

P.O. TONNA:

Great.

D.P.O. POSTAL:

It's my intention to table this till the end of the month and I told them that at that point, if they did not have the maps, I would move forward. However, I really am beginning to think that it's wise to move forward at the end of the month anyway in view of any changes in personnel that might occur in the future in the Department of Public Works that we as a County as a policy provide maps to the public. But I will table it till the end of month.

P.O. TONNA:

Great. I second it. All in favor? Opposed? Tabled.

MR. BARTON:

17, one not present (Not Present: Legislator Caracciolo).

P.O. TONNA:

1859-02 - Creating Suffolk COunty Transportation Advisory Board (Foley). Motion by Legislator Foley.

LEG. FOLEY:

Mr. Chairman, I need to table it just one more round.

P.O. TONNA:

Oh, sure.

LEG. FOLEY:

We made some minor changes and --

P.O. TONNA:

And I will second that table.

LEG. FOLEY:

-- it will be ready for the next go-around.

P.O. TONNA:

Great. All in favor? Opposed? Tabled.

LEG. FOLEY:

Thank you.

MR. BARTON:

17, one not present (Not Present: Legislator Caracciolo).

P.O. TONNA:

I'm going -- at this point, I would like to discharge Resolution 1919 and hope that there will be a

second by Legislator Guldi. Legislator Guldi, this is the Herb Hemendinger resolution.

LEG. GULDI:
Yes, second.

P.O. TONNA:
The reason why this is to be discharged, at the committee this piece of legislation did not have its backup which was a resume which I'm sure that someone in my office is responsible for. And secondly, I think that we wanted to make sure that there was a request that the gentleman come in front of us to be interviewed and he wasn't there. I have a motion to discharge. I think, you know -- and a second. All in favor? Opposed?

MR. BARTON:
17, one not present (Not Present: Legislator Caracciolo).

P.O. TONNA:
Thank you. And just for everybody, we are going to ask the gentleman to come in front of the Legislature, so if any Legislators have a question, you know, they will be able to address that at the time when we vote on this. Thank you very much.

LEG. TOWLE:
Mr. Chairman?

P.O. TONNA:
Legislator Towle has a bill that he would like --

LEG. TOWLE:
Actually two.

P.O. TONNA:
Two. Well, let's go for one, 1647.

LEG. TOWLE:
Yes, 1647, I wanted to make a motion to discharge the bill from committee, it is regarding --

LEG. GULDI:

Second.

LEG. TOWLE:

-- policy for volunteer firemen and EMS personnel who are County employees.

P.O. TONNA:

I just -- before we do that, I just want to ask which committee these are in; this was in Public Safety?

LEG. TOWLE:

Yeah, they're both from Public Safety going back to May.

P.O. TONNA:

Do you have permission from the Public Safety Chairman? Okay.

LEG. CARPENTER:

No, there was quite a bit of discussion, Mr. Chairman, on both these resolutions in committee and the fact that the County's portion of -- just one moment, let me just have the bills in front of me.

LEG. BISHOP:

It's not this one, that was Cooper's bill that was discussed.

P.O. TONNA:

We're talking about 1647 and --

LEG. TOWLE:

1647 which would direct the County Executive through negotiations with our unions through collective bargaining to provide release time to County employees for the purpose of training and recertification who are volunteer firefighters or ambulance personnel. The fiscal impact is also attached to the back of the bill, Mr. Chairman. And no one has contacted my office with any questions on either of these resolutions.

LEG. CARPENTER:

Well, there was discussion in committee about this from some of the department heads and Commissioners and if I'm not mistaken, it was Commissioner Fischler and -- who had some concerns about this. So I would prefer to leave it in committee, we're meeting again in three weeks.

LEG. TOWLE:
Legislator Carpenter, just for the record, I mean, let's be clear to the other Legislators, it's not even in committee, you've tabled it subject to call. So it's not even on the agenda, it hasn't been discussed, I haven't from Commissioner Fischler or Commissioner Gallagher. They have not written on this resolution, to the best of my knowledge, or on either of the resolutions, and nor have I heard from anybody from the Public Safety Committee. The bill has languished in committee since May 21st and all the bill would do is direct the County Executive to negotiate this as part of collective bargaining; at least as far as the first bill was concerned.

P.O. TONNA:
Just --

LEG. CARPENTER:
If I could just respond. By nature of the fact that it was tabled subject to call I think makes it even more important that we not move forward with it today without any real discussion on it, without having the -- if you would like to --

LEG. TOWLE:
What questions were there, Legislator Carpenter?

P.O. TONNA:
Wait, wait, wait, wait, just wait one second. Legislator Carpenter --

LEG. BISHOP:
She didn't know you were going to move them forward at this time.

LEG. CARPENTER:
Exactly.

P.O. TONNA:

Legislator Carpenter has the floor. Legislator Bishop, for comments of the peanut gallery, you can be recognized and then be on the record, but from the standpoint of -- Legislator Carpenter has the floor; do you have anything else?

LEG. CARPENTER:
There was discussion in the committee, the bills were tabled subject to call, there were concerns voiced by the Commissioners. I will direct them to contact you directly with their concerns, but I don't feel that it is appropriate to move forward with the bills today. We had know inkling that you -- you did not call me either to say that you wanted to get these bills moved forward today.

LEG. TOWLE:
No, I did not.

LEG. CARPENTER:
So as the Chairman of the committee, I am going to suggest that it

would be probably a little bit more judicious to leave them in committee for this cycle, we're meeting again in three weeks.

P.O. TONNA:
Okay. I just want to be recognized and then, Legislator Towle, I will recognize you.

LEG. TOWLE:
Yes, fine.

P.O. TONNA:
My concern with these bills is not on the merit of the bills at all. My concern with these bills is about procedures and how Legislators deal with each other, whether it be on committee levels or whatever else. It seem to me that there has been a breakdown in communication. Legislator Towle, or anybody, I just think communication is a two way street, both are responsible whenever dealing with any type of bills.

If somebody puts a bill in and a bill gets tabled subject to call, I would say that the Legislator who put the bill in should probably inquire why to a committee Chairperson or to members of the committee; vice versa, I think that committee chairpeople should communicate with Legislators.

So I would ask, because I know this is a very functional body and I say that quote/unquote, I would ask that people communicate to each other. I at this time will not support the discharge of a resolution because a committee Chairperson has asked for one cycle not two. I will look at the merits of the bill, this is -- I have not been informed that they would be discharged today either. So I would say maybe the Legislators should talk. Thank you. Legislator Towle.

LEG. TOWLE:
Mr. Chairman, I did speak to some members of the Public Safety Committee, I did not speak to the Chairwoman. And I also did read each of the minutes from the meeting in May, and in fact in the minutes, probably at the first or second meeting it was discussed how members of the committee were going to talk to me, that obviously never happened. I've met with the Police Commissioner and I've met with FRES on numerous occasions between May and now and this subject has never come up, it's never come up because unless I made the motion today to discharge the bill from committee, this issue would have died in committee because the bill is tabled subject to call. So I respect your decision not to support that, that's fine, my motion stands and I'm going to motion to discharge this bill from committee.

P.O. TONNA:
There's a motion by yourself. Is there a second?

LEG. TOWLE:
Yeah, Legislator Guldi. The fiscal impact is still attached to the bill. As we can all read, it is clear that, you know, the fiscal impact is undetermined at this point because of the fact that it would be something done through collective bargaining. And in light of the things that have happened over the last year, the County needs to lead by example for our volunteer firefighters and our EMS personnel. And clearly with the amount of training that is now required with those

jobs, to try to provide this benefit to our employees I think would be a very responsible thing.

P.O. TONNA:
Okay, thank you very much. Legislator Guldi wants to be recognized, then Legislator Foley.

LEG. GULDI:
Yeah, on the motion. The -- with all due respect to our practice of honoring committee chairman's request to keep bills in committee for consideration, this bill has been considered in

committee and tabled subject to call. I think that it does not fall within that standard rubric and that if the sponsor wants it to be considered by the full Legislature, this is the proper mechanism for doing that since it has been voted on and tabled subject to call in committee.

P.O. TONNA:
Well, it is an artificial construct, I mean, there's nothing legally wrong with Legislator Towle asking, I'm just trying to stay as consistent as I can.

LEG. GULDI:
Yeah, but I wanted to point out, if I may, that there's a difference between the usual bill tabled in committee that has been -- has not yet been fully addressed by the committee, that there are outstanding questions or additional information on, that's the committee process. Here the committee has voted the bill tabled subject to call, it's been there for quite -- for a number of meeting cycles; this is different. And I urge my colleagues to -- if you want to get to the merits of the bill, this is the right way and the right time to do that.

P.O. TONNA:
Right. I would just say that although your characterization about looking at the -- I've just extended to each committee chairperson the -- you know, whether it be -- whatever, the courtesy of saying a committee chairperson is able -- or Chairwoman, Chairperson, Chairman, who is able to hold something one cycle. But anyway, go ahead, Legislator Foley.

LEG. FOLEY:
Just a question for Counsel. If this isn't reported out today then the bill dies in committee; is that the point?

LEG. TOWLE:
No, it has one more I think.

LEG. FOLEY:
It has one more; does it have one more?

MR. SABATINO:
The bill would die November 21st which means probably two meetings, one in October, one in November.

P.O. TONNA:

Okay, thank you. There is a motion and a second to discharge.

LEG. TOWLE:

Roll call.

LEG. CARPENTER:

On the motion.

P.O. TONNA:

On the motion, Legislator Carpenter.

LEG. CARPENTER:

If I could, I just want to make sure that the sponsor of the resolution did hear me. I would be very happy to have this subject of discussion at the next Public Safety Committee meeting.

P.O. TONNA:

Thank you. There is a motion and a second. Roll call.

(*Roll Called by Mr. Barton, Clerk*)

LEG. TOWLE:

Yes.

LEG. GULDI:

Yes.

LEG. CARACCIOLO:

(Not Present).

LEG. CARACAPPA:

(Not Present)

LEG. FISHER:

No.

LEG. HALEY:

Yes.

LEG. FOLEY:

No.

LEG. LINDSAY:

No.

LEG. FIELDS:

No.

LEG. ALDEN:

Abstain.

LEG. CARPENTER:

No.

LEG. CRECCA:

Abstain.

LEG. NOWICK:

(Not present).

LEG. BISHOP:

No.

LEG. BINDER:

Yes.

LEG. COOPER:

No.

LEG. POSTAL:

No.

P.O. TONNA:

No.

LEG. CRECCA:

Nowick is back in the room.

LEG. NOWICK:

No.

P.O. TONNA:

Okay, thank you.

MR. BARTON:

Five.

P.O. TONNA:

All right. You have another motion, Legislator Towle?

LEG. TOWLE:

Yeah, I'm assuming it will be the same vote but I'll make a motion on 1649 for the purpose of the record.

LEG. GULDI:

Same second.

P.O. TONNA:

There's a second by Legislator Guldi. Roll call.

(*Roll Called by Mr. Barton, Clerk*)

LEG. TOWLE:

Yes.

LEG. GULDI:

Yes.

LEG. CARACCIOLO:

(Not present).

LEG. CARACAPPA:

Yes.

LEG. FISHER:

No.

LEG. HALEY:

To discharge, yes.

LEG. FOLEY:

No.

LEG. LINDSAY:

No.

LEG. FIELDS:

No.

LEG. ALDEN:

Abstain.

LEG. CARPENTER:

No.

LEG. CRECCA:

Abstain.

LEG. NOWICK:

Pass.

LEG. BISHOP:
No.

LEG. BINDER:
Yes.

LEG. COOPER:
No.

LEG. POSTAL:
No.

P.O. TONNA:
No.

LEG. NOWICK:
Abstain.

MR. BARTON:
Five.

P.O. TONNA:
Thank you. And meeting adjourned till -- no, no, recessed. Meeting adjourned forever. Meeting recessed till 2:30. Thank you.

[THE MEETING WAS RECESSED AT 12:29 AND RESUMED AT 2:36 P.M.]

{TRANSCRIBED BY STENOGRAPHER - DONNA CATALANO}

P.O. TONNA:
Okay we're going to start with our public hearings. The Clerk, would you please do the roll call and advise the affidavits of publication are in proper order and duly filed? We don't need a

quorum. Henry, you're ready.

MR. BARTON:
I'm ready.

P.O. TONNA:
We're ready. Okay. Public hearing regarding **number, 1829-A local law authorizing 10 percent property tax exemption for volunteer firefighters and ambulance workers.** Are there any cards? Thank you so much. Michael Hollander. Michael, how are you?

MR. HOLLANDER:
I'm fine. How are you?

P.O. TONNA:
Good, Michael. By the way, how's your car, how's it doing, good?

MR. HOLLANDER:
My car is doing really well. I'm washing it and cleaning it, and I just got a new license plate two months ago and was able to get one from the State that says "Tourism", so you won't be able to miss it in the highway.

P.O. TONNA:
There you go.

LEG. TOWLE:
Mr. Chairman, if you would suffer an interruption after harassing Mr. Hollander.

P.O. TONNA:
I'm not harassing him. Michael knows the only harassment that I've ever given him is on the golf course. That round took three times the amount of time it should have taken considering the amount of places that he was.

LEG. TOWLE:
He stressed something about an eraser and a pencil when you were playing golf with him, that's why the rounds took longer. Since you harassed him about the car, I just also wanted to point

out that it's my understanding that Mr. Hollander was elected Chairman of the Community College Board, and I want to congratulate him on that.

MR. HOLLANDER:
Thank you.

P.O. TONNA:
After we're done here, you know, there's always backroom stuff. I would love to have you back there and just talk to you a little. Michael, please, tell me what's on your mind.

MR. HOLLANDER:
Usually you'll see me talking about tourism or talking about the college. But one of the other things that's very important to me besides my family is the fire service. And I've been in the fire service for the thirteen years. I'm an advanced emergency medical technician with the fire department. I also serve on REMSCO, which is the Regional Emergency Suffolk Counsel. And as you may know, I was the Chairman of the Helicopter Committee for the past seven or eight years, and I thank you for the helicopters and following up on the East End service. And I'm a member of the Nesconset Fire District and Department.

I think it's important for you to know that although volunteerism is alive, it gets harder and harder to keep volunteers in the service and get new people. We have a department of about 144 people, and finding new people is very, very hard. In fact, Suffolk County took a lead in putting together a recruitment program. They went out -- I saw Tom Cullen here -- they put advertizing out in the stores, they got radio spots, PSAs and all kinds of things to attract people. And the program is working, but it's not working enough. In our department, we still don't have enough medical people. We're always looking for new fire people. And in our service, usually after about seven or eight, years you get burnt out. And that means to me is that in your first couple of years, you probably could do 400, 450, 500 calls. But after about four or five years, you can see the number go in half, maybe 175 to 200. And what happens is you just get burnt out because in Suffolk County most of us are carrying pagers, so we could be eating dinner, we could be sitting watching television, we could be playing with our kids, we can be in the pool, doing whatever we're doing, the beeper goes off, and these volunteers leave what they're doing. They call in, they jump into a uniform, they head to the firehouse, and they're gone for the next couple of hours. And if it's an advanced life support call on an ambulance, it could be three, four, five hours.

It's very hard for us to find new people. And this kind of incentive, while it shouldn't be the main reason why the people join the firehouse, it could be an added incentive to why people join the firehouse, and we need that help. And obviously this kind of law, not only the County support, but we need support from the school districts, the fire districts and from the towns to really make it have some meaning. But you need to remember in case you forget, I don't think you do, but the County doesn't pay for fire or ambulance service. It's all done within the districts, and the districts need help. And these are programs the districts have been thinking about, but it needs more momentum to make it happen. But I think what I'm saying is true in all firehouses across the County, we need help, we need incentives to find more people to serve. Thank you.

LEG. CARACCIOLO:
Question

D.P.O. POSTAL:
Legislator Caracciolo.

LEG. CARACCIOLO:
Mike, thanks for coming down and making a presentation. As it relates to you as a volunteer, what would the 10% tax relief equate to?

MR. HOLLANDER:
To me? In -- for you guys, it would probably be about $110.

LEG. CARACCIOLO:
So your County taxes are over a thousand dollars a year?

MR. HOLLANDER:
Well, I don't know what they are, so I'm just trying to guess what they are. I know what my total taxes are. My total taxes are about $12,000.

LEG. CARACCIOLO:
Okay. So then your County taxes represent you live in one of the five west end towns.

MR. HOLLANDER:

In Nesconset, Smithtown.

LEG. CARACCIOLO:

So it's about 15% of your total tax bill.

MR. HOLLANDER:

I'll going to guess that maybe taxes for the County were two or $300. Does that sound right? I'm not sure. I know school taxes were six or 7000, fire district was 475.

LEG. CARACCIOLO:

Yeah. And your town tax and so forth. So it's probably in your instance somewhere around 12 to $1500.

MR. HOLLANDER:

Yeah, probably. I'm not positive.

LEG. CARACCIOLO:

I just want volunteers to understand should the resolution be successful that the tax relief is not significant, but on the other hand, it's not insignificant. And I appreciate your presentation.

MR. HOLLANDER:

You know what it is? It's an effort. We need help. And again, Suffolk County has done this great recruitment program, and they're getting a lot of help, but it can't hurt to do a little bit more.

LEG. CARACCIOLO:

Thank you.

D.P.O. POSTAL:

Legislator Nowick has a question.

LEG. NOWICK:

Michael. Michael, you're not done.

MR. HOLLANDER:
Sorry.

LEG. NOWICK:
Congratulations by the way.

MR. HOLLANDER:
Thank you.

LEG. NOWICK:
Nice to have you here. Michael, just to make it clear to all of us, this 10%, you feel that the volunteer workers would in fact enjoy a 10% -- like $100 off their County tax?

MR. HOLLANDER:
I was talking with Angie and Jon a little bit about it before. The mentality of the volunteer --

LEG. NOWICK:
That's what I want to know.

MR. HOLLANDER:
-- isn't going to change. I don't think people in my fire department and other fire districts are going to leave the fire district because you don't do it. We're trying to find a way to coax other people to come try it out. They probably have the right incentive, they probably have the right idea that they want to give back to the community, but maybe they can't find enough time to do it, maybe the incentives -- their work schedule is too much, their life is too much, and maybe if there was some type of monetary incentive that would pay the phone bill or pay the electric bill or pay something, they would say, you know what, I can go do it make it, and now it's a little more worthwhile to do.

LEG. NOWICK:
I'm just trying to get an idea of how they feel. I know it's not a lot of money, but if you think that the volunteers feel this is a good thing.

MR. HOLLANDER:

I think they think it's a good thing. I think they think it's a good idea to bring new people in.

LEG. NOWICK:
And they are aware that their school tax is the big one.

MR. HOLLANDER:
School tax, the fire districts themselves, yes.

LEG. NOWICK:
That's where they would save the money. But I just wanted to get a feel for what your volunteers felt.

MR. HOLLANDER:
Yeah, true.

LEG. NOWICK:
Thank you

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

MR. HOLLANDER:
Thank you.

D.P.O. POSTAL:
Next speaker is Jeffrey Davis.

MR. DAVIS:
Good afternoon. My name is Jeffrey Davis, I'm with the Middle Island Fire Department, and I've been in ever since about 1974. I would just like to basically echo what Michael has spoke about is the incentive to, like, get more members in and then also to have volunteers get a sense that people understand the job that the volunteers are doing. I know I gave Mr. Cooper a copy of our monthly calender, and with everything that's been going on with the extra training and everything, the amount of time that a person has to spend at the fire department and people

hold two jobs, it's just to be able to carry on the extra couple of hundred dollars coming off your tax is a good thing. And if the County passes it, then of course, we would then go to the towns and all the other people and get them to go on it also. So I know there's other people, so I don't want to take up anymore time, but I would thank -- would like to thank Legislator Cooper and the other Legislators I have been in contact with and who have contacted me back. And I'd just ask that the Legislature pass this. Thank you.

D.P.O. POSTAL:
Thank you.

LEG. FOLEY:
Madam Chair, if I may

D.P.O. POSTAL:
There's a question from Legislator Foley.

LEG. FOLEY:
It's really an observation. I want to thank you for your comments, Jeff, and the fine work that the volunteers firefighters in Brookhaven Town have done. I know that you're representing quite a large area in a number of fire departments here today as well. So I've been hearing from my part of the township as well. There's strong support for this particular legislation. So I thank you for your comments.

MR. DAVIS:
Thank you, Mr. Foley. Thank you.

D.P.O. POSTAL:
Thank you. Next speaker is Gregory J. Anderson.

MR. ANDERSON:
Good afternoon. I'm Greg Anderson, and I'm ex-chief of Nesconset. I work with Michael, but I'm also President of the Fire Chief's Council of Suffolk County. I represent the 110 departments in Suffolk County. And I normally attend almost all their township meetings at least once a month. We've talked about this issue, and again, we think it's a step in the right direction. As you know, the demand for Fire and EMS Service has increased at least tenfold over the last ten

or 15 years. The ambulance calls have gone up dramatically, and it takes more and more people to answer them, especially with people having as it was indicated before, you have to work two jobs, there's demands on you. So anything that can help us get more recruitment, people that can dedicate time to training, because it's an awful lot of training now to become EMT or an AMT and even a firefighter.

With all this terrorism training out there now, that's an additional training, to get them trained in that end of the business. So we do need anything that could help us, as Michael indicated, to get those few extra people in that would help us meet the demands of the County and of the Fire Service and EMS calls in the County. So, again, not to repeat and repeat, we would appreciate your help. We think this is a step in the right direction. We feel that if you lead the way, the other organizations, maybe the school districts, can get on board here and help us out in this matter. Thank you.

D.P.O. POSTAL:
Thank you.

LEG. COOPER:
Thank you

D.P.O. POSTAL:
Next speaker is Drew Silverman.

MR. SILVERMAN:
Good afternoon, everybody. Some of you know me, I'm Drew Silverman. I'm a volunteer ex-chief and past President of the Huntington Community First Aid Squad. I'm also here as President of the Suffolk County Ambulance Chief's Association, and also, I am the Vice-Chairman of the Suffolk County Fire, Rescue and Emergency Services Commission. My association represents the 30 volunteer ambulance squads in Suffolk County and over 5,000 volunteer ambulance workers.

I would like to address the Legislature on the issue of the property tax reductions for the volunteer ambulance and fire service workers. The Suffolk County Ambulance Chief's Association has lobbied for a property tax reduction bill in Albany for several years. With Governor Pataki recently signing the bill into law, it has finally become a reality. Now it is time

for the next step, for the Suffolk County Legislature to recognize our valued volunteer ambulance workers and volunteer firefighters in the passage of a property tax reduction bill. This is a very important issue for us volunteers. It is a way for us saying thank you for volunteer who like myself have been answering the call for help over 20 years, 24 hours a day, seven days a week, leaving our family and friends so we can staff an ambulance or fire truck.

A property tax reduction is also an incentive for ambulance squads and fire departments to recruit and retain volunteers. In a time where the President of the United States is encouraging every American to volunteer, this is the perfect time for the Suffolk County Legislature to pass such a measure and reward our valued volunteers with a property tax reduction. Thank you very much.

D.P.O. POSTAL:
Thank you. Our next speaker is Thomas Cronogue.

MR. CRONOGUE:
Good afternoon, ladies and gentlemen. My name is Tom Cronogue. I'm here representing the New York State Volunteer Ambulance and Rescue Association. I'm the director from district seven, which represents rescue squads and ambulance corps in the four western towns of Suffolk County. As several of the speakers have mentioned already, we're not talking a major amount of money here. I looked at my property rax bill, and what we're talking about for me is 40 bucks. It's a dinner for myself and my wife. That's real all it comes down to as far as the monetary end of it. But it's the fact that you took the time to sit down and write a bill that says, you know what, let's give these guys something. We can't afford much.

We know times are tight all over, but anything we can do for them, give them a hand. And certainly the other speakers have mentioned, somebody's got to take a lead here, and this body has been known to take the lead in a lot of forms of legislation that went nationwide. And maybe this is just one more start, where the school districts will jump on board. It's not going to help everybody, it's not going to help all the members. Consider the number of members who -- we know what housing prices are on Long Island, they can't afford a house, so they're living in their parents basement or they're rentals, this isn't going to effect rentals. It's going to encourage people to stay, not just because of the fact of, oh, look they gave me some money back, but just the fact that the County Legislature, the County government, realizes what our members do, realizes the value of the community of the service that's provided and just want to

give them a little acknowledgment.

And truly up until now, the volunteers in the Fire and EMS Services have been risking their lives for a jacket and a patch. That's basically pretty much all they walk away from with. It's just a little bit of honor. And wherever this goes, we appreciate your consideration, and we hope it passes in some way, shape or form. But whenever this goes, on behalf of the members of District Seven and the State Ambulance Association, I would like to thank you for just thinking about us in the first place. Okay? Thank you.

LEG. COOPER:
Thank you.

D.P.O. POSTAL:
Thank you, Tom. I have no other cards on this public hearing. Is there anyone else who would like to address the Legislature on IR 1829? Hearing no one, Legislator Cooper?

LEG. COOPER:
A motion to close the hearing, please.

LEG. GULDI:
Second.

D.P.O. POSTAL:
Motion to close, seconded by Legislator Guldi. All in favor? Opposed? 1829 is closed. Public hearing regarding **Introductory Resolution Number 1832 - A local law implementing volunteer fire fighter and ambulance worker County real property tax exemption.** And some of the speakers who spoke on the previous public hearing were really speaking -- addressing both, but I have no cards for this one. Is there anyone who would like to address the Legislature on I.R. 1832? Hearing no one, Legislator Cooper?

LEG. COOPER:
Motion to close.

LEG. CARPENTER:

Second.

D.P.O. POSTAL:

Motion to close, second by Legislator Carpenter. All in favor? Opposed? 1832 is closed.

Public hearing regarding **Introductory Resolution 1916 - A local law to implement enforcement of prohibition on video voyeurism of public fitting rooms, bathroom, and dressing rooms in Suffolk County.** I have a card from Stephanie Fuller. Stephanie Fuller?

MS. FULLER:

Hi. I'm speaking here today as a victim.

D.P.O. POSTAL:

Could you just speak into the microphone, Miss Fuller?

MS. FULLER:

Sure. What can be said about a society that spends more time advancing technologies than it does on protecting its citizens from criminals who abuse technology to prey to innocent persons? We need to join together to pass a law that sends a clear message to video voyeurists that they can no longer get away with this behavior. Although I am excited that Suffolk County realizes that there is a need to pass a law that would make video voyeurism in public places illegal, this isn't enough. We need to come together to ensure that we are protected from these perverts in our homes as well as public places and in dorm rooms.

In order for you to understand how important this law is, I think it's important for everyone to understand this behavior is a form of rape. Although it's -- it is visual rape, you suffer just like a physically raped victim. During the past ten months, I have learned that most rapists start out this way. We don't accept the behavior of a rapist, why should we accept the behavior of a video voyeur? What message are we sending to criminals when we can't punish people like William Sholtz for discussing immoral acts they have committed? This law is long overdue, and I am very proud that Suffolk County where I have lived all my life is taking a stand against video voyeurs. But this is not enough, and I will continue to fight for a state bill that would make videotaping somewhere anywhere whether it be their home, public restroom, fitting room, dorm room, anywhere you expect privacy to be illegal. Thank you very much

D.P.O. POSTAL:

Thank you very much. Thank you. I have no other cards on this public hearing. Is there anyone else who would like to address the Legislature on this hearing? Hearing no one --

LEG. COOPER:

Motion to close.

LEG. CARPENTER:

Second.

D.P.O. POSTAL:

Motion to close, seconded by Legislator Carpenter. All in favor? Opposed? 1916 is closed.

Public hearing regarding **Introductory Resolution Number 1923 - A local law prohibiting the sale to minors of items in Suffolk County deemed harmful to minors by manufacturers.** And I have a card from Patricia Brodhagen.

MS. BRODHAGEN:

Good afternoon. My name is Pat Brodhagen, and I'm the Vice President of Public Affairs for the Food Industry Alliance. I've come today to comment on this bill. Truthfully, I'm not -- it's really more of a question than anything else. I'm not -- it's not clear to me whether it affects the people I represent; the Grocery Store Industry or not, but that's the question that I'd like to in put on the record. As we read it, it would prohibit the sale to or purchase by minors of any item labeled by the manufacturer as not for sale to minors or not for use by minors, but the bill doesn't enumerate what that is, what those products include. So that the proposal as it stands is extremely vague. And at this point, we don't know what was intended.

In the food industry, while we're not aware -- of course, we sell age restricted products; tobacco and beer primarily according to the rules, to restrict them, but beyond that, we're not aware of products that fit this definition in our stores. But without further clarification there's no way to know, for us or for the public, to assess the impact of the proposal. Moreover, just a couple of other comments. A manufacturer's recommendation on an item regarding its sale or use could sometimes arise from what we would think to be an overly cautious concern about their liability and an attempt to shift responsibility for their product to other people in the marketplace and a way from them, as opposed to any kind of comprehensive review of the item's potential risk.

And beyond that, just looking at a few products, I just want to raise again, more questions. For example, how would advice on a product that says, keep out of the reach of children, how would that phraseology be termed -- be termed under this bill, or do not administer to children under the age of 12? That's a minor, what does that mean? How would that be interpreted under -- under the provisions of this bill? So I just really want to put on the record we have some concerns. At this point, it doesn't seem workable or enforceable to us. Don't know what it means and would hope that if it goes forward, that there would be further clarification. Thank you.

D.P.O. POSTAL:
Thank you, Pat. Legislator Guldi has a question, Pat.

LEG. GULDI:
Yeah. Pat, the -- your comments raised a concern I had, which was how -- given that we're talking about enacting a criminal violation statute, is your organization concerned that this resolution as proposed meets the constitutional standard for vagueness? You know, and does -- you know, as you said, does it apply to razor blades? What about 17 year olds who shave?

MS. BRODHAGEN:
I did raise that issue with our Counsel, because I was concerned about vagueness as well as the penalties. Our belief is that this -- you couldn't make this a misdemeanor, and certainly $5000 is a pretty big penalty.

LEG. GULDI:
For whatever it is that might or might not be under this statute.

MR. BRODHAGEN:
Yes. So we would concur with that concern

D.P.O. POSTAL:
Thank you, Pat. I have no other cards on this public hearing. Is there anyone who would like to address the Legislature on this hearing? Hearing no one --

LEG. COOPER:

Motion to close.

D.P.O. POSTAL:

Motion to close, I'll second that. All in favor? Opposed?

LEG. GULDI:

Abstention.

D.P.O. POSTAL:

One abstention, Legislator Guldi. The hearing on I.R. 1921 is closed. -- 23, excuse me.

Public hearing regarding **Introductory Resolution Number 1945 - a local law prohibiting the sale of blunt wrappers to minors.** I have a card from William Stoner.

MR. STONER:

Good afternoon, everybody. Thank you for the opportunity to present today. We're obviously in support of this Introductory Resolution, and after I read the definition, it will become crystal clear as to why. A blunt wrapper shall mean a tobacco rolled in a tobacco leaf wrapper of a Phillies Blunt Cigar or single flat rolled tobacco wrappers flavored with vanilla, honey, chocolate, strawberry, cognac, and other flavors similar to candy designated to mitigate the harsh taste of tobacco.

Why is this -- why is this important? Why is this sale happening in the first place? Those are two questions that need to be answered in the. The sale is happening, because unfortunately, it's kind of fallen through the cracks. Anyone under 18 years old shouldn't be able to purchase tobacco products, and that's exactly what this is. And the smoking -- the youth rates right now for smoking are staggering. Unfortunately, I've heard numbers similar to about 3,000 youth everyday pick up smoking. The good news is smoking with youth is on the decline, and it's because of measures like this that close these loopholes that help us keep these numbers on the decline. So I encourage this Legislature to pass it unanimously, send this information to other counties who aren't aware that these sales are occurring in these stores.

You've heard these numbers, you'll hear them quite often, about 440,000 people die every year because of the effects of tobacco. For every person that dies, seven people are sick. Quick math will tell you that's about three million people in the United States that are sick because of

the effects of tobacco. The second part of this legislation actually requires that the wrappers are only sold in tobacco retail stores. We also support that, because it makes it even more difficult for youth to get the wrappers, but also -- I'm sorry, I lost my train of thought. Forgive me. But it's a common sense measure that needs to take place, and I encourage you to support this wholeheartedly.

LEG. GULDI:
Presiding Officer, a question. Me again. Are you -- explain to me how the blunt wrappers as a tobacco product are not under the current state prohibitions of sale to minors.

MR. STONER:
That's why this law is necessary. For some reason, it's not being regulated. And this was discovered through the Department of Health stings where they do the {YOUTPA} stings, where they go in the stores and buy the tobacco products and actually, you know, make sure that retailers are following the law. But these wrappers for some reason are falling through the cracks.

LEG. GULDI:
Counsel, I hate to interrupt, I know you've been distracted so you don't know the subject. I'm inquiring as to -- how could there possibly be an exemption to the state law for these tobacco products prohibiting the sale to minors? How does it fall through the cracks?

MR. SABATINO:
There's no exemption, it's just not covered.

LEG. GULDI:
It's just not listed.

MR. SABATINO:
The state legislation didn't write out or carve out an exception, it just hasn't included it.

LEG. GULDI:
It has not included it as a product. Can you prepare a sense resolution asking the state to correct its legislation, since that's the level that this should be addressed on? And I'll certainly yield to Legislator Cooper if he wants to sponsor such a sense, because he did bring this

legislation to the attention of the Legislature. And when I saw this, I just couldn't believe that the state had a glaring gap in its law. Thank you.

LEG. COOPER:
Thank you, George. I'll take you up on that offer.

MR. STONER:
If I may. Thank you, Legislator. If I could, I got my train of thought as to why it's important.

LEG. COOPER:
Too late.

MR. STONER:
Yeah, it's too late. Right now, when a new regulation goes into effect, sometimes there's an educational process that has to take place with the retail stores. And Suffolk County does a fabulous job of training their retailers on what tobacco products are regulated. But if it's in a tobacco store, then a youth is less likely or very unlikely to go into these tobacco stores because they're underage. If it's sold in 7-Eleven, they can easily go to 7-Eleven, but they can't go to tobacco retail store

D.P.O. POSTAL:
I have a question and then Legislator Nowick has one. At the risk of appearing to be exceptionally ignorant, I'm looking at this thing and -- how are they used? I mean, does somebody light this or they put the tobacco inside?

MR. STONER:
Well, it's good you don't know how it is used. Some roll tobacco, but it's also for marijuana

D.P.O. POSTAL:
Oh.

MR. STONER:
It's a blunt. They call them blunts. What they used to do is unroll a Phillie Blunt, a cigar, and roll them back up. Some enterprising company decided, hey, why don't we sell them like this, and they did. And now they're flavoring them, and that's the problem with the children

D.P.O. POSTAL:

So these are meant to be filled with something --

MR. STONER:

Marijuana, tobacco, whatever you want to smoke, corn silk.

D.P.O. POSTAL:

And are these things tobacco?

MR. STONER:

Yes

D.P.O. POSTAL:

So I don't understand why they can be sold. I mean, they are tobacco.

MR. STONER:

Correct. That's why this is so necessary to correct this. It's just an oversight on whoever's part, and that's why a sense resolution to the state is critical and to other counties, because other counties need to know this is taking place too. Suffolk County could act today, Nassau County could still be selling them

D.P.O. POSTAL:

Legislator Nowick has a question.

LEG. NOWICK:

Actually, I was going to ask the same naive question. Even though I was raised in the '60s, I don't remember those, although I don't remember the little white ones either. But I know somebody does.

LEG. GULDI:

Keep talking.

LEG. NOWICK:

I didn't know what you put in there, and Maxine asked the question.

D.P.O. POSTAL:

Legislator Carpenter. I think this is a question for Counsel related to this.

LEG. CARPENTER:

Paul, did we not pass legislation outlawing tobacco wrappers to minors?

MR. SABATINO:

Rolling papers. What happened was in 1982, the original bill was stricken, because it was preempted by state law, it did about seven different categories, then you in 1996 or '98 sponsored a scale down version which dealt with the cigarette rolling papers, just the rolling papers, and that's been on the books for four or five years.

D.P.O. POSTAL:

Legislator Cooper.

LEG. COOPER:

I just wanted to make a couple of brief comments. In addition to the concerns that have already been expressed about blunt wrappers, if you'll notice a couple of examples that were handed out, a couple of samples contained plastic tubes inside the blunt wrapper to maintain the shape of the blunt wrapper, and those are very helpful for snorting cocaine. So if they don't want to use it to create a marijuana cigarette or fill it up with tobacco, kids are using it to snort cocaine. And also, there has been precedent during my term in the Legislature where the County has taken a lead and the state has followed suit. You may recall that about a year or so ago we banned herbal cigarettes in Suffolk County, it was the first county in the state to do so, and several months later, the state followed our lead. So I'm hoping the same will happen in this instance

D.P.O. POSTAL:

Thank you, Mr. Stoner.

MR. STONER:

As always, Suffolk is on the cusp.

LEG. HALEY:

Pretty scary, isn't it?

D.P.O. POSTAL:

I have no other cards on public hearing for Introductory Resolution 1945, is there anyone else who would like to address the Legislature on this public hearing? Hearing no one, Legislator Cooper.

LEG. COOPER:

Motion to close

D.P.O. POSTAL:

Motion to close, seconded by Legislator Foley. All in favor? Opposed? Public hearing on 1945 is closed.

Public hearing regarding **Introductory Resolution Number 1946 - a local law to prohibit operation of motorized scooters in Suffolk County.** I have no cards on this public hearing. Is there anyone who would like to address the Legislature on this hearing? Hearing no one, Legislator Carpenter? I'll make a motion to close.

LEG. FOLEY:

Second

D.P.O. POSTAL:

Second by Legislator Foley.

LEG. CRECCA:

Legislator Carpenter is here

D.P.O. POSTAL:

Aha. Legislator Carpenter.

LEG. CARPENTER:

Motion to close.

D.P.O. POSTAL:

Motion to close by Legislator Carpenter, seconded by Legislator Foley. All in favor? Opposed? Public hearing regarding Introductory Resolution Number 1946 is closed.

Public hearing regarding Introductory Resolution Number **1949 - A local law to impose uniform occupational testing -- occupational licensing fees and licensing terms**. I have no cards on this hearing. Is there anyone who would like to address the Legislature on this hearing? Motion to close, Legislator Lindsay, seconded by Legislator Foley. All in favor? Opposed? Public hearing regarding Introductory Resolution Number 1949 is closed.

Public hearing regarding **Introductory Resolution Number 1952 - A local law to require retail food establishments to disclose salt, sugar, fat and carbohydrate contents to purchasers of food products.** Pat Brodhagen.

MS. BRODHAGEN:

Again, Pat Brodhagen, Food Industry Alliance. I seem to have more questions today than answers. But I did want to comment on this bill as well. On its face as we look at it, it would appear to require the disclosure of sugar, salt, fat and carbohydrates in food products offered for sale in retail food establishments when or if the establishment advertises the availability of sugar or fat or salt-free products for sale. And so looking at that -- to sort of -- looking at the exemptions and noticing it doesn't apply to restaurants or prepackaged food in supermarkets, which is who I represent, or things that you don't advertise, but if you make that claim about sugar, salt or fat, and presumably if it's not prepackaged, you would be included.

So since that seems that there might be products in the stores, which I represent, I did some research on this, and I learned a lot more about the NLEA than I knew before, which is the Nutrition Labeling and Education Act of 1990, which was passed by Congress and enforced by the FDA. And this is what I believe to be the case. I share it with you and then would be very happy to work further with the Legislature and the sponsor on this. But the NLEA basically requires nutritional labeling on almost all food products. And while there are some exemptions, there are no exemptions when it comes to making nutrient content claims, which is what this bill addresses.

Any time a bakery or a deli or a food store or what have you makes a nutrient content claim, then those claims, the method in which they are disclosed and what they must say, are covered

by the NLEA, and the NLEA is pretty clear in those cases that it is preemptive or what it would permit is the adoption of identical legislation by a state or presumably a locality. So that's essentially the issue that I want to put on the table without knowing quite the situation that gave rise to this. You know, I'm not sure if I'm addressing that specific situation or not. But -- and I won't go into all of this stuff, but I would be very happy to share it with Counsel or the sponsor or anyone, and we could discuss it further. But throughout the law, it will say claims or other nutrition information is subject to the provisions of this section, and so that would be the law that's in place. I'm wondering if perhaps there's an enforcement issue, and enforcement issue as opposed to a -- you know, a lapse in what is required.

D.P.O. POSTAL:

Pat.

MS. BRODHAGEN:

Yeah

D.P.O. POSTAL:

In the federal legislation, are there specifics as to where this information has to appear in the store and what the size of the lettering is and so on? Could you give us an idea, for example, what specifics the federal law includes as the location and size of lettering?

MS. BRODHAGEN:

You know, this gets a little tricky. It would somewhat depend on what the specific situation is. There are size requirements. It's normally at point of sale, but there -- there is some leeway in the case, for example, of a restaurant or -- even though you've exempted restaurants -- where the food is intended for immediate consumption. If you say low fat, one of the things is there's only certain things you can say. The words you use are governed by the federal government; low fat, no fat, no salt, there's only ways you can say it. And then depending on the kind of food it is, how you disclose it is further qualified. And so in some instances, it would be at point of sale, at other instances it might be that it's available.

D.P.O. POSTAL:

Yeah, I guess my question is, if I'm a diabetic and I go into, for example, a frozen yogurt store and they advertize sugar free frozen yogurt, and I'm aware that carbohydrate content is important to my dietary balance, does that sign, for example, under the federal law, need to tell

me how many grams of carbohydrates are in that sugar free yogurt that they're advertising?

MS. BRODHAGEN:
I think, and again, I'm not an expert on this, and I pulled a lot of stuff, and I started looking through it, and I think we should look at it more closely. I think in that instance it has to be disclosed is what the claim is made about, which is the sugar.

D.P.O. POSTAL:
Thank you. Questions? Thanks, Pat. I have no other cards on this public hearing. Is there anyone else who would like to address the Legislature on this hearing? Hearing no one, I'll make a motion to close, seconded by Legislator Fisher. All in favor? Opposed? Public hearing regarding Introductory Resolution 1952 is closed.

Public hearing regarding **Introductory Resolution Number 1953 - Authorizing the County Department of Parks, Recreation and Conservation to construct dog runs at Coindre Hall in Huntington and within County parks.** And I would just ask the Legislators to please confine yourselves to questions. We have a great many speakers who would like to address us on this public hearing. Actually, if you want to know the number, they stopped numbering, 16.

P.O. TONNA:
Is anybody opposed to this?

LEG. CARPENTER:
Yes, there are.

P.O. TONNA:
Okay.

D.P.O. POSTAL:
First speaker is Patricia Annunziata. Patricia Annunziata here?

P.O. TONNA:
Going once, going twice, sold.

D.P.O. POSTAL:

Next speaker, John Annunziata.

P.O. TONNA:

Going once, going twice.

D.P.O. POSTAL:

Dan Gerrish. Go ahead, Mr. Gerrish.

MR. GERRISH:

Ladies and gentlemen, good afternoon. My name is Dan Gerrish. I've been a Suffolk County resident for 35 years, having lived in Medford, Oakdale and Huntington. I'm here to support Jon Cooper's resolution establishing dog parks in Suffolk County. Let me provide you with the facts on why we need dog parks. Veterinarians and trainers agree that dogs need exercise for their essential health and well-being. A walk around the block is no longer sufficient in today's environment or culture. Dogs are family members. Their needs are important to us. Dogs need to run and play with other dogs and people to develop good behavior. There are over 1,200 dog parks in the US operating successfully. The majority are on public lands. Many are in wetlands areas. Environmental studies clearly state that dog parks are not harmful to the environment and are no threat to wetlands areas. The process of evaporation, oxidation, photochemical degradation, ultraviolet exposure results in a breakdown of dog urine neutralizing it. I have the study for you to enter into the public record. Feces is a non issue. Plastic bags are used for pick up for disposal in sealed containers. Forty-seven percent of all Americans own at least one dog according to a Gallop Polle, that equates to hundreds of thousands of dog owners in Suffolk County alone who are voters. Forty-three thousand acres of Suffolk County parkland, and we only have two dog runs. Something is very wrong. 5,100 acres in Nassau County, and they have five. There are 36 in New York City. Nationally the average size of a doing park is two acres. West Hills is approximately one-quarter acre, woefully inadequate and in poor shape. Coindre Hall is valued by many dog owners. Their access is no different than the weddings and parties that take place there, the summer camps for kids, the teenagers that are racing their sculls, the antique auctions held on a regular basis and the car shows.

Ladies and gentlemen, a County park is for all of the people. It may be a historic site, but every square inch of Long Island is historic. In Newsday, Legislator Fields objects on baseless environmental grounds. Is she equally concerned about the six giant cesspools that have just been installed at Coindre handle the human wastes from weddings and the parties? It is okay to

make money from a County park, which is a historic site, but it's not okay for some to have its citizens and dogs to use it. I have sent documentation to Legislator Fields and was told she have not available to speak or meet with me. Ladies and gentlemen, how can anybody make an informed decision if they refuse to here all the facts? And the facts are very simple; dog parks are environmentally safe, they benefit the community by providing a safe and legal place for dogs to run and play freely and socialize with other dogs and people.

The end result is a well behaved canine citizen, a credit to the community. And please listen to this, because this is consistent with your Have a Heart Campaign for Suffolk County. Thousands of dogs are needlessly euthanized because some owners who work eight, ten, 12 hours a day can't handle behavior problems due to there dog's isolation, and they turn them into County pounds, local pounds. Establishing dog parks in your districts will save lives. Ironically, the Parks Department's webpage says, "Pets are Welcome at Suffolk County Parks." Well, folks, it's time for the County to prove it. The Parks Commissioner Scully and I have been working since the beginning of the year to be able to expand dog parks throughout Suffolk County and he supports the resolution and he supports dogs if County parks. Suffolk County needs dog parks.

I'm going to submit and enter into the public record an environmental study which has already been e-mailed to each and every one of you. It's by one of the leading experts on the environment in the country, Ph.D. in organic chemistry, associated with one of the top schools in the country, Stamford University. His conclusion, doing urine has a neutral effect in the environment, feces in a self-regulated park is a non issue. I also submit for your consideration a cover page summary of the Gallop Organization substantiating the hundreds of thousands of folks that own dogs in your county and mine. Thank you very much for your kind attention.

D.P.O. POSTAL:

Mister --

(APPLAUSE)

D.P.O. POSTAL:

Legislator Fields has a question.

LEG. FIELDS:

Mr. Gerrish.

MR. GERRISH:
Yes.

LEG. FIELDS:
I would like to just ask, I guess, a couple of questions and make just a quick comment. And that is that are you other aware of an EPA document where it says that it has been estimated that for watersheds of up to 20 square miles draining into small coastal bays, two to three days of droppings from a population of about 100 dogs would contribute enough bacteria and nutrients to temporarily close a bay to swimming and shellfishing?

MR. GERRISH:
I would ask you are you aware that DNA testing was recently done on a body -- a stream water to measure fecal coliform bacteria along an area frequented by dogs and humans, a wet wetlands area, San Mateo, California. Preliminary results showed that 37% came from waterfall, 15% from raccoons, 17% from humans, and 9% from dogs, the lowest contributor.

LEG. FIELDS:
We can regulate where dogs go, and I think that as a process, what we have to look at here is not whether or not dog parks should be allowed in parks, at present they are not allowed in any parks. It is a Suffolk County Law that dogs are not allowed in any parks. But if that were to be altered, I think that what we need to do is look at where they might go. I took a ride with my husband on Saturday to Coindre Hall --

MR. GERRISH:
I'm sorry I missed you, I was there that morning.

LEG. FIELDS:
I was there in the afternoon. I have photographs actually. And one of the dogs that was running around came bounding up and jumped on my husband and almost knocked him over. And I have a photograph of a man walking two dogs that I watched the dogs go to the bathroom, he did not pick up after them. So I do have some facts that I have also gotten from EPA and from others. And I know your -- your e-mail was from somebody in California, but we have a Soil and water Report here from New York on a 208 study. And I think that what we

have to look at is maybe even doing a SEQRA review of all County parks to see if they are appropriate, if they're even legal, and what kinds of problems we would be open to if we were just to have dog parks without an absolute definite plan where we are looking at, not just what's going on with a dog owner. And it's not that I'm against dogs at all, it's where they're appropriate and where they may not be appropriate.

MR. GERRISH:
I couldn't agree with you more. As a matter of fact -- obviously, what you're saying is that the time has come for Suffolk County and your colleagues that sit here next to you, on either side of you, to do some incisive and forward thinking and also to think along the lines that perhaps we shouldn't have our heads in the sand anymore. Twelve hundred municipalities across the country that have dog parks cannot be wrong, 36 that are with our neighbors in New York and five in Nassau County cannot be wrong.

I would suspect and just suggest to you that your environmental concerns perhaps are a bit exaggerated. And I think that once you're totally familiar with the facts you'll be much more comfortable. Particularly I would encourage you through dogpark.com, which is on the internet, to take it upon yourself to contact these different municipalities, hear directly from the mayors, from the county executives why they went ahead with this and what the incidence of environmental issues have been. Basically, they're nonexistent.

D.P.O. POSTAL:
Thank you Mr. Gerrish.

MR. GERRISH:
Okay. You're welcome.

D.P.O. POSTAL:
Next speaker is Gail Righter.

MS. RIGHTER:
Good afternoon. My name is Gail Righter. I'm a resident of Huntington. I wrote a letter last week and sent it to each of you, I'd like to read it. I represent walkers who want to be safe in our parks. On May 27th 1999, I was bitten by a dog, which was off its leash while walking at Suffolk County's Coindre Hall in Huntington. Coindre Hall and all parks need to be safe for

walkers by providing a fenced area for dogs. Signs and an occasional patrol person have done nothing to remedy the situation. I have called and spoken to the following people over the last three years and four months -- not necessary to read their names here, you know who they are, it's in the letter that you have from me -- and dogs are still unleashed. And three years, four months later, there is still no fenced in area.

Jon Cooper and Barbara LoMoriello have been very active in their attempts to see the situation remedied, and I am here to support Jon Cooper's bill. There is to be a meeting in Hauppauge. If given the opportunity, I shall read this letter and ask all Legislators present if they have read it. Have you all received my letter.

AFFIRMATIVE RESPONSE

Great. Thank you. I live across the street from Coindre Hall. I have lived there for 24 years. This is where I walk. I have seen children there on weekends with their families walking and playing. If bitten by a dog, it could be very, very detrimental to children. I have not waited three years and four months to take action, I have been speaking to the people listed for all of this time, but I have waited to see that someone on the Legislature would propose a bill which would help remedy the situation, it will protect walkers and it will also protect dogs and their dog owners. This is the first time that I have had an opportunity to meet all of you. I'm glad I have waited all of this time. I'm no longer angry, no longer frightened by what happened, and I can work with you on something, on a bill, that will protect dogs, dog owners and walkers. So I support Jon Cooper's bill.

D.P.O. POSTAL:
Thank you.

MS. RIGHTER:
And I just want to thank Ginny Fields for going to Coindre Hall. And a fenced in area would protect what happened to your husband.

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

LEG. COOPER:

Thank you, Gail.

(APPLAUSE)

D.P.O. POSTAL:

Next speaker is Susan Saladino.

MS. SALADINO:

Good afternoon. My name is Susan Saladino, and I've been a resident of Suffolk County for about a decade. And I would like to remind us all here today exactly what dogs give us as individuals and as a community. They search and rescue, they are therapy dogs in hospitals and give attention and love to seniors living in facilities. Faithfully, they guide the blind. They protect and defend us. Studies -- excuse me. Studies indicate that spending time with pets lowers blood pressure. They make us laugh and respond to us when we're upset. They love us unconditionally, and they always forgive us. They never lie about their feelings. Behavioral studies support that canines experience a complete range of emotions. Of course, any human who has shared their home and heart with a dog need not to look for science for verification of that.

I think about the trained canine heros working at Ground Zero. Many continuing though exhausted and dehydrated. Clearly, they understood they had a job to do. There are countless stories to be told about dog heros who performed rescues, not because they were trained to do so, but simply out of love and loyalty. Excuse my cold. One story comes to mind of a blind golden labrador. Upon hearing the faint screams of a young woman drowning, flew into the ocean away from his guardian, followed the sounds and pulled the girl to safety. A pit bull terrier sensing danger, raised from the yard into the house finding his guardian unconscious from a heart attack. He ran back into the yard and alerted other family members by barking and twirling excitedly until they followed him.

Riley, an effervesent mixed breed adopted by a Suffolk County resident, was quite a handful when he first came home. But crazy Riley proved himself beyond expectation when he saved the life of his human family member. Somehow he knew Heather was having a seizure. She was in the bathtub, head underwater. Riley flew to her side, managed to pull her head above the water and then revived her by licking her mouth. A bona fide hero right here in Suffolk County. Dogs give us so much. They possess the ability to safe us, whether through acts of

heroism or just by the way they love us. They ask very little in return. Let's give them what they deserve, let's get in step with the rest of the country. Let's give them parks here in Suffolk County. Now, Heather Billows, the young lady that was saved by Riley is here today. She did fill out a card. I believe she's here to speak next. If it's okay, I'd like to ask her to come up myself

D.P.O. POSTAL:
She is our next speaker. Thank you, Mr. Saladino.

MS. SALADINO:
This is Heather Billows

D.P.O. POSTAL:
Heather Billows.

MS. BILLOWS:
Hi. As you know, Riley saved my life. I'm living proof that he did save my life. If it wasn't for Riley, today I wouldn't be here. And this is Riley

(APPLAUSE)

MS. BILLOWS:
I had a seizure in the bathtub, and Riley flew to my side. And my head was under water in the bathtub, and Riley pulled my head above water and pulled my head to the -- over the bathtub and saved my life.

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

(APPLAUSE)

D.P.O. POSTAL:
Next speaker is Michael Guida.

MR. GUIDA:
Good afternoon, everybody. I think Dan did a great job outlining the whole issue that's at hand.

I'm a Suffolk County resident and a dog owner, and I'm speaking today in support of this resolution. I'd like to begin by just addressing what Legislator Fields had seen at the dog park, also that I might suggest that -- that dog owner that didn't pick up after themselves might not do so when they were walking their dog around their block or in their backyard or in any park. Having a dog -- an area that's available to dogs, creates a community, not only for the dogs, but also the dog owners. When I go down to Coindre Hall, when my dog is running around, it might make a number two in the field and I might have my back turned, and one of my compatriots would nudge me and say, you're dog went over there and will you pick it up.

So like I said, I would suggest a dog owner who wouldn't clean up after their dog would do there was a doing park available or not. Any dog expert would agree that dogs need proper socialization. And dogs that are properly socialized are invariably more reliable and more friendly. And one of the ways to accommodate that socialization is to have dog parks available where they could get together, and again, where there's a community at hand also. So I'm just asking that you please support this resolution, and thank you for your consideration.

(APPLAUSE)

D.P.O. POSTAL:
Thank you Mr. Guida. Next speaker is Krista Dooley.

MS. DOOLEY:
Good afternoon. My name is Krista Dooley, and I'm a resident of the Town of Brookhaven. I only heard about this hearing yesterday, so -- but I felt I had to say whatever I could to help you see the necessity of allowing dog runs in Suffolk County parks. I am the owner of three licensed vaccinated spayed-neutered well behaved dogs. For me a dog park is the equivalent to a children's playground. All residents of a community have a right to utilize park facilities, not just some residents. Why not have some areas where dog owners could exercise and play with their pets and socialize with other dog owners? A dog park is a community center for people as well as canines.

I pay taxes to support our park system, willingly paying for swimming pools, tennis courts and fields I may never use. I only ask in return to be allowed with my dogs in some places, in some parks, off-leash to be able to engage in one of my favorite recreational activities, playing with my dogs off-leash. I recently visited the two off-leash dog runs in Huntington, actually I did it

this morning. This is my first time there. And they were spotless. And I found in most environments where there are dog parks, people pick up. They know their responsibilities. And if they don't, people point it out to them, and they are happy to comply. I have been to many dog parks and have found some of the most responsible dog owners. Posted rules are followed, and as I said, if someone doesn't, there's always someone there to point it out, and they usually comply, embarrassingly.

Establishing a dog park creates a community center of activity where friends gather to relax and socialize. The fact is the more a dog is socialized, the less likely it will be to develop aggressive behaviors patterns. Establishing dog parks have positives than I could probably researched on such short notice. For many of us, our pets are our family. I as a dog owner can only ask for your consideration. Thank you for your time.

(APPLAUSE)

D.P.O. POSTAL:
Craig Francisco.

MR. FRANCISCO:
Good afternoon. My name is Craig Francisco. I am a professional dog trainer, have been for over 30 years. My company is VIP Dog Training, I am the president. I am formerly on the Board of Directors of PAWS out of Hicksville. I am a retired SPCA Peace Officer for the League for Animal Protection, which is now the Suffolk County SPCA. I saw this article in Newsday and that you hopefully will establish these parks. You may not know it, but the number one cause for dog bites is lack of socialization.

(APPLAUSE)

Number one. If you want to prevent dog bites, you get the dogs out, you allow them to meet people, when they're puppies. You get them to meet other dogs, you prevent problems. I have been doing this for a longtime, and when I go to people's homes where people have had dogs that bite, the first thing I ask if they have gotten that dog out to meet people. And you want to know what the answer is. Most of the time it is not, because they do not have the place to take them. They need places to take the dogs. My wife and I, we raise dogs, we show dogs, we also raise our dogs to be therapy dogs. We take our dogs many places; schools, nursing homes,

hospitals. People think that dogs cannot be a benefit. They are always a benefit. You need to get them out.

The second, probably the most common reason why people get rid of a dog is because they do destruction in the house or they have problems in the house. The number one way to get rid of problems is to exercise the dog, to run it strenuously daily, everyday. I recommend to my clients, depending the breed of the dog, anywhere from one half hour to one hour per day of strenuous running. If you think that a dog that's confined to a house is going to run or a dog that's in a backyard is going to run, it does not work. They need to get out into a large area where they can run. Destruction, destroying property in the house, people get rid of a dog very fast. But if you get that excess energy out of a dog, they don't have it to be destructive. You have a doing that's a jumper, yes, dogs need to be trained not to jump, but if they have that excess energy in their body, they're going to jump. You will not stop it unless you get them out to run.

Yes, unfortunately sometimes you will get people that will go that will not do what needs to be done to teach the dog not to jump, but if you do, you properly train a dog, you educate the owner, that is my job, to prevent problems, stop problems and educate the owner. If you get a dog that is properly trained, and I've taken some of the worst dogs you'll ever see and made them great dogs, you have to have a place to do it. There are many times I will take a dog down to a park to work a dog for obedience so the doing will learn to come to the owner if the dog gets lost, because a dog that's running away is either going to get hit by a car, cause an accident or whatever. But if you teach a dog to come back when called, no problem. That's the purpose of a dog park. You need to get them out. If you don't, you will always have problems with a dog. The more you socialize, the more you exercise, the less problems you will have with a dog.

As I said, I've been doing this over 30 years, and I've trained dogs for celebrities as well as the common folk. I trained Howard Stern's dog, I've trained Susan Lucci's dog, I trained a doing for Erica Slezak Davies -- I don't know if you've ever watched the series One Life To Live, but I've trained their dogs and many others. You need to get the dogs out. Failure to do so, you will have more problems, you will have more bites. They need to get out. Thank you.

D.P.O. POSTAL:

Thank you. There's a question. Mr. Francisco. There's a question.

LEG. FIELDS:

Mr. Francisco, yesterday when Newsday put the article in, I received a call from a veterinarian in -- who lives in my district, and she sent me a letter that has -- for what she eludes to as facts. What do you say about this? Socialization of the dog, this is an important aspect of dog training, but needs to be done in a controlled environment, not in a free for all situation which unfortunately, is commonly the case in dog parks.

MR. FRANCISCO:

Okay. The problem with socialization, if you try to do it in the home, you could bring 1000 people a day into your home, it will not socialize the dog. You have to get the dog out of the home. When you socialize young puppies, you want to go to dog parks. When they have all their shots, you want to go down to shopping centers. You want to take the dog away from its own home environment so it can meet all kinds of people, not just people that are your friends, but all kinds of people, all ethnic races so they know who's who, that people are not objects to be afraid of. Because if you have just one type of people and somebody else comes along, and if it never met them, when they're older, you'll have a problem. So dogs have to meet all people, whether they're in black, white, pink, polka dotted people, they've got to meet everybody.

LEG. FIELDS:

How do you prevent a dog owner from bringing a dog that has worms and a dog that hasn't been vaccinated and a dog that is aggressive and ill mannered or any of those things, for instance -- and I did take pictures while I was there, that the one particular dog was extremely ill mannered, I thought, and how do you stop that?

MR. FRANCISCO:

You have to educate the owners from when they're very young -- when the dogs are very young. There are always going to be irresponsible owners, no matter how hard you are try.

LEG. FIELDS:

That puts every other dog owner at risk, does it not?

MR. FRANCISCO:

Granted, but, like, you had a person that defecated in a park and didn't take care of that thing,

why didn't you notify the police and give that person a summons?

LEG. BISHOP:
They would run right down.

MR. FRANCISCO:
But, maybe they wouldn't. But it's better to do so to do something about it.

LEG. FIELDS:
I think that would be an exercise in futility, but my point is that --

MR. FRANCISCO:
You're not going to prevent every type of problem. You look at what happened with that one person who just shot two coworkers.

LEG. FIELDS:
What if you have a dog that comes into Coindre Hall and let's say it's fenced and the dog has worms and, you know, before I --

MR. FRANCISCO:
Is anybody who owns a dog -- just to address the worms. Anybody who own a dog, if they want to house break that dog so it does not urinate and defecate in the house will need to get the dog -- the worms taken care of, because you cannot house break a doing with an internal parasite, whether it's tapeworm, hookworm, ribworm, roundworm or if it's any of your protozoa infections, the dog has to be taken care of by a veterinarian. So if your going to own a dog -- nobody is going to own a dog that's going to be defecating or urinating all over the house, at least nobody I know.

LEG. FIELDS:
There are people who never bring their dogs in their homes, they are in the backyard. The dogs do have worms.

MR. FRANCISCO:
And most of those people will never take their dog down to Coindre Hall, because they don't care about their dog. As a former SPCA peace officer of the state --

D.P.O. POSTAL:

Can I ask -- this is not an opportunity to debate the bill. We will have an opportunity at a later time to do that, but this is an opportunity to a public hearing for public to speak, and we have a great many people. So thank you very much. I would like to move actually to your wife, Joanne Francisco.

MS. FRANCISCO:

Good afternoon. I have a similar, obviously, opinion as my husband. I'm a lifetime resident of Suffolk County, and I'm not saying how many years that is. I am also a dog trainer, a dog owner. I'm a member of many AKC dog clubs. We do therapy work, as my husband said. We're involved in many dog activities, both professionally and personally. One thing I have noticed over many, many years is people that are active with their dogs, whether is it be dog shows, whether it be dog walks, dog parks, any type of activity, they tend to have best behaved dogs. They tend to be the most responsible owners, they tend to clean up after their dogs, train their dogs.

As the one issue came up, will there be problems? When there are people involved, there are always problems. There are always people that are not going to follow the rules. There are always people that are not going to do what they should. But I've see that with people with children too. I've been at parks, I've been on the street where there are misbehaved children that throw rocks at my car and things like that. We don't ban children because they're not behaved. We work on making them behaved. So as I'm saying, dogs that are out do behave better as a general rule. There are exceptions to anything. As it's been pointed out, socialization, training, exercise, they're all important.

The -- psychologically it is beneficial to people to be able to go out and exercise with their dogs. And as I said, enforcement is really an issue when you have a major problem, whether it's a dog running loose. I've been at Suffolk County Parks with my dogs on a leash just walking, not in a particular park, and I've had people with a loose dog run up to my dogs. And I have stated to them many times and gotten into verbal altercations, dogs are not to be off-leash, dogs are not to be a problem to other people and that these people are ruining our rights to use the parks. And I resent those people. But I feel that the major group of people that do frequent parks, dog parks, and the regular parks, have their dogs on-leash, do pick up after their dogs. It's not right for the few that abuse the privilege to ruin it for the other people that are entitled to the

privilege, because we all pay taxes, and we are all entitled to use the parks. So, basically, that's my concern.

(APPLAUSE)

D.P.O. POSTAL:
Thank you. Next speaker is Donna Collora.

MS. COLLORA:
Hi. Good afternoon, everybody. My name is Donna Collora, and I'm a --

D.P.O. POSTAL:
Can you just speak into the microphone.

MS. COLLORA:
Sure. I'm a resident of Smithtown. Saw the article last night in the newspaper at about 9:30, so I really didn't have much to act on. I'm glad you got to go somewhere Sunday, you didn't sound like you took your dog. I got to go to PETCO, because that's where the pets go. And there was a lot of socialization going on in PETCO. There were pit bulls, there were puppies, there were all type of, you know, different animals. I actually have a half acre and my dog loves to run on the half acre, but we've gone to West Hills a couple of times. And I hope you don't use that as a comparison, because it really is somewhat of a pathetic place for dogs.

LEG. FIELDS:
West Hills or Coindre Hall?

MS. CALLORA:
I'm sorry, West Hills. But, you know, it's somewhere to take your dog. It is enjoyable for them. I've actually taken my dog multiple times to obedience classes, not because she's a bad dog, but because of actual socialization skills. It's been recommended that she interact with other dogs, that it helps them train to be able to socialize. My husband has a summer business that he actually travels all over Suffolk County and takes her with him. And she sits in the van and hangs out and people come over and kids always want to see her. And I think what some of the people are trying to say is owners have to be responsible. And I think with Legislator Fields' concerns with environmental issues is, yes, it's got to come back to the owners, and there are

irresponsible people. And I think this group here from Huntington is trying to also say that it is our responsibility if we're going to be in these areas to take it upon ourselves to say to people, you're not being responsible, you need to be responsible.

I just think that the other thing that would be nice is to have the opportunity to have the off-leash opportunity. Now, in the Town of Smithtown, after September 30th, I can go to my local beach with my dog and she stays on the leash. However, that's like taking a kid to a candy store and saying, you can have all this candy, but you can't take any. That's what happens with a leash. It's nice to be able to actually take your dog off the leash and have them run and roam and do various things. So I'm not really sure what's exactly the content of the proposal. I think the idea of having dog runs in our County parks and having an opportunity to have our dogs off-leash should be entertained. If there's safety issues, which I think there are, obviously the woman who had a dog bite is a big concern, but there is a benefit for many people here. And I just hope that this legislation can go forth and that we can see something come from it. Thank you.

(APPLAUSE)

LEG. FIELDS:
I'm just wanted to ask you a question. You said you hoped that I wasn't using West Hills as an example. What's wrong with West Hills?

MS. COLLORA:
Well, my dog has knee problems, she has an ACL tear. So it's down hill, so, like, when she runs and stuff -- it just seems like they picked a part of the park that nobody wanted to deal with and that people wouldn't want to be there, so let's throw the dogs there. So I just meant as I don't know what this legislation is proposing. Like, if you're going to say the park has to pick, you know, one end of the park.

LEG. FIELDS:
Coindre Hall is a hill too.

MS. COLLORA:
I didn't know that existed. I haven't been there. But I'm just saying in regards to I don't know what this legislation is actually proposing, just leaving it up to the County to say --

LEG. FIELDS:

I just was wondering. Thanks.

MS. COLLORA:

Okay. Thank you.

LEG. CARPENTER:

Thank you. Next speak, Pamela Schmidlin.

MS. SCHMIDLIN:

That's Pamela Schmidlin. I'm from Smithtown. I'm going to read a letter that was sent to Mr. Gaffney. It's from Last Hope Animal Rescue, which is an animal rescue group with an adoption center located on 597 West Jericho Turnpike in Huntington. It supports the establishment of dog parks in Suffolk County. Fifty percent of our membership, most of whom own dogs, reside in Suffolk County. Last Hope rescues -- rescues death-due pound dogs on a regular basis from some Suffolk County's municipal shelters. The typical dog found in the shelter is usually a mixed breed although there are many pure breeds ranging in age from one to three years. These dogs have typically received marginal training and are bursting with energy. Current lifestyles and workplace habits place Suffolk County's owned dogs in the home for seven to eight hours at a time alone. These dogs need a place to exercise, to release all their energy that they have been storing up in their system all day long.

Thus the need for a local dog park becomes urgent -- urgent and critical to the well-being of the dogs in this County. Without such facilities, individuals will not tolerate their dog's excessive energy. The likelihood of the dog being surrendered in its desperation to the local shelters in Suffolk County increases. Let us try to avoid the scenario. Please authorize and vote in support of dog parks in Suffolk County. The benefits are multiple and disadvantage are workable within any community. Thank you. And basically, these are my two saviors in life. They keep me sane. They are my -- they are my life. I have to get back to them, and that's basically all.

LEG. CARPENTER:

Thank you. Thank you very much.

(APPLAUSE)

LEG. CARPENTER:

Next speaker, Jackie Rappel.

MS. RAPPEL:

Good afternoon. My name is Jaqueline Rappel, and I have been a Suffolk County resident for my whole life. I own two dogs, and I've been taking them to Coindre hall since both were puppies. One's five-and-a-half, so I've been using the park with him for over five years. I've seen different groups of people come and go with their dogs at Coindre Hall. And the one thing that I want to say is that my older dog, I've taken him on vacations with me, I've taken him other places, and everybody always comments what a good dog he is. He's well behaved, he's well socialized, and I attribute it all to being able to take him to a park such as Coindre Hall and allowing him to be around other dogs.

With respect to Legislator Fields' issues when she visited the park on Saturday. Again, I've used this park for over five years, I've never seen it as clean as it is currently. One reason is because garbage cans were installed in the area that's used as an off-leash area, along with a dispenser of plastic bags to pick up after your dog. I've also seen people not pick up, but that's few and far between to be honest with you. I have a 14 month old son who I also take to the park with me every single night. I mean, I work full time, I have a son, I have two dogs. I make a point of getting my dogs to that park every night, because they love it, and they're good dogs because of it, and they're healthy dogs because of it. My son loves to run around, so when I'm there, if I see another dog's poop that somebody didn't pick up, I pick it up. I've seen other people here pick it up. So because you saw one person not pick it up doesn't mean that was never picked up, it's probably not there today what you saw on Saturday.

How do you stop bringing in dogs who have -- excuse me, worms or other contagious things? You can't stop it. One of the ways you do stop it though is -- I also frequented the park that used to be fenced in on West Shore Road. My dog got kennel cough from that park, because somebody else there brought in kennel cough. Well, word gets around, the other owners tell somebody, listen your dog's got kennel cough, the signs are there. I mean, I took care of my dog, I paid the vet bill, she got better, it's no big deal. I mean, there are going to be problems, but there's so many benefits that come out of allowing this place to exist that the problems are just nothing, I don't think.

With respect to the other issue though, about the dog waste. One of my biggest problems at that park is human feces, not dog feces. How do you get rid of all illegal people who use the docks to fish? My dogs are two black labs, every night when I take them down that way, they roll in human feces that's in those woods. So you're worried about dog poop. Why don't you worry about what the humans doing there, and these aren't humans that own dogs.

(APPLAUSE)

And there's another issue. I've been using this park, like I said, for five years. When I first started going there, there was a lot of illegal activity going on there. I used to walk around, and I saw people smoking pot, saw young people drinking, I saw needles. There used to be crack needles down by the boathouse. If you were there, you know where the boathouse is. And since more and more people are utilizing the park as a dog park, a lot of that illegal activity has gone away. I was walking a couple of nights last week, and there were some -- I don't know what's going on with gangs in Huntington, but there was a group of gang-looking people down there, and they started to bother me. And my dogs who will not do anything to a person did bark, because they thought that I was threatened. You know what? I'm glad I had my dogs with me that night. Thank you.

LEG. CARPENTER:
Jackie, I believe Legislator Fisher has a question for you.

LEG. FISHER:
Hi. Thanks for coming down.

MS. RAPPEL:
Thank you

LEG. FISHER:
I walk 2 miles a day with my dogs, and I envy you having a park, because I bring my plastic bags with me, and I clean up after my dogs. But many of the people who walk the same route do not. And so that's an availability that you have. But since I don't have a park, and I don't -- and I haven't had access, I don't have one nearby, haven't used it, are you ever concerned with all the press that there's been about people who do train there dogs to be aggressive, that train their dogs to go after other dogs, does that concern you, especially since you're there and you're

particularly vulnerable, you have your toddler and your dogs?

MS. RAPPEL:
Yes, it is a concern. And that's one of the other things that I forgot to say, because I didn't prepare anything to read, I just thought this up. With respect to the aggressive dogs going, I had a good friend that used to go down to Coindre Hall with me. She has a pit bull, and she used to bring her all the time. And when she was younger, she never had a problem. But the pit bull, as she got older, I don't know what happened, started to get aggressive toward other dogs, didn't bite, but, you know, went after one or two dogs. And the people said, what are you doing, why are you bringing an aggressive dog down here? And that's one way that at Coindre Hall we keep the aggressive dogs out. This group of people here almost self-police the park. I mean, she doesn't go there anymore, because people got on her, you know, and rightly so.

And five years ago when I used to go down there, there was a bull mastiff who was down there who bit two other dogs, and I think may have went after one other person. And again, the people got on that owner's case. I don't think anybody called the County of Suffolk to notify them about it, but the one dog that got bit, the owner presented him with the vet bill. You start getting an $800 vet bill you'd better be smart enough not to bring your dog back down there. Again, he disappeared after a couple of visits. I mean, it happens, it's not going to not happen, but it also gets taken care of. And again, I just feel that the benefits of this park far outweigh the, you know, bad points. And of course, there's bad points to everything.

LEG. FISHER:
Actually, I'm hearing something unspoken that your saying, and I've heard it from a few people. We talk a great deal about community, and it sounds to me that there's a community that's been formed here, there are people you see.

MS. RAPPEL:
Oh, definitely. I've made many, many friends from this park. And one of the -- I don't know if he's here today, but Harry, Harry Bottnick from Huntington. We want him to run for Mayor of Huntington. He always says his social life, he's an elder gentleman, revolves around the dog park. He takes -- he's there on shifts. Every half an hour you see him with a different dog. I think he borrows neighbor's dogs to bring down. It is true, it is a community atmosphere. I've met many friends, and my son loves being there. I mean, there's people -- there's other children there. I've witnessed families bring children down who own a dog, because they've

heard of it and want there children to experience friendly dogs. Legislator Fields' husband got jumped on, but was it in an aggressive manner? I mean, I don't know of the circumstance behind it. But I've just seen so much good come out of it. I could show pictures, I could show you video, I could show you 1,000 things, but that's all I have to say.

LEG. FISHER:
Thank you very much.

MS. RAPPEL:
Thank you.

LEG. CARPENTER:
Thank you. Next speaker Barbara Murphy.

MS. MURPHY:
Members of the Suffolk County Legislature.

P.O. TONNA:
Barbara Murphy, thank you.

LEG. LINDSAY:
Talk into the mike.

P.O. TONNA:
Next, just to be ready -- have you already said that? Christina Tabacco-Westin. All right. I probably blew that one. Barbara, go ahead.

MS. MURPHY:
Members of the Suffolk County Legislature and friends, my name is Barbara Murphy, and I belong to the HDOG Association from Huntington. Suffolk County takes pride in providing County residents with outstanding recreational activities, programs and services. We have ball parks, beaches, golf courses, and programs for preschoolers, teens, seniors and in-betweens. We appreciate the work that the County Legislature has done for all its citizens. But we are here today to speak on behalf of those members of our households who are not really citizens and who cannot speak for themselves, our best friends, our dogs.

Most dogs are not are couch potatoes, as you have heard. They are not content sitting home watching Animal Planet on TV. They need to run and play and interact with other dogs. Dogs who are lonely and bored, who have not had a chance to expend nervous energy, develop behavior problems such as excessive barking, digging and aggression. They become a burden to their owners and a nuisance to their neighbors. Behavior problems constitute the number one reason why dogs are abandoned. How many dogs would be spared a trip to the shelter if only they had a place to be socialized and exercised on a regular basis? We are not unmindful of the rights of people. In fact, we feel that carefully planned and executed dog parks can enhance those rights by reducing the presence of dogs in multiple use areas and preventing off-leash dogs from infringing on the rights of other residents and park users such as joggers, small children and those who may be fearful of dogs. And let us not forget that dog owners are people too. Our dogs are our chosen form of recreation. We deserve as much consideration as any other group.

Besides providing dogs with an ideal place for dogs to exercise and socialize with other dogs, dog parks have other benefits. Dog parks promote respect for the law by giving people the opportunity to allow their dogs to run off leash legally. Dog parks provide an accessible place for elderly and disabled owners to exercise and socialize their canine companions. Dog parks are an ideal place for user groups such as HDOG in Huntington to educate other owners about the importance of things like care, training, licensing and clean up. We have a wireless home security system in our house; he weights 95 pounds and his name is Buddy. He helps protect our house and our neighborhood. We like taking him for walks. We even think he provides a public service by servicing as a neighborhood watchdog, but we don't like pulling on his neck from keeping him from kicking up his heels on people's lawns and doing other things that doggies do. That's why we like taking him on our temporary dog park in West Shore Road.

It was nice to see him with other dogs and run and play and just be with each other. That dog park is now closed, but Buddy still makes those little sounds whenever we drive by. He's telling us he misses his dog and people friends and his chance to run and play with reckless abandon. We owe it to Buddy and all the other dogs in Suffolk County to come here and delivery this message. Please don't think as dog parks as a problem. In many ways, they can be a solution, part of an overall common sense policy for dealing with our County's sizable dog population. No one will say in Suffolk that Suffolk County is going to the dogs if you vote yes on Jonathan Cooper's resolution. Thank you.

P.O. TONNA:
Thank you very much. By the way, does Buddy pay taxes? No. Side-bar, side-bar. Okay. Christine. Christine, you're going to have to tell me how to pronounce your name. I guess I blew that one.

MS. TABACCO-WEBER:
Not bad.

P.O. TONNA:
It's {tobacco}, right?

MS. TABACCO-WEBER:
Tabacco-Weber, like cigarette smoke.

P.O. TONNA:
Tobacco-Weber, there we go.

MS. TABACCO-WEBER:
Hi. Thank you for taking the time to listen to me.

P.O. TONNA:
No problem at all.

MS. TABACCO-WEBER:
There's not much to say here that hasn't already been said. I've had -- I've been been a dog owner for 14 years, 15 years at this point. I have puppy, he's six months old at this point, he licensed, he has shots, we're working on the neutering thing, he's just waiting a little longer on the neutering thing, but we will do it. I found out about Coindre Hall and about West Hills Park from my puppy obedience class. West Hills is a great place, but I have to say it's a little narrow. My dog is a long haired whippet, and if you know whippets and greyhounds, they love to run and the turn at West Hills is a little tight for him.

At Coindre Hall, the place is a beautiful Gold Coast estate. You go there and your breath is taken away. The people who that are at Coindre Hall are just an amazing bunch. They do police

themselves, they do mention that there are -- you know, that if a dog has been aggressive in the past, they do get together and tell that person, you know, get out, we don't appreciate you here. They do police for the dog poop, and as far as the dog poop being an issue, the only thing I can think of is that I also have a horse and I do ride, I'm not going to get into the horse thing, but I do -- the barn where my horse is there's a Walt Whitman High School right next door, and there's about a flock of 50 geese that land on that spring and fall. And what those geese leave behind those poor kids at the high school have to play in, and I can't imagine. Also, on my block in Huntington, Fairfield Lane, there's about a flock of about 500 starlings that roost about one house down from me. And what they leave behind nightly cannot even come close to what the dogs at Coindre Hall leave behind, the one or two that people don't pick up. So that being said, thank you again for your time. And please support Jon Cooper's legislation. Thanks.

P.O. TONNA:

Thank you. By the way, being a constituent of mine, I want you to know how eloquent you were. It's not an election year, but you were eloquent, and I want you remember that.

MS. TABACCO-WEBER:

Thank you. Thank you very much.

P.O. TONNA:

Sandy Rapp. Sandi, you're from East Hampton, who cares how eloquent you are? No, I'm joking.

MS. RAPP:

There is abuse here. I just think it is a great use of the land. I think our parks are underused, and this is a terrific use of the land. And I've been to -- I have friends who use dog parks in Manhattan, and they say bystanders do come just to watch, you know, the interaction with the dogs. That's really I have. Maybe it lowers the crime rate. I know the crime rate -- and maybe that was from the dog park. I am a musician by trade, and oddly enough I'm doing a benefit for ARF, that's Animal Rescue Fund, on Saturday, ARF, so thank you.

P.O. TONNA:

Thank you very much. Okay. Terry Stryker. Close? Terry? Going once, going twice. Maybe I'm so bad at this -- the Deputy Presiding Officer, who's not dyslexic.

D.P.O. POSTAL:

Stryker.

P.O. TONNA:

Stryker, just like the movie. Did you ever see -- is that you? Stricker, striker. Sorry about that. Sorry. Did you see Airplane I and II? Did you see the guy, striker?

MS. STRYKER:

Yes, one of my favorites. Thank you for taking the time to hear us. I've been a lifetime resident of Suffolk County. I will say how many years, that's 47. I've been a lifetime pet lover, pet owner, dog owner, a responsible one. I am a taxpayer. My dogs don't pay, but I do. And I would appreciate a place I could go and enjoy my dogs who are like my children the way the way that other people can. Just a small place would be great, but it would be significant. And I thank you for hearing that.

P.O. TONNA:

Can I ask you just a quick question? I've had five dogs at one time in my home so. I have one more kid than dogs. Anyway, the question I have, are you afraid when you unleash a dog into an area that they might be attacked by other dogs or something like that? I mean, I've seen dog owners, you know, and it's not directly proportion to size. Right now, I have a Doberman so I could pretty much -- but wouldn't it be -- I mean, I've seen very petite people with Rottweilers and things like that. I mean, how do you expect them to pull that dog off of another dog or something? And I've had those experiences in my own house, you know, with five dogs who live together. I'm just wondering, you know, aren't you even the slightest bit worried about if there's a large congregate of dogs that somebody might attack your dogs and things like that?

MS. STRYKER:

Yes. Yes. Oh, definitely. And I think that so much of what has been said here today addresses that, that the more -- the more we can be out there, the more we can help people become more responsible dog owners. The dogs I have right now are small. I have Pomeranians. If I'm in a situation where I think there's somebody there who doesn't quite have a handle on their larger dog, I do the responsible thing for my own dog and pick them up. And maybe I wait until they leave or I discuss with them how to perhaps better handle their dog or maybe they would like to come with me to handling class that I go to with my dogs or something. So it's all about training. I mean, there's children in parks that get beaten up by other children in parks. It's

never going to be --

P.O. TONNA:

The only difference is a kid gets beaten up, you know, I've seen kids, you know, little guys who are running around all the time. I'm in a unique situation in my house, it is survival of the fittest with five little ones and then, you know, for years with dogs -- I've -- the only concern that I have is that there are times -- you say you pick your dog up, the concern that I have is that, you know, people are not going to have that opportunity. When you put dogs out there and all of a sudden for whatever reason, a dog starts attacking, ripping dogs apart, you know, twice I've gone to a veterinarian and had 40 stitches in two of my dogs, you know, just because they had a bad day. And these were good dogs. I'm just wondering, doesn't -- as a pet owner, aren't you the slightest bit concerned? I mean, you might pick your dog up, but maybe you didn't pick your dog up and bang, you know.

MS. STRYKER:

There's always -- animals are animals and people are people. There's always going to be some problem. But what I have seen the benefits so far outweigh the problems that it's still well worth it.

P.O. TONNA:

The other question I have is one of the areas that is being discussed is Coindre hall, we've all been -- I've seen the properties, you know, the houses in that area. These are areas where dogs, you know, have enough property to run around. I don't know, you know --

(NEGATIVE RESPONSE FROM THE AUDIENCE)

P.O. TONNA:

Okay. I don't know, it's right next to Lloyd Harbor and whatever else. I'm just wondering --

AUDIENCE MEMBER:

We don't all live there. We don't all live there.

P.O. TONNA:

Okay. That's all right. And we don't all have to, by the way. I mean, you know, I don't live there. But the sponsor does. My point is that just my sense, Coindre Hall -- I live near West

Hills, you know, people utilize it, and I've never had one complaint yet, but I'm just wondering, you know --

AUDIENCE MEMBER:
What? What? Say it.

P.O. TONNA:
I'm concerned about the dogs. I just see -- don't you open yourself up to the potential?

AUDIENCE MEMBER:
No. No.

P.O. TONNA:
Okay. I'm asking the question. That's why I'm asking the question. She's got, you know, little dogs. My wife wanted one of the dogs you have, that's why I went out and got a Doberman right away. I did. She said, I want one of these little dogs that can lay on our bed. I said, okay, no problem, I'll get one. And I bought a Doberman right away. She didn't talk to me for two weeks.

MS. STRYKER:
Actually, before I had the Poms I had a Chihuahua that I had adopted from the dog pound. And there are times I picked him up because he was the fresh one. So responsible dog owners are responsible dog owners, and I think dog parks enhance that, I don't think they take away from that.

P.O. TONNA:
Okay. That's what I needed to hear. Barbara Buscareno.

MS. BUSCARENO:
That's good.

P.O. TONNA:
Barbara, you're just going to have to help me with that.

MS. BUSCARENO:

Buscareno. I have two things, I have a letter here --

P.O. TONNA:
Somebody -- I'm sure somebody will distribute that.

MS. BUSCARENO:
-- written by the Long Island Coalition for Dogs Fanciers. She said she's really well known in this organization. And I have presentation.

P.O. TONNA:
Just get that mike.

MS. BUSCARENO:
I just want to say one little comment to your comment.

P.O. TONNA:
Or question.

MS. BUSCARENO:
I first went to Coindre Hall with my dog about five years ago. And it took me about six months before I had the courage to actually go to the dog park, because it didn't sound like a safe place and something I wanted to get involved with. But I went there, it was a beautiful January afternoon, it was warm, there were probably 50 or 60 dogs running across Coindre Hall in that upper level. This was before everybody started the crack down. And I was going to get -- I got the collar on my dog, I got the leash on my dog, I was all ready to hang on to her for dear life. And this other man, thankfully had an Irish Setter, so he came over to me, he said, you got to take the leash off and you got to let her go because it's just the way it is here. And I did, and my dog had a blast. And it was the most incredible experience to stand there on a clear beautiful day like we have today and watch all these dogs playing together.

And it really -- if people could get along as well as these dogs do, it would be a beautiful place. So, you know, I can understand your reticence about it if you've never really watched it, but it is -- it's just the most -- it's as close to heaven as I think I'm ever going to get. It's a wonderful thing, and that's why I've been working since 1997 on this issue. So this is not just a passing fancy for me. I'll just ready quickly my presentation. My name is Barbara Buscareno. I'm a

resident of Suffolk County. I was checking your
Parks website this morning and it said that dogs are welcome in Suffolk County Parks, which we realize is something you have to correct if you don't pass this legislation. But let's hope that we can continue to welcome dogs in our parks.

My presentation is focusing on the questions you might have regarding the addition of dog parks to the current park offerings to Suffolk County residents. Your website lists 18 current activities including four waterfront golf courses, which could possibly have had some potential runoff situation with fertilizer and things like that. Horseback riding is available in eight of the County facilities, which certainly I don't -- I haven't heard about a pooper scooper law for horses. I certainly was a horse lover and had horses all my life prior to getting married, and I love them, but I know trail riding and since -- what's the difference? There's horse poop, there's dog poop, you know, whatever, there's wildlife. We allow fishing, hiking, biking, lots of other things. And again, to think of all the special uses where this taxpayer supported space is used to satisfy part of the population that has a hobby. Planning for those hobbies is an accepted idea, and planning for those whose hobbies is keeping a dog is actually serving a larger part of the population than many of the special interest groups already being served.

As I said, Gallup Poll, there's another pet manufacturing organization, have all concurred that forty-five percent of the population has at least one doing. Dog related activities are a chosen form of recreation similar to biking and fishing. The Suffolk County Legislature, previously you've supported legislation promoting adoption of pets from the County's animal shelters. The dog parks are an additional proactive approach to keeping dogs in their own homes and not being turned into shelters, and that saves every taxpayer money and heartache. The issue of liability is no different than any other park user activity, such as horseback riding, canoeing or golf. As dog parks have been operating successfully since the 1970s, there's data to support the lack of liability claims in well planned and well managed dog parks.

Although Suffolk County would like to see themselves on the cutting edge, sadly we're really not at all on the cutting edge or ground-breakers in this program, but we certainly do have a lots of data to support doing a well done dog park. Dog waste removal is a primary to those of us who use the dog parks. Having a clean and safe environment is something that we all want. Being a dog owner and concern for the environment are not mutually exclusive. Many of us have volunteered for shoreline clean ups. I served on the Huntington Chamber of Commerce Committee, which focused on the polluting factors for Huntington Harbor. I also was an elected

trustee for the Village of Huntington Bay, participated in their LWRP. User groups made up of frequent dog park users, such as HDOG in addition to well placed sign are the best insurance for compliance. Dog park users educate other dog owners about the importance of cleaning up, not just in the dog park, but everywhere else.

I really think that there's more of a problem for people walking their dogs individually on the street, they don't pick up, they feel it's just they're one person, one dog, nobody sees it, they don't do it. In a group activity like this, there's a lot more self-policing. Coindre Hall has been operating as a pilot dog park for over four years and has been used by dog owners for many years before that. It was an abundance of wetland grasses in the lower perimeter of Huntington Harbor that provided natural filtering systems for any surface runoff any -- and offer --

P.O. TONNA:
Barbara, you're going to have to wrap up your comments, your time is up.

MS. BUSCARENO:
That's because I was talking to you. Give me a few more minutes.

P.O. TONNA:
One more paragraph and that's it.

MS. BUSCARENO:
That isn't really fair.

P.O. TONNA:
Barbara, it is fair. I have more cards, people want to speak. You had five minutes.

MS. BUSCARENO:
Five minutes? Okay.

P.O. TONNA:
No. You had five minutes. Just wrap up your comments.

MS. BUSCARENO:
Dog parks are a place to efficiently educate dog owners and facilitate good dog behavior, which

benefits the public at large. A good dog, as everyone has said, is well socialized and well exercised. And your favorable response to this important legislation will be remembered and greatly appreciated by the forty-five percent of the Suffolk County residents who own dogs. Let us not forget that it is our tax dollars that contribute to the maintenance and care of County parks. To exclude dog owners from them is to penalize us unjustly. Remember, County parks are for all residents of Suffolk County. And please do the right thing and support this legislation.

Just one other quick comment is that when we're talking about the area that we're looking at Coindre Hall, we're not talking about the upper level close to the mansion, we're not talking about the hill necessarily, we're talking about the lower level, which is flat and it is behind the wetlands area.

P.O. TONNA:
Right. Thank you. Virginia Mungerkahn. Was that close?

MS. MUNGERKAHN:
Very close.

P.O. TONNA:
A lot of hyphenated names. Very tough for a dyslexic, you have to understand that.

MS. MUNGERKAHN:
I am Ginny Mungerkahn. My husband and I have owned a home in Suffolk County for 23 years. That means I literally paid thousands of dollars in taxes to support County activities since 1979 and continue --

P.O. TONNA:
Knowing the County, it's probably millions, but go right ahead.

MS. MUNGERKAHN:
I looked at my tax statement last night and continue to contribute financially to county services, obviously. I'm here to speak to you about the need for dog parks, not just in terms of dogs, but in terms of serving the needs of people, in other words, your constituents. As you know, Suffolk County it is a great place to live, but those of us who own dogs face a frustrating and ultimately

unfair situation. While people who hike, bike, golf, ride horseback or do any other activity for which the County has set aside land have plenty of opportunity to enjoy these activities in County parks, those of us who own dogs who are great lovers of the outdoors as anybody who owns a dog knows, are severely restricted in our or access to the kinds of activities we can enjoy in County parks.

We and our dogs are barred from many areas, we are restricted to keeping our dogs on leashes at all times and now threatened with losing the only two places the County has ever set aside for us; Coindre Hall and West Hills Park. This is taxation without representation. Forty-seven percent of all Americans, as you've heard, own at least one dog, which means hundreds of thousands of Suffolk County residents. For many people, owning a dog in Suffolk County is as much a part of suburbia and exurbia as driving an SUV or minivan. Dog parks serve people in another important way; they create communities, as you indicated. They create communities of dog owners. Dog parks help provide forum for dog owners to share information and help others take good care of their dogs. Better doing owners make better dogs, and better dogs are less likely to be given up to shelters.

As government officials, you owe it to your constituents, who care about dogs, to stop the tragedy of millions of animals a year euthanized by local governments. Yet Suffolk County seems to be moving in the opposite direction. Believe it or not, I've been taking a dog to Coindre Hall for more than 20 years. For years, the property was neglected and vandalized, but three years ago or maybe four years ago, the County launched this pilot program to establish an open dog run at Coindre Hall. In all the years I've been going to Coindre Hall, the property has never looked better or been enjoyed by more Suffolk County residents. Those of us who own dogs have played a major role in making the park so popular, and we have used it responsibly. Considering how many people and their dogs use the park everyday, the number of complaints has been minimal, notwithstanding Ms. Righter's situation. The Parks Department actually was looking into extending off-leash hours at Coindre Hall when the problem with the Suffolk code requiring leashes at all times was discovered. To take Coindre Hall away from us now under such circumstances would be completely unfair. We have done nothing to deserve losing access to this unique and beautiful place. Dogs and us dog owners deserve dog parks in Suffolk County.

[SUBSTITUTION OF STENOGRAPHER - ALISON MAHONEY]

P.O. TONNA:

Thank you very much, Virginia. Okay, Susan Marino? Is that right? Whoa, two for two.

MS. MARINO:

Hello, and thank you for listening. My name is Susan Marino, I am Founder/Director of Angels Gate Hospice and Rehabilitation Center for Animals; it is the first animal hospice in the country. Currently I am living with 150 animals plus, there may be more or less by the time I get home, I don't know.

P.O. TONNA:

Say it again, I missed that. And I'm not taking it off of your time.

MS. MARINO:

That's because you weren't listening.

P.O. TONNA:

You have 150 animals at home?

MS. MARINO:

Yes. I am Founder/Director of Angels Gate Hospice and Rehabilitation Center; it's the first hospice and rehab center for animals in the country. I reside with 150 animals and 34 of the animals that I have right now are dogs. They range in size from a seven pound Yorkie to a 250 pound lab -- I'm sorry, St. Bernard.

Most of these dogs came from your shelters. The dogs came to me battered, beaten, abused, sick. And I would invite all of you to come to my home so that you could actually see what can happen when animals come together and are well cared for, they're in an environment where they can run and play. Animals come now to my house from all over. We have animals that -- we have people that drive in for two hours to actually play in our backyard and to swim in our swimming pool. We have a hydrotherapy program for animals that want to swim for animals that might be disabled, they can come and swim in our swimming pool. We have never, in all the years that we have been doing this, we've been doing this now for ten years, I've had an incident -- only one time did I ever have to return an animal because we were concerned of what might happen to another animal and that was a Husky that had been very, very badly abused and had been left in someone's backyard for many years. We could not socialize that dog

because we didn't have the time, not that that dog couldn't be socialized, we just didn't -- because I was caring for so many animals, I couldn't do it.

I just got back from a symposium in Tennessee recently and the statistics that I heard is that 59% of all the people in the United States have dogs in their home, and even more than that have cats. There's a tremendous interest. I think it's absurd that there are only two places in Suffolk County for dogs to run. There's --

(APPLAUSE)

There's two places and Angels Gate and I can tell you, people are finding us. We have been very fortunate, in the past year we have had a lot of media attention at Angels Gate and I can tell you just recently we were interviewed by the New York Times back in July and Marcel Fishler sat in my backyard and she goes, "I don't understand this. Why are they not fighting? Why are they getting along?" We create an -- we can create an environment for these animals to come together. The biggest problem I don't see with animals I see with humans. I have a house full of dogs because of human problems, not animal problems.

(APPLAUSE)

I've also been a pediatric ICU nurse for 33 years. You're concerned about animals coming to a playground sick? How about all the parents that send their sick children because they've got to go to work? They're sending them to schools. I was a school nurse for two years and I can tell you, I had a lot of kids sitting in my office that were sick because mom had to go to work that day.

So I applaud this bill. I hope not only will these two places open but many, many more will follow after this because there is a tremendous need for the care of these animals in Suffolk County.

P.O. TONNA:
Thank you very much.

(APPLAUSE)

Richard Robbins.

LEG. HALEY:

Can I just ask a question?

P.O. TONNA:

You have a question? Okay. I think -- Susan, he has a question.

LEG. HALEY:

If you are so successful with all of those animals, maybe she can do something for us.

P.O. TONNA:

Well, I would say that that's probably a step down. But anyway -- thank you. Richard Robbins? How you doing, Richard?

MR. ROBBINS:

Good afternoon, Ladies and Gentlemen.

P.O. TONNA:

Richard, I want you to know, I love your haircut.

MR. ROBBINS:

Thank you.

P.O. TONNA:

I just want you to know, I'm very partial to that look.

MR. ROBBINS:

I modeled it after yours.

P.O. TONNA:

There you go. And being a constituent of mine, I know already you're going to be very eloquent.

MR. ROBBINS:
Yes. And with all due respect to the Presiding Officer, I know where you live and I've heard your dogs and I think if you socialize them more you'd have much less of a problem.

(APPLAUSE)

P.O. TONNA:
Richard, I --

MR. ROBBINS:
I'm very serious about that.

P.O. TONNA:
Richard, I want you to know something, those aren't my dogs, those are my children. If you know my house --

MR. ROBBINS:
Well, someone is growling and barking at the fence, that's all I can say.

P.O. TONNA:
Yeah, that's my children. My Doberman is actually pretty quiet. Go right ahead.

MR. ROBBINS:
I just want to first say that I'm a life-long resident of Huntington and I would like to thank Legislator Cooper for his courage and foresight in advocating dog parks here in Suffolk County. I realize there are legitimate concerns that need to be addressed.

I am a five to six time a week visitor with my dogs to Coindre Hall. The vast majority of dog owners that frequent this area are responsible and clean up after their dogs and many people will clean up after an over looked deposit. I live less than one mile from West Hills Park and in the 40 or so years that I've hiked there, I don't recall anyone cleaning up after the horses. On Long Island in open fields without a dog presence, the Canadian Geese leave a mess making

some areas impossible to walk through.

As a recent victim of a vicious dog attack, I believe I have a unique vantage point regarding this matter. I was walking at a school with my three well-trained, socialized dogs when we were attacked by three Pit Bulls that lived adjacent to school property. These dogs, Legislator Fields, were supposedly leashed. In the 20 years that I have been walking there, I have never seen this woman out with her dogs. Had her dogs been socialized to dogs and people, this attack never would have occurred. If dogs are restricted from County parks, attacks such as the one that my dog and I suffered through will only increase as it will force us to take our dogs closer to home, to possibly encounter vicious unsocialized dogs let loose by irresponsible dog owners. This type of dog owner would never take the time to pack up their dogs, take toys, leashes, bowls, etcetera, for a nice socialized park outing. After my life changing experience, I only feel comfortable in areas such as Coindre Hall where there are well behaved, socialized dogs and people, frequent and enjoy.

My dogs are also the official assistive pet therapy dogs at the Long Island State Veterans Home and at the Center for Extended Care at North Shore University Hospital in Manhasset. In order to perform these duties, I must exercise my dogs prior to entering the nursing facility; I can't do that in my backyard, I don't have the luxury of having acres and acres of land. I have a nice house, I have a small piece of property, I have three big dogs that are well behaved but I can't properly do my pet therapy, which I do on a volunteer basis, by exercising them in my backyard.

I'm not harassed in Nassau County like I am in Suffolk County. I have gotten a ticket for having three dogs instead of two when the officer was aware of the fact that one of those dogs belongs to my dad; at the time my father was feet away in my handicapped van getting an oxygen treatment.

P.O. TONNA:
Just -- and I'll stop the clock for a second. There's a law that says you can't have three dogs?

MR. ROBBINS:
That's correct. That's correct.

P.O. TONNA:

Where?

UNKNOWN AUDIENCE MEMBER:

At the park.

MR. ROBBINS:

At the park.

P.O. TONNA:

At the park when you walk, when you go into your dog run you're only allowed to have two dogs at a time?

MR. ROBBINS:

That's correct. Chief William Peters --

P.O. TONNA:

Okay. And there was a police officer there. Was it a State park, I mean, a --

MR. ROBBINS:

Officer Paul {Minot}.

P.O. TONNA:

Was it County Park Police?

MR. ROBBINS:

County Park Police, yes. I've discussed this matter with Chief William Peters of the Suffolk County Park Police many a time.

P.O. TONNA:

And there's somebody there monitoring that, that's what they're spending their time monitoring?

UNKNOWN AUDIENCE MEMBER:

Harassing.

MR. ROBBINS:

Harassing is correct. I also --

P.O. TONNA:

All right, we'll have to deal with that later.

MR. ROBBINS:

I also got a ticket for not having a green key at Coindre Hall. I said to the officer --

P.O. TONNA:

I put you back on the time, though, I didn't want to interrupt you. Go ahead.

MR. ROBBINS:

Okay. I said to the officer, "You're wasting your time and taxpayer's money on asking me for a green key." Because he couldn't give me a ticket for anything else so he gave me a ticket for not having a green key when there are a hundred people who don't have a green card. I mean, seriously, it's outrageous, it's sad because -- I mean, dogs really are, as you can see -- I don't want to take up too much more time, but they're a big part of our lives. I have spent the last 14 years taking care of my father who is a disabled, combat-wounded, handicapped veteran and my dog -- one of my dogs who is a Grey Pyrenees, he's a large dog, he has acted as like a human walker for my father until he was too ill to be used -- you know, to be assisted by the dog.

These are very, very serious issues for us. These are like children to us, they're part of our lives, they've helped us cope. And I beg you -- Legislator Fields, I really wish you would open your mind and your heart and I invite you --

LEG. FIELDS:

I have no problem.

MR. ROBBINS:

No, I understand, but I invite you to come to Long Island State Veterans Home at your convenience and you can witness the look of the veterans on their faces as I'm walking down the hall with my dogs, they straighten up in their wheel chairs, they wipe their mouths, they've so happy to see me. I've had so many veterans tell me that the highlight of their week is when I come visit and spend 10, 15 minutes with them and my dogs.

P.O. TONNA:
Sir, I have a question for you. Are you done yet, no?

MR. ROBBINS:
Sure, go ahead.

P.O. TONNA:
Okay. The -- I'm very aware because I go down Highhold all the time to -- you know, I have never taken my dog to the experimental place there being utilized at West Hills. You travel all the way to Coindre Hall.

MR. ROBBINS:
That's correct.

P.O. TONNA:
Have you used the West Hills?

MR. ROBBINS:
I have, I'm not a big fan of West Hills because there's not a blade of grass left there. There are no trees so there's no protection from the sun. Frankly, my dogs and myself, we get bored there.

UNKNOWN AUDIENCE MEMBER:
It's small.

MR. ROBBINS:
It's very small.

P.O. TONNA:
Is it utilized a lot?

MR. ROBBINS:
I haven't been there in a long time. I go to Coindre Hall almost daily.

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

MR. ROBBINS:
Thank you.

(APPLAUSE)

P.O. TONNA:
Any other questions? Thank you. Janette Zucker? How are you?

MS. ZUCKER:
Hi. I'm Janette Zucker, I'm a licensed Vet Tech by New York State. I have been Manager and Vet Technician at the Animal Emergency Service in Commack for about 16 years. I am currently a dog owner; I have not always been because I believe in having the time and doing it right when you do it.

I can address your issue, Legislator Fields, about the worms. There's no way that you're ever going to eradicate worms. The proper procedure is to have them on medication, heart worm preventatives do contain and control different parasites and education is my big thing -- I'm a little nervous, sorry.

P.O. TONNA:
Can I say something? Don't be nervous. Take your time, relax.

MS. ZUCKER:
Too late.

P.O. TONNA:
This is a very peaceful group. Nobody ever here has been confrontational.

LEG. FISHER:
Take a deep breath.

MS. ZUCKER:

I also have a very nervous type dog who they will -- they will attest to the breed of dog and I have yet to challenge you to find a better socialized Weimaraner who has provided pet therapy, who is cathartic to every patient and every owner that comes into that emergency hospital where I said, "Do you want me to put him away," and they have said, "No, he's helping me." He has alerted me to medical needs and he -- there is not one person that goes to that park on a regular basis that doesn't know Ernie and wouldn't attest that he would never harm a child, a animal of any sort. He's supposed to be a hunting dog and he's not, but he's overly socialized and he's one of the best things that have happened to me and a lot of other people.

I have only been going to Coindre Hall since January of this year and I am responsible, I do clean up after him, we all clean up after when we see other people that don't and we tell them, believe me; I'm nervous now, but I do speak up when I have to. And I have educated on a weekly basis, people ask me questions, it's more like a forum because they know what field I'm in and they ask me things and I educate them on how to keep their dogs healthier. And the patients that I see in the hospital, if every patient went and socialized their dog we wouldn't see half of the problems that we see. They are better to deal with, the owners are better. And the people that go to the park regularly, I hate to say it, but they're not the ones you need to worry about, it's the other people that don't and we should be educating them, and I try on a routine basis at my job.

My big point here today would probably be that, you know, it's not so much should we have dog parks because I already -- automatically believe we do and we should. Maybe we can suggest something such as a registration program where you have to -- I mean, I can prove how he's vaccinated, how he's socialized by at least 14 veterinarians, but to have identification, that you carry a card so when you go to different County parks this dog has been proved that he is not an aggressive dog under normal circumstances, they are animals, but that he is well vaccinated, that he is licensed and, you know, if need be pay a fee annually, generate a little revenue. And I would think that that might be a way to promote more efficient and better regulated activity that goes on there. And if every -- you know, if they're going to be there watching to see what goes on like you mentioned before, maybe they can make sure that you have your pass with you. I would be all for paying a fee and having him registered, and I love to show pictures of him anyhow.

P.O. TONNA:

Thank you very much.

MS. ZUCKER:

Thank you.

(APPLAUSE)

P.O. TONNA:

By the way, while we're going through this, I'm just trying to think of my five best dog films; I got Baldo, Pet Detective, Lassie, Benji, and Blues Clues. I'm getting there. Jon, we're going to share that later. Pooch, okay. Anyway, Sandy Rapp? Oh, you already talked?

MS. RAPP:

I just spoke. My other personality wrote it out twice.

P.O. TONNA:

Okay. You wrote it out twice, huh? Okay. So we're all done. By the way, if anybody filled out a card and would like to put in your best film, you could register with the Clerk and we'll be -- oh, please, come right up.

MS. {LASSERSON}:

I didn't have a card

P.O. TONNA:

Somebody's yelling out there; guys, that's what you have guns for. I mean, just -- yes? Somebody wants to fill out a card? Okay. Hold it one second, ma'am. You will have an opportunity to speak, don't worry about it, just sit right down here. We'll get you a card. No, no, sit right down, make yourself at home. Ma'am, just your name, rank and serial number for the record.

MS. {LASSERSON}:

Judith Lasserson, I'm a Suffolk County resident for 27 years. I live in Huntington and I just want to point out two things, that dog lovers will find a way to exercise their dogs, either legally or

illegally, and we want to do it legally. And a second thing I would like to say is that Huntington was recently voted an All-American City and our town, and I don't think that would be possible if people didn't know it was a dog-friendly town. Dogs are our best friends. And this sounds very corny but it's what came to me as I listened to all of this, to take the courage to paraphrase a very famous speech, I think we should ask not what our dogs can do for us but what we can do for our dogs.

(APPLAUSE)

P.O. TONNA:
Thank you. Elizabeth Kurner. Elizabeth, where are you?

MS. KURNER:
Last minute.

P.O. TONNA:
There you go. Elizabeth, I don't have the town. I know you were in the middle of filling out your card when we were calling you in. So, Elizabeth, where do you live?

MS. KURNER:
Northport Village.

P.O. TONNA:
Okay, great. Thank you. Elizabeth.

MS. KURNER:
I just got a call. I had been planning on making this meeting but then I had attended my village meeting this morning and it was a little too much, however somebody called me. I will start out with I am an animal lover, a devoted animal lover. At one time I had a very large Collie, perhaps some of the people here have heard me say this at another meeting, that's a working class dog, and on a third of an acre we saw that that dog was properly cared for, exercise and so forth; we had a fenced-in yard. Now, that dog passed away in my arms and there's probably not a day goes by that I don't tear up if I think of him.

Moving right along, I'm very familiar with that park. I was born, raised right in the heart of Huntington Village; as I like to say, when Huntington was Huntington. A lot of things have happened since, and not so good in my -- the way I feel and most of my family, probably all of it. That is a beautiful area there, brown stock, the old Coindre Hall, it's a waterfront property. If this must be done within Suffolk County, I urge you to consider very strongly not at that park, a waterfront park which is very precious land, not everybody has access to the water near it and so forth.

And my own experience -- I had an experience last year with my son. We went -- I visited him in Manhattan, he lives and works in Manhattan, and we brought a box lunch and we proceeded to go down to Christopher Morley Park. We sat down and I asked, "What is that?" And he said, "Oh, that's the dog run." Okay, fine, let's get -- I'm not sitting here. We got up and we had to move twice because of the stench, and I mean stench; this was not the summer, this was the spring and you have concentrated animal waste of both kinds. Yes, it was picked up and it was raked and there was a bedding of mulch of some sort, but the stench was there.

Now, you can say well, this is the city and this is the country. The parks were created for people, for children, as a safe, recreational area, a retreat and so forth and so on and we don't even have to go there. As I said before, I love animals, I adore them, but animals belong in your own yard and if you don't have a yard, well -- if you don't have a yard, well, I feel sorry for the animal; he needs to have a yard, needs to be exercised. But to take it at someone else's expense, where does it stop? Then do I who now has a cat, don't have a dog, require, need, ask of you people a place for my cat to exercise and so forth? The first primary reason of the parks was for people, not dogs, okay? Don't let it go to the dogs.

But if you are going to do this, please consider doing it in a better area. And if you didn't need to -- I'm doing this, I have no notes, totally from, you know, the top of my head here -- if you need to do this and if you are going to go on the assumption, well, not enough people came speaking against it, I just got a late call from someone, as I said, I was planning to, then I didn't -- think of the fact that if you didn't need to notify the surrounding neighbors think of that; if they were notified, I'm sure they would be very upset. And when they find out, if they haven't been notified, they're going to be very upset. So consider all the reasons. I mean, all this stuff about animals, yes, yes, yes, yes, yes, I agree with all of it. But you recreate them, you exercise them on your own, and if you don't have your own, well, that's a problem. I

wouldn't have a dog in an apartment, I wouldn't subject it to that, be away from, you know, hom all day, I would be extremely stressed over that. It belongs in a yard, it belongs with a fence, you need to walk it, you need to exercise it but not at other people's expense. Thank you.

P.O. TONNA:
Thank you.

MS. KURNER:
Excuse me, I just want to add something else.

P.O. TONNA:
You have a minute left, so.

MS. KURNER:
Okay. I heard this comment here, I was not rude to these people, but I think they're pretty rude to me. Tax dollars? Yes, I heard that comment at another meeting I was at. Yes, okay, then what about my cat tax dollars? What about my turtle tax dollars? It gets ridiculous. Why are dogs taking place over cats, or maybe snakes that need trees to rome in at waterside parks? That's ridiculous. The parks were built, secured, maintained for people. People have children and the safest place for children is with their families guiding over them, not where a dog attack might take place.

Let me tell you, when I see certain dogs, I salute them, I'm out of there. I have seen this happen, we've all heard of it, dogs belong -- and I mean, as far as their health and so forth, they're socialized, they're getting diseases and so forth and so forth. They're spreading more diseases. We're going to have a big accident with this kind of behavior. Thank you.

P.O. TONNA:
Thank you, Ma'am. Okay, believe it or not, that concludes the public portion of that bill. All right. I'm just so glad we moved through that one so quickly.

LEG. BISHOP:
We should just recess that.

P.O. TONNA:

Yeah, let's come again for another one of these.

LEG. COOPER:

I'll second that motion.

P.O. TONNA:

I hear that -- what are you -- are you making a motion?

LEG. COOPER:

Motion to close.

LEG. POSTAL:

Second.

P.O. TONNA:

Motion to close, seconded by Legislator Postal. Hey, I hear, by the way, the Alpo constituency, you know, there's a big lobby out there. Okay, anyway. All in favor? Opposed? Great, we have closed it. Don't subject us to any more of this.

Okay, **1954 - The local ban on the sale and purchase of all products containing Ephedrine within the County of Suffolk (Cooper).** Legislator Cooper, once again, you're on the agenda. We have two cards for the local ban of sale and purchase for of all products containing Ephedrine within the County of Suffolk. Thank you. Did I say that right? Ephedrine. Ephedrine; I said it Ephorine. Okay, Karen Schlendorf; is that close, Karen?

MS. SCHLENDORF:

Good afternoon. My name is Karen Schlendorf and I wish to thank the County Legislature for allowing me the opportunity --

D.P.O. POSTAL:

Ms. Schlendorf, please just speak into the microphone. Thank you.

MS. SCHLENDORF:

Is that better?

D.P.O. POSTAL:

Much.

MS. SCHLENDORF:

Thank you for allowing me the opportunity to speak at this hearing. I believe that I have a unique and personal perspective on the issues of dietary supplements and Ephedrine in particular. The unregulated and irresponsible marketing and sale of these products has resulted in scores of deaths, including our 20 year old son Peter. As a mother, it's very difficult for me to try to put into words the depth of feeling for my youngest son.

Pete was the joy of my life. From the day he was born Pete was someone very special; he made me smile every day and I thank God that I have been blessed with such a wonderful gift. Pete was a very involved student, both in high school and in college. He presented a workshop on teenage sexuality at an Issues Conference at Hofstra University while he was a student in a leadership class at Northport High School. He started numerous theatrical productions throughout high school and college, he was the starting tight-end and co-captain of the Suffolk County Football Championship Team and also played football at the University of Albany. Although he won many athletic and leadership honors, he believed that the most important things that he did were to help others. Whether it was organizing a food drive or performing a skit that he had written on cultural diversity for elementary school children or designing and building a playground for handicapped children in Albany, he always felt that it was his duty to give back to the community. He was a kind and thoughtful person who made people feel glad that they knew him. He brightened a room every time he entered it and was always the center of attention, not because he asked for it but because it seemed to come to him naturally.

Pete was bright, funny, athletic, talented and a leader among his peers. I was proud of his accomplishments and prouder still of the man he was becoming. Then one day the unimaginable happened; he died. Pete had gone to Florida on spring break with some of his friends. On a cold and overcast day, they decided to explore some of the shops along the beach. All week they had seen ads and banners promoting herbal supplements of all kinds, they went into one of the shops and decided to try one. It was all natural, safe, harmless. The store clerk said that she and her friends take 12 pills at a time and feel great, it gives them lots of energy; the boys tried it. Pete, being a little conservative, took somewhere between four and eight pills and almost immediately began to feel strange. His heart rate was faster, he felt tingly all over, very

hot and he had a pounding headache. He took a shower but it didn't help. He told the other boys to go out and that he would lie down for a while and when he felt better he would join them later. The last time his friends saw him alive, he was sitting on the edge of a bed reading the label on the box. What had he taken, what was wrong, what should he do? There was no help for him on that box.

It took weeks, maybe months for us to understand what happened to our beautiful, wonderful, healthy son, but at least now we do know the facts. Pete died because a company cared more about profits than they did about lives. Pete died because he had an unfortunate chance encounter with Ultimate Exophoria. The manufacturers of this product have admitted due to our lawsuit that they are not sure how many or which additional herbs were in each batch. They claim not to know where the Ma Wong came from, what part of the plant was used, the time of year it was harvested or how strong the concentration was. They didn't know, or perhaps they didn't care, but my son died because Ultimate Exophoria was improperly manufactured and marketed towards young people.

A number of ingredients in this product posed a risk to Pete or any other healthy individual; combined they caused an insurmountable risk of harm. I know that there's a great deal of information in publications and on the Internet that dispute these truths, I've read them myself. But I have a copy of Pete's autopsy, something no mother should ever have to read, and it shows beyond a shadow of a doubt that there was nothing in Pete's system besides the ingredients in this product. He had been on spring break with his friends, but there was no evidence of any drugs or any alcohol, nothing but the legal herbal supplement that he bought over the counter in a little shop on the beach.

Ephedrine is a drug, it's been a drug for over 5,000 years. No amount of legislation will ever make it a food. Proponents of Ephedrine containing supplements like to say that the Chinese have used it for centuries; they're right, they have, through practitioners who prescribe it as part of their traditional medicine, not for weight loss or an energy boost. Scientists have agreed on what Ephedrine does. It dilates bronchial muscles, contracts {nabile mucosia}, raises blood pressure and acts as a cardiac stimulator. Public health advisories have been issued by the FDA and by Health Canada. However, the Dietary Supplement Health and Education Act of 1994 continues to allow irresponsible persons to contaminate the marketplace with false claims and dangerous marketing. I doubt that it was the intention of this bill to allow people like those who caused my son's death to get rich at the expense of America's youth. I fully understand that

there are many people and certainly many manufacturers making millions of dollars from these products who don't want to hear any of this, but I am so glad that this governmental body does have the courage to seek the truth.

Many well respected organizations representing different points of view have expressed concerns about the effects of Ephedrine. The American Medical Association now supports a ban on Ephedrine. The International Olympic Committee, the NCAA and the National Football League have banned its use. The FDA has been limited in their ability to protect the consumer against dangerous herbal supplements by the Dietary Supplement Health and Education Act. The time is long overdue to examine the results of this act of Congress.

Losing a child is heart breaking; knowing that it was preventable is devastating. To our family it's very simple; Ephedrine is not a harmless herbal supplement, it is a powerful drug. This bill addresses on the local level what our Federal Government has been unwilling or unable to do at the Federal level, to protect us. To do otherwise means that more people like our son will be added to the death toll of unregulated use and sale of Ephedrine. We ask for your support of this bill in memory of our son, Peter Charles Schlindorf.

I would also like to add to this that as recently as late last spring, in June, two young children in my town in Northport on their way to school picked up a package of an Ephedrine supplement on a counter in a deli and took it on the way to school and had to be rushed to the hospital. This is something that is out there in the stores and is I believe a threat and a danger to all of the people. Thank you.

D.P.O. POSTAL:
Ms. Schlendorf, thank you. We know that this is not easy for you and I can tell you that you certainly made an impact on all of us. Thank you.

LEG. CARPENTER:
Thank you.

LEG. LINDSAY:
I have a question.

D.P.O. POSTAL:

There's a question from Legislator Lindsay.

LEG. LINDSAY:

Mrs. Schlendorf, first of all, let me just say that my heart goes out to you. I can't think of anything worse that could happen to us as parents than to bury one of our children.

MS. SCHLENDORF:

Thank you.

LEG. LINDSAY:

Having said that, I don't know whether it's appropriate for us to ban a drug in Suffolk County. I mean, it shocks me with your testimony that the FDA is not doing anything about this. One of the problems with making a local law, of banning an ingredient or whatever, is it's local. We only have jurisdiction in Suffolk County and, you know, Nassau isn't far away and the city isn't far away. And that's why I think we all depend on the Federal Government to monitor not only the food and drugs that we eat but, you know, our environment to protect us all on a wide basis. And, you know, far be it from me to tell the sponsor, you know, what bill to put it in, but it might be more appropriate if we send a Sense Resolution to our Federal representatives asking them to get the FDA to look at this situation and to sponsor something that would be much more broad-based than to create an illegal drug just in one sector of our island which sometimes promotes it even more, you know, because it's so easily gotten in the adjoining community.

MS. SCHLENDORF:

Well, in theory I would agree with you. But right after my son died and ever since then for the past six years we have tried to do just that. I have testified before Congress, we have worked with former Senator Alfonse D'Amato, Senator Christopher Dodd from Connecticut and Senator Frist from Tennessee. There is a huge lobby that does not want to see anything happen to any herbal supplement. They worked very hard to have that act passed in 1994 and they have a lot of lobbyist funding money behind them to see that nothing changes. There have been many deaths and a thousand or more difficult situations because of Ephedrine reported to the FDA which did prompt them to release a warning. They feel that their hands are tied, I don't know that I completely agree with that. But clearly we are not going to get that kind of help from the Federal government at this point.

LEG. LINDSAY:

Maybe you could explain something to me. There must -- you know, some of the products that they just showed me that contain this chemical are broadly used I guess by tens if not hundreds of thousands of people. Is it an allergy type of thing that certain people are allergic to this --

MS. SCHLENDORF:
No, that's not my understanding.

LEG. LINDSAY:
Okay.

MS. SCHLENDORF:
There's actually a couple of possibilities. One is that certain people, although you will never know who you are until you take this stuff, may have a sensitivity to it; that's one theory. Another theory is that perhaps someone -- and I know there's been some discussion that maybe my son fell into this category but that is not true -- that someone had an undiagnosed heart condition and this Ephedrine, you know, caused their death. I don't know if that would be true in some cases or not, I know that's not true in Pete's case.

The other theory is that these products, all herbal supplements, are not regulated by the FDA. There is nothing to say that from one to the other that there's the same concentration in them. Let me give you an example. The company that met Ultimate Exophoria mixed it up literally in a bathtub. Sometimes their batch would make 250,000 pills, sometimes their batch would make 350,000; they didn't have a clue how much Ephedra was in one pill to the next. And that's what's out there in the market place. I know that people use Ephedra-based products with no problem or little problem. I also know that there are a lot of people who use them that do have heart palpitations and lots of other difficulty. The thing is that they work. They help you lose weight because they speed your heart rate up. They help you focus on your work out because of the different kinds of things that it does to your body, but that doesn't mean that it's good for you. I'm looking at this bill that's been sponsored by Legislator Cooper as a beginning. You know, perhaps very much the way the cell phone things went in Suffolk County, that maybe the State of New York, instead of just issuing a warning, would take this a little bit more seriously, and on up to the Federal Government.

LEG. FISHER:
Okay. I just wanted to mention --

D.P.O. POSTAL:
Legislator Fisher.

LEG. FISHER:
-- before you left the podium that I did introduce a Sense Resolution asking -- it's No. 60, asking the Federal Government -- I'm sorry, No. 61. I'm giving the wrong number, No. 63, sorry, asking the Federal Government to ban Ephedra. Okay? So we do have that resolution as well, the Sense Resolution.

MS. SCHLENDORF:
Okay, thank you.

D.P.O. POSTAL:
Thank you again, Mrs. Schlendorf. Our next speaker is Charles Bell.

[RETURN OF COURT STENOGRAPHER-LUCIA BRAATEN]

MR. BELL:
Good afternoon. I'm Charles Bell. I'm the Programs Director for Consumers Union. We're the nonprofit publisher of Consumer Reports Magazine, Consumer Reports on Health Newsletter and consumerreports.org website. We're based up in Yonkers, New York. We're a national consumer organization. I've been involved in a lot of our work on health policy issues, and I've been working on the herbal supplements issue for about three years. We're currently on the verge of getting a bill passed in the State of California that restrict the sale of Ephedra to minors. We're trying to get a bill passed in New York. And this summer, we succeeded, after two years of effort, in getting a bill passed in Westchester County to ban the sale of Ephedra to minors.

We strongly support the proposed Suffolk County law to ban the sale of products that contain Ephedra, and we commend you for your leadership in addressing this difficult, critically important consumer issue. We believe in outright ban of this particularly hazardous herbal supplement is badly needed to protect consumers from serious potential adverse effects, including heart attacks, seizures, and strokes.

The Chief Medical Advisor to Consumer Reports Magazine, which we publish in Yonkers and has a

circulation of about 3 1/2 million, is a guy named Dr. Marvin Lippman, and he is also Emeritus Professor of Medicine at New York Medical College. He has stated that if Ephedra were a pharmaceutical drug, it would already have been withdrawn from the marketplace or banned by the FDA because of the large number of adverse medical reactions that have been reported. And Dr. Lippman and many other responsible authorities believe these products pose particular hazards to adult consumers, and for that reason, we are not satisfied with bans to minors. We believe for many adults who have preexisting conditions such as hypertension, cardiovascular problems and diabetes, that Ephedra poses particular hazards, and for that reason, the best course of action, the best policy solution is to remove it from the marketplace entirely.

Now, as the previous speaker pointed out, there is a very strong national lobby, and this is essentially the problem. We're a national organization. We want to see the FDA take action. We've asked for that, we're going to be asking again. We're trying to do something with the Congress, but the fact is this is one of the most powerful lobbies in the United States right now, and for that reason, we have been focusing our efforts at the local level, at the state level, anywhere we can to get a beachhead to try to raise awareness. And this problem has been widely in the media over the last couple of months.

We're very concerned, because the number of adverse events are vastly underreported. Many consumers who have a bad experience with an herbal supplement just put it aside. Last month, one of the largest manufacturers of Ephedra products, a company called Metabolife, disclosed they had received over 13,000 complaints from consumers about health effects, including ten hospitalization and three deaths, which they never forwarded or reported to the FDA. And we are just outraged that American company -- an American company that knows that its product is hazardous to consumers does not share that information with health authorities. And so we are determined to get a ban on this product. We think it's imperative that local governments like yourselves take affirmative action, because this is where the leadership is going to come from.

We have a bill at the State level right now that's very week that would ban Ephedra to minors, do nothing to warn adult consumers. I think that the bill we've passed in Westchester County is an excellent start, but the Suffolk County bill is really elegance and brilliance in its simplicity, and I think it you were to move on this, you would receive a great deal of support from the public health community.

And I have some written remarks, which I'll leave for you. I would also make our medical

advisor available by phone or in person to answer any questions. And I do also want to leave an article for you from the Washington Post about the supplement industry's lobbying, because nobody should underestimate the muscle of this industry. They've created a public health problem, in my opinion, by weakening the government's authority to regulate these supplements, and that problem they're not paying for. They're not paying for the health consequences that are experienced by consumers. Those risks and costs are going to be borne by the public and by taxpayers. What they are paying for are lots of political contributions and lobbyists.

In 1999, the supplement industry spent 1.8 million dollars lobbying the federal government alone, it spent more than $500,000 in California to fight, fight the bill in the Legislature that we supported, and that's not counting another $150,000 they gave to the Governor. And we're only getting that bill now because of this enormous scandal that's erupted with Metabolife. And even in Westchester County, where I had to work for two years to get this tiny bill that I'm really not satisfied with, the industry flew three lobbyists from Washington D.C. to try to defeat our bill.

So I think that you should vigorously resist any kind of pressure that you get from special interest groups who profit from the sale of these hazardous products. And I would urge you to take swift, swift and decisive action on this bill. We think it's a terrific bill, and would be happy to make ourselves available to answer questions or provide more information.

D.P.O. POSTAL:
Thank you, Mr. Bell.

LEG. GULDI:
Presiding Officer.

D.P.O. POSTAL:
Legislator Guldi.

LEG. GULDI:
Yeah. I want to thank you for your -- sir?

MR. BELL:
Yes.

LEG. GULDI:

I want to thank you for your presentation. I did want to ask you if you had any quantitative data in terms of the typical kind of analysis that FDA would do on regulated drugs in terms of the experience with this substance, and how -- you know, and how many -- how many anomalies per hundred thousand, per etcetera? Do you have that kind of data, or is it -- and if not, why isn't it available for this --

MR. BELL:

Right. Okay. We have -- in the testimony, we discussed the findings in the FDA Medwatch data base, which is a voluntary reporting system. It's the only reporting system that we have right now. And for a period of about six years, starting in the mid '90's, we have about -- I think there's over 2,000 adverse events reported that are linked to dietary -- all types of dietary supplements, which are reported by both doctors and consumers. Now among those events, over half are attributed to products containing ephedra, and of the deaths, there were 105 deaths that were reported. Over half of the deaths I think are attributed to Ephedra. Now that data base is hardly known to anyone, and it's estimated that FDA hired medical consultants which show that only 1% of adverse reactions to supplements are reported to their agency. Prevention Magazine has done a survey where they found about 10% of all consumers taking dietary supplements reported having an adverse reaction, so we think the numbers are much bigger. And there's another data set, the American Association of Poison Control Centers reported as many as 17,000 adverse reactions to supplements in the recent year. So the numbers are in the thousands, the numbers of deaths are in the dozens, and we think there are far too many deaths, heart attacks and strokes to justify leaving this product on the market at this time.

LEG. GULDI:

How does -- how do those data compare with, for example, the adverse effects that people get from mixing Ibuprofen and Acetaminophen?

MR. BELL:

You know --

LEG. GULDI:

I mean, how many -- we have a number of deaths and strokes and heart attacks and comas

from that. I mean, how are the -- and those are FDA regulated drugs. How do the numbers compare?

MR. BELL:
I'd have to really get -- I don't know the Ibuprofen things off the top of my head, so I'd have to respond to that one in writing. But I would point out, there are some other regulated dietary drugs that have been pulled off the market, including the phenyl -- the PPA drugs, where there were less, relatively less adverse effects reported, but they're being pulled off because they're regulated as pharmaceutical drugs. There are no -- there's no mandatory pre-market safety testing for dietary supplements, and so that's the problem we have.

We have essentially untested compounds on the market. We're using consumers as Guinea pigs for untested compounds, and then, on top of it, we don't have an adequate reporting or medical surveillance system. So what, in effect, has happened here is we've shifted the burden of proof to the governments and to consumer groups like ourselves to justify why these products should be removed from the marketplace, rather than keeping the burden on the companies that are marketing and selling them and making money from selling them to justify why they're safe.

So the government itself has reported the FDA surveillance efforts are not adequate. FDA has asked Congress for more money. The industry has lobbied against giving FDA more money to police this marketplace.

LEG. GULDI:
Yeah. Actually, I think that -- I recall -- I am a Consumer Reports subscriber, member, and have been for more years than I can remember. I think I started reading the magazine in high school. And I vaguely recall a treatment in Consumer Reports on this whole herbal medication and -- industry and the lack of regulation and consistency in it. So I have the utmost respect for your organization. I would appreciate, however, some comparison of the data that we do have available, recognizing its limitations on this, as compared to some of the more conventional FDA regulated medical drugs that do have adverse reactions in a number of cases, just to see the -- to illustrate the comparison, if you could.

MR. BELL:
Sure.

LEG. GULDI:
I'd appreciate that.

MR. BELL:
Be happy to provide that. I also want -- I don't want to leave the impression that we're against all types of supplements. We think some have medical benefits, and we've been I think fairly even-handed in our coverage and be happy to provide that to people. But we are extremely concerned about Ephedra.

LEG. GULDI:
Thank you very much.

D.P.O. POSTAL:
Thank you, Mr. Bell. I have no other cards for this public hearing. Is there anyone who would like to address the Legislature on this hearing? Hearing no one, Legislator Cooper

LEG. COOPER:
Motion to close

D.P.O. POSTAL:
Motion to close, seconded by Legislator Caracciolo. All in favor? Any opposed? Public hearing regarding IR 1954 is closed.

Public hearing regarding **Introductory Resolution Number 1982 - A local law to strengthen enforcement penalties for all terrain vehicles.** The first speaker is Sid Bail.

MR. BAIL:
Good afternoon, members of the Legislature. My name is Sid Bail, and I've come here -- I'm President of the Wading River Civic Association, and I've come here to speak on the proposal for increasing the fines on ATV's in unauthorized areas. Wading River Civic Association strongly supports the legislation introduced by Legislator Caracciolo, Mike Caracciolo, my Legislator, Presiding Officer Tonna, Legislators Fisher, Nowick, Lindsay and Fields, which would stiffen existing penalties for the operators of ATV vehicles in unauthorized areas. This is a long overdue response to a significant problem, not only in Wading River, but in many other areas of Suffolk County. We believe that it is a significant step in deterring those ATV operators who cause

significant environmental damage in -- to County owned property.

In a couple of minutes, you're going to hear a resident Wading River speak to this issue, and she's going to bring some pictures that she took within the last few days of some property right next to her in Wading River. We also believe that residents living near County owned land on which ATV use is illegal have a reasonable expectation that the County will develop measures to enforce the ban on ATV operators in those unauthorized areas. We support the increase in fines related to conviction. We believe that the increased fines are an important component in deterring those who routinely break the law and use their ATV vehicles in unauthorized areas. By the way, we also recognize the enforcement component is absolutely critical in this area. We further support the provision of the legislation that holds parents and legal guardians of a minor who violate this law responsible for restitution for damages caused to the County real property.

In summary, we believe that the increased fines and parental responsibility component of this legislation are important and appropriate steps in eliminating the use of all terrain vehicles in unauthorized areas. Thank you.

D.P.O. POSTAL:
Thank you, Mr. Bail. Next speaker is Janice Fluhr.

MS. FLUHR:
Hi. My name is Janice Fluhr, I live in Wading River. I would like to address an ongoing problem for residents in Wading River Acres and Estates. During the spring, summer and fall, we are subjected to the noise pollution from ATVs and motorcycles that trespass on the property between these two developments. Everyday of the week, especially Friday evening, Saturday and Sunday, we are unable to enjoy peace and quiet in our homes and backyards because of the constant extremely loud noise from revving engines. The area has become the equivalent of a race track, complete with jumping ramps. And I do have those photographs of man-made jumping ramps and the damage that the ATVs have caused.

I'm a very tolerant person, I believe, but I find that this noise interferes with the quality of my life. I'm unable to enjoy my deck and backyard, and if anyone is selling a home and a perspective buyer comes at a time when this commotion is going on, it will probably effect the sale of the home. The people who operate these ATVs choose to ignore the law. They are signs posted clearly now, however, they had been torn down. The ATV operators try to evade the

police by driving late at night. I personally called the Park Police at 9:56 on Saturday, September 7th, and I've called many, many other times. What they do is they scatter and they run when they see the police coming. I believe that this arrogance deserves a stiff penalty if they are caught. I would also like to see more resources allocated to the Park Police. I would like to see the vehicles registered and the operators licensed and. I would urge you to adopt this law. Thank you very much.

D.P.O. POSTAL:

Thank you, Ms. Fluhr. Next speaker is Frances Cartelli.

MS. CARTELLI:

My name is Frances Cartelli. My home is adjacent to one of the places where they have been running their illegal vehicles. Not only do they harass us and aggravate us, but they -- the quality of life has gone down. They come down our streets. If your in the way, they'll just about run you over. In February -- it's not only in the summer or spring or fall, it's also in the winter. In February, my husband had a confrontation with one of the sons of one of the people who live in the area. He was standing outside, and he just proceeded to go and almost ran my husband down. My daughter was out there, and she went over to her father's aid. My husband was very, very upset, and my daughter became equally upset. I went over to speak to the mother of the son, and she just said, well, it just does my heart good to see him go in there. My husband was very upset, my daughter was doubly upset. Within 15 minutes my daughter was dead of a heart attack.

I contribute this, her death, to what happened at that particular point in time. We can't -- we can't sit outside, we have the noise, we're harassed. During the night, I don't know what goes on in there. There's mattresses, they smoke pot, they run -- the whole area is run down. We used to call the police, and the police said it was the Parks Department, the Parks Department said it was the Police Department. But now, you know, because everyone's coming together, we seem to be getting more law enforcement. And I would appreciate you passing the legislation to enforce this here. It's a very dangerous thing. Thank you.

D.P.O. POSTAL:

Thank you, Mrs. Cartelli. I have no other cards for this hearing. Is there anyone else who would like to address the Legislature on this matter? Hearing no one, Legislator Caracciolo?

LEG. CARACCIOLO:

Motion to close.

LEG. CARPENTER:

Second.

D.P.O. POSTAL:

Motion to close, second by Legislator Carpenter. All in favor? Any opposed?

LEG. CRECCA:

Opposed. No, I'm kidding

D.P.O. POSTAL:

Public hearing on number 1982 is closed. I have a motion from Legislator -- Presiding Officer Tonna -- oh, Presiding Officer Tonna, seconded by Legislator Binder, setting the date of October 8th, 2002, at 2:30 P.M., in the William Rogers Legislature Building, Hauppauge, New York, for the following public hearings: Public hearing regarding the 2003 Operating Budget, public hearing regarding Southwest Sewer District assessment roll, public hearing regarding Introductory Resolution Number 2019, 2020, 2038, 2039, 2040, and setting the date of October 15th, 2002, at 10 a.m., in Riverhead, New York, for public hearing regarding 2003 Operating Budget, public hearing for Southwest Sewer District assessment rolls. All in favor? Any opposed? The public hearings are set.

P.O. TONNA:

Okay. Now we're going back to the public portion. We still have a few more cards. I would ask all Legislators, please come to the horseshoe. Herbert Hemendinger is here for the purposes of -- he filled out a card for the purposes of anyone who like to ask him a question. This is public portion. Okay. Can I ask all Legislators who might want to ask any questions of Mr. Hemendinger. How are you doing?

MR. HEMENDINGER:

I'm doing fine.

P.O. TONNA:

I'm going to ask a few questions. Maybe I'll just ask you, we have -- I have a bill in front of us

today that we're going to vote on your candidacy to be on the OTB Board. Can you just tell me, you know, just basically why you would like to serve in that capacity?

MR. HEMENDINGER:
Well, I have forty-one years in the educational field, the last 24 in the administration. I was the Director of Physical Education, Health and Athletics for the West Babylon Schools. I bring experience in organization and administration. I served on many committees and headed many committees that formulated policy and worked on management problems. And I feel it would be an honor for me to serve on this committee with this experience.

P.O. TONNA:
That would be great. I notice also, have you ever just off the top of my head, have you ever served in any capacity at OTB or anything else like that?

MR. HEMENDINGER:
No.

P.O. TONNA:
No.

LEG. BISHOP:
Did you ever bet?

P.O. TONNA:
No, no, we don't want to know about that. Okay. Is there any other Legislators? I know that Legislator Guldi, Mr. Hemendinger is here in front of us. Maybe you have a question or two to ask him. I've just asked him why he wants to be in with his background and, you know, as Chairman man of the Ways and Means Committee.

LEG. GULDI:
You give me a moment.

P.O. TONNA:
Okay. By the way, Mr. Hemendinger, I noticed that you had the position of Lifeguard Chief Swim Instructor, what beach did you lifeguard, Town of Babylon? Was that at Gilgo or any of

the ocean beaches?

MR. HEMENDINGER:
No. That was back -- I started with the town actually in 1949 as a lifeguard at Venician Shores Beach, which just was cattails leading to the bay. And I stayed there to lifeguard on the mainland because there was no bridge at that time.

P.O. TONNA:
Isn't that funny. I want you to know, because of your hairstyle, which I think is very attractive, and being a lifeguard myself at one time, you know, you have all the qualifications needed for OTB. Please, Legislator Guldi.

LEG. GULDI:
Perhaps in your case I'd consider that. No, I don't have any questions. Thank you for being here.

P.O. TONNA:
Does any other Legislators, because I know certain Legislators asked just to have the presence here to answer any questions?

LEG. CARPENTER:
Nice to see a qualified candidate.

P.O. TONNA:
As they say in the auctioning world, going once, going twice, sold. I want to thank you very much for spending the time here to give us the courtesy to answer any questions. And we will be voting on it later today, but I don't think it's necessary that you stay hear to the wee hours of the morning to find out, you know, what's going on. But somebody from my office will call to tell you, you know, for the outcome of the vote.

MR. HEMENDINGER:
Thank you.

P.O. TONNA:
Thank you very much, Mr. Hemendinger.

MR. HEMENDINGER:
Thank you.

P.O. TONNA:
Okay. Okay. We're done there. Let's finish up these cards. Karen Kolsch. Karen? How are you, Karen? Yeah, we have about five cards, six cards, then we're going to do the executive session. All right. Since the executive session -- we have an executive session on LIPA, and since they're all county employees, we're not using the billable hours of lawyers, you know, we do have to talk about LIPA, the poles I think. Karen, thank you very much. You have three minutes.

MS. KOLSCH:
Thank you very much. My name is Karen Kolsch, I'm here to speak on behalf of the domestic partnership bill and then registry bill. I'm in support of both. I feel the domestic partnership bill is a very important bill, and I really think it should be passed. We're not talking about a lot of people, we're only talking about the non union people. We already went through the unions with the sense resolution. We weren't able to get the domestic partnership benefits for the unionized people of Suffolk County employees, but for the nonunion ones, it will give you an idea of how many people will be using this.

As I said in the past, this is something that they're going to be taxed on top of their regular income. This would be added to their W-2. I don't think it's going to be abused. I can't see people taking advantage of it. The registry is something that the County is going to have revenue coming in. It's only making a list. I don't see why anybody would be against a registry. I think the domestic partnership benefit is very important, because I think there's a lot people in Suffolk County who don't have benefits, and this their way of getting it. And it will also show people that their relationships and their families are equal and thought of in the same light as everybody else's and not that they're less than, and they're not getting equal pay for equal work.

I know I've said it many times, you guys are possibly tired of hearing me say the same thing over and over again, I'm a broken record, but it's a very important thing. We're not talking about a lot of people, we're only talking about the nonunion employees. And I would really appreciate it if you guys would consider this and try and pass this just to show that Suffolk

County is looking at everybody equally, treating everyone equally, paying the same, and then they'll realize it's not a big thing and maybe the unions will go for it also.

P.O. TONNA:
By the way, Karen, how pregnant are you?

MS. KELLER:
I'm due October 17th.

P.O. TONNA:
Best of luck

MS. KELLER:
Thank you.

P.O. TONNA:
Best of luck. Thank you very much, ma'am. Rabbi Steven Moss.

AUDIENCE MEMBER:
Mr. Tonna, Rabbi Moss had to leave, but he did leave a statement.

P.O. TONNA:
Okay. You could just hand if to the Clerk. He has to be here in person. If you could distribute that, Henry, at some time. Thank you very much.

P.O. TONNA:
Carolyn Peabody. It's nice to hear little children, by the way. It's a great -- I'm not talking about my colleagues or myself. Carolyn Peabody.

MS. BARTUNEK:
My name is Paulette Bartunek, I'm the Executive director of Human rights. It's the same situation with Carolyn. She couldn't be here, she's one of our Commissioners.

P.O. TONNA:
Okay. If she has a statement, that's great, she can give it to a Clerk.

MS. BARTUNEK:
Okay. I did hand it out this morning. I was hoping to be able to read it, but you did all get it earlier today. Thank you.

P.O. TONNA:
Thank you, ma'am. Thank you very much. Okay. Sandy Rapp. Hi, Sandy.

MS. RAPP:
I speak on behalf of East End Now. And it seems to be such an advantage, I was also a lifeguard. Does that help?

P.O. TONNA:
I just want you to know it was -- but you're not bald. It's a two-pronged approach. You have to be bald and a lifeguard.

MS. RAPP:
How do you know this is mine? No one would dye their hair this color. I'm here to speak on behalf of both domestic partner bills. In 1987 when I first testified before the Suffolk Legislature, it was for the eventually successful measure to add gays to Human Rights Commission. Generally, Democrats supported the bill, and the Republicans didn't, but there was one notable exception to this pattern. It was Legislator Fred Theile, a Republican who not only voted for, but actually touted civil rights in Suffolk County. Theile went on to become Supervisor of Southampton and eventually a New York State Assemblyman. I believe that honestly that all of you share Fred Theile's commitment to equality and fairness.

Do any of you really want for us to continue not to be able to visits our dying mates in hospitals or to be thrown out of our apartments when our partner dies? Or for distant cousins thrice removed to surpass our chosen family in inheritance rights? As I detailed to this same Legislature on August 27th, all major medical institutions affirm the that gays are in no way disordered, nor in any need of change, nor treatment, nor sanction. And indeed, we are your children, your sisters, your brothers and your fellow taxpayers. We write many of the books you read, the plays you attend, the songs you sing, and we protect you on police forces, and we fight your fires. The proposed domestic partner legislation is simply a foundation for our entree under the host of benefits available to heterosexuals through a single act of marriage.

I thank Legislators Postal and Cooper for introducing these measures, also, Legislator Guldi, my own Legislator, who has introduced similar measures in the past. And I thank the Legislators who have consistently supported lesbians and gays in earlier times when it was more difficult than now. And I ask you to please remember that Fred Theile is consistently and with astonishing majority elected to high offices as a rights oriented Republican. It might also be noted that conservative hero, Barry Goldwater loudly supported gay civil rights and individual privacy.

P.O. TONNA:
Thank you very much. Thank you ma'am.

MS. RAPP:
Thank you.

P.O. TONNA:
Okay. Stephen Sebor. Stefan. Stephen.

MR. SEBOR:
Stephen, you got that part right. Sebor.

P.O. TONNA:
I'm Stephen Sebor. I've been a Suffolk County resident for 33 years. I'm also the Long Island Field Organizer for the Empire State Pride Agenda, which is a New York state-wide lesbian and gay political advocacy organization. I'm here again, to speak before you about the bills that are currently before you that address domestic partnership issues. Jon Cooper's bill, as Karen stated, it addresses the nonunion employees. We're not talking about a lot of employees here.

It's simply a fairness in the workplace issue. We're talking about equal pay for equal work. And as Karen again pointed out, the reality is it's not truly equal, because these people will be taxed on the equivalent of these benefits. So the reality is that people are going to come forward to get these benefits who really need them, who need access to health, who need that for their partners. Last year, this Legislature passed a law to strengthen the Human Rights Commission's ability to enforce the human rights ordinance. And you know, it's currently illegal to discriminate on the basis of sexual orientation in the work place. It can be argued that by denying these

benefits, the County itself is guilty of discriminating on the basis of sexual orientation, and that needs to be addressed.

Providing these benefits will show gay and lesbian employees that they are valued members of the County work force. Again, it provides access to health care for people desperately need it, and it helps to strengthen families. Maxine Postal's bill, the registry, is so important for not just a small amount of people, but for the entire County of Suffolk. Registering for -- you know, registering your relationship, registering your partnership, is not going to necessarily guarantee that a couple will be entitled to benefits, however, it will give them that piece of paper. And let's face it, it's the piece of paper, whether it's a marriage license or domestic partnership registry, that drives benefits and entitlements that come with relationships that are recognized, and that is really important.

Again, I just want to stress that I think you should consider supporting both of these measures. It's essential for the people who actually -- who really need the benefits, and it will also send a strong message to the County of Suffolk as a whole. Thank you.

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

MR. SEBOR:
Thanks.

P.O. TONNA:
Okay. Patricia Marion. Is that an "I" in there?

MS. MARION:
Yes.

P.O. TONNA:
Hi, Patricia, how are you?

MS. MARION:
Hi. Nervous.

P.O. TONNA:

Patricia, you're not nervous, are you?

MS. MARION:

Yes.

P.O. TONNA:

Please don't be nervous.

MS. MARION:

My name is Pat Marion. I live in Legislator Caracappa's district. I've been a probation officer for 18 years and seven years as a senior probation officer for a total of 25 years as a Suffolk County employee. Part of my duties include making arrests, and searches of probationers. I carry a .9 millimeter and have been issued a bullet proof vest and police radio. Other of my duties include collating an early sobriety group with an alcohol and drug counselor. I have lived with my domestic partner for 15 and a half years right here in Suffolk County. I am here in support of the domestic partner's bill sponsored by Legislator Jon Cooper. Thank you.

P.O. TONNA:

Thank you very much. Thank you, Patricia. All right. Is there any other speaker on this issue or other inspired writings? Oh, you have another card?

MS. KOERNER:

Yes.

P.O. TONNA:

We're going to have to instruct you on how to do this right. Come on up here. I want you to know if I was telepathic, this would work out great, because I would just know you had the card filled out. We do have to give it to somebody. Thank you.

MS. KOERNER:

I'm not used to this. This is the public portion?

P.O. TONNA:

Okay. Could you just state your name, rank and serial number.

MS. KOERNER:
Elizabeth Koerner.

P.O. TONNA:
Elizabeth.

MS. KOERNER:
Yes. Koerner. Elizabeth Koerner, Northport Village. I wasn't prepared for this today, but I noticed that something else came --

P.O. TONNA:
You're doing a pretty good job, though, I want you to know.

MS. KOERNER:
Thank you. I'm just a nervous, concerned resident. As you heard, I do live in Northport Village, and the greater community is our school district, our library district which coincides. And although I'm very very friendly with a lot of people from the Elwood area and the Greenlawn area, we work on many issues within our greater community, our Huntington Township, but I am against expending any more library services for many reasons. One of them being when we were looking towards extending our library and renovating it, rebuilding the East Northport library, I was on with one of our then village trustees, Ed Pearlan, Mister -- Trustee Pearlan. And we happened to be placed on the same committee, there was several of them -- of them. And one thing that we overstressed -- we stressed over and over was open space, because we had almost none left in the Northport and East Northport library. There are bookcases in every little corner, and we stressed that we wanted space available for a wheelchair to come in and somebody to be able to turn around and move and not feel claustrophobic.

P.O. TONNA:
You have about 30 seconds. I'm following you so far, but I want to get to the point.

MS. KOERNER:
With the -- they don't even know where the lines are going to be in the Elwood District. Part of a Greenlawn, as I understand it, there is expansion space, building space available in Eatons

Neck, at the Veterans Hospital and some other places around the Veterans Hospital area. And the Township of Huntington, along with the village of Northport, is not very good at controlling illegal apartments that could expand, and then where are we, the people who have built the library and wanted this space and everything for the moms to bring in their strollers with a sleeping child and so forth? So to consider absorbing, merging with the whole Elwood area and possibly parts of Greenlawn also, I think would be at this -- you know, a problem with us. So I wanted you to hear another side to this, because I know they come out strongly. They would like -- there are a couple, you know, camps on this. Some of them would like to merge, some of them would like to -- the whole problem go away --

P.O. TONNA:
Ma'am, I'm going to ask you to summarize. Your time is up.

MS. KOERNER:
That's about it.

P.O. TONNA:
Okay. Thank you so much.

MS. KOERNER:
So I'm opposed to it. Thank you.

P.O. TONNA:
Thank you, ma'am. Thank you so much. Okay. With no cards anymore, Jon you have no more bills you want to lay on the table or anything for us today, right?

LEG. COOPER:
No, not today.

P.O. TONNA:
Okay. I would say then now we're going to move into executive session.

LEG. CRECCA:
Excellent.

P.O. TONNA:

As we do that, I would ask just like some of the game shows, we are having a contest for your five best pet movies, okay? I have my list; Balto, Pet detective, Lassie, Benji and Blues Clues. I would ask all Legislators to put them in. By the end of the executive session, Jonathan is going to rate them.

LEG. COOPER:

Actually, Paul, one thing before we go into executive session,

P.O. TONNA:

You have your own votes. You have your own votes.

LEG. COOPER:

Paul, before we go into executive session, for the record, for the record --

P.O. TONNA:

For the record.

LEG. COOPER:

I have distributed eight blunt wrappers around the horseshoe, I only got three back. I'm not going to say anything else.

LEG. CARPENTER:

You'll notice Legislator Towle is not here.

P.O. TONNA:

All right. There we go. Well, there you go, Jon. That's why we have laws. I want you to know, we are having the pooper scooper bags in the back also. I want you to know we're going to have full metal jacket here. Since we're going into executive session, I think I have to vote for this, right?

MR. SABATINO:

We need a motion.

P.O. TONNA:

I'm going to make a motion, seconded by Legislator Postal for the purposes of?

MR. SABATINO:
Okay. Discussing a lawsuit to be brought in connection with Introductory Resolution 1879 of 2002 and approving the presence of the County Law Department, the Commissioner of Public Works.

P.O. TONNA:
Anybody else, Charlie, you want?

COMMISSIONER BARTHA:
County Attorney.

P.O. TONNA:
County Law Department.

MR. SABATINO:
We've got the Law Department. We've got -- Commissioner of Public Works we have, Budget Review, myself and Ellen Martin.

P.O. TONNA:
Yes, Ellen Martin. Okay. That's it. I would ask -- oh, and Todd. And Todd. Okay. All in favor -- oh, there's a motion, all in favor? Opposed? Thank you.

MR. BARTON:
16.

P.O. TONNA:
I want you to know the aides have put in a vote for Turner and Hootch. Okay. Just write them all down. Jon, you're going to rate the movies later. Thank you very much.

MR. BARTON:
16, two not present.

(EXECUTIVE SESSION WAS HELD FROM 5:53 UNTIL 6:15)

P.O. TONNA:

Hello, hello. Okay. I'd ask all Legislators, please come to the horseshoe. All right. Let's go. Okay. Roll call. All Legislators, please come to the horseshoe.

(Roll Called by Mr. Barton, Clerk)

LEG. CARACCIOLO:

Here.

LEG. GULDI:

Here.

LEG. TOWLE:

Here.

LEG. CARACAPPA:

(Not Present)

LEG. FISHER:

Here.

LEG. HALEY:

Here.

LEG. FOLEY:

Present.

LEG. LINDSAY:

Here.

LEG. FIELDS:

Here.

LEG. CARACAPPA:

Here, Henry.

MR. BARTON:

Thank you.

LEG. FISHER:

Joe's here.

LEG. ALDEN:

Here.

LEG. CARPENTER:

Here.

LEG. CRECCA:

I'm here.

LEG. NOWICK:

Here.

LEG. BISHOP:

Here.

LEG. BINDER:

Here.

LEG. COOPER:

Here.

LEG. POSTAL:

Here.

P.O. TONNA:

Yes. Okay.

MR. BARTON:
18.

P.O. TONNA:
Thank you very much.

LEG. BINDER:
Mr. Chairman.

P.O. TONNA:
First, I want to say, we're going to deal with this CN right away, because it has to do with the executive session CN.

LEG. BINDER:
Mr. Chairman.

LEG. CARACCIOLO:
Mr. Chairman, could I make a motion to cast my vote with the majority?

LEG. FOLEY:
Don't have it.

P.O. TONNA:
CN.

LEG. FISHER:
No, we don't have a CN.

P.O. TONNA:
Wait, wait. Legislator Caracciolo wants to make a motion to record his vote with the majority, or something like that.

LEG. CARACCIOLO:

Right. Henry, earlier today, the Consent Calendar and tabled resolutions.

P.O. TONNA:

Wait. I just -- point of order. Legal Counsel, saying something.

MR. SABATINO:

We need a motion to reconsider from somebody on the prevailing side.

LEG. BINDER:

What bill was that?

MR. SABATINO:

You have to reconsider those and have another vote on the merits.

LEG. GULDI:

Well, actually, Counsel, is there any reason there can't be a motion to reconsider and to record the vote with --

P.O. TONNA:

Every bill.

LEG. GULDI:

Legislator Caracciolo's with the majority on all those bills as a single motion, not requiring us to go through multiple repeat votes? If anyone has an objection to that, of course, they should vote against such a motion.

MR. SABATINO:

I have to look.

LEG. GULDI:

One bonding resolution in the tabled resolutions packet.

P.O. TONNA:

While Paul is looking that up, we'll deal with that, let me just do the CN.

LEG. BINDER:

Mr. Chairman. Mr. Chairman.

P.O. TONNA:

What?

LEG. BINDER:

Before doing that, I'd like to make a motion to discharge a bill, so that it could age.

LEG. CRECCA:

No, I'm just kidding.

P.O. TONNA:

Excuse me.

LEG. BINDER:

Discharge, so it can age.

P.O. TONNA:

I'll recognizing myself for the CN. That's what I should have done. I will do that, then we go to Legislator Caracciolo, then we go to Legislator Binder. It's not going to age any longer time than getting the CN done.

LEG. BINDER:

Okay.

P.O. TONNA:

I have a CN in front of us, **1879, amending the 2002 Capital Budget and Program and appropriating funds in connection with the relocation of Long Island Power Authority (LIPA) Facilities on Suffolk County Construction Projects (CP 5000).**

LEG. FISHER:

Motion.

P.O. TONNA:

I made a motion, seconded by Legislator Fisher. On the motion.

LEG. LINDSAY:
George, did you look at this yet?

LEG. GULDI:
I'm just reading it now. They just handed it out. I want to see what's in the project. There's -- I just want to read the bill. Question for Budget Review. Do you have the CN in front of you? It allocates the 2.3 million dollars.

MR. SABATINO:
On the last page, it strips out the $175,000.

LEG. GULDI:
I understand it strips it out. My question for Budget Review is the allocation of this money to these projects is for these projects only and couldn't be used to anything other than the construction work related to these projects; is that correct?

MR. POLLERT:
Specifically what the resolution does is it creates a new Capital Project, Project Number 5,000, and it allocates the $2.34 million just for the construction phase of it, not the design and the engineering phase.

LEG. GULDI:
Okay. So not only do they strip the 175,000 from the bill for hiring consultants --

MR. POLLERT:
They drop it just into construction.

LEG. GULDI:
The money in the construction portion of the budget could not be used for those purposes; is that correct?

MR. POLLERT:
You would have to pass another resolution to move it into the design part.

LEG. GULDI:
Okay.

LEG. TOWLE:
Works for me.

LEG. GULDI:
Okay, just wanted to check it. I know it says it, but I wanted to make sure they couldn't finagle it. Thank you.

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

P.O. TONNA:
All right. Hold it a second. Just one at a time. Legislator Foley you have the floor.

LEG. FOLEY:
Thank you. I see the Commissioner's here, is there a listing of -- do you have a list of the projects that this -- if you have one page, if we could have staff, Mr. Chairman, Mr. Presiding Officer, just make copies of that page to see which projects this is going to impact? That's my only question. Everything else seems to be complete, but if we could have a listing for all 18 Legislators of these projects so we know whose districts their in and whether we need to make some calls to the department in the future months. Mr. Chairman, if we could have someone from the staff retrieve this -- can someone please go on over there.

P.O. TONNA:
Red alert. Red alert. Foley needs something. Staff, all points bulletin.

COMMISSIONER BARTHA:
I have a list that also shows the consultant.

LEG. GULDI:
You want to take my pen and cross it off.

LEG. FOLEY:

Eliminate the consultant's portion of it, and that way, Mr. Chairman, then we have a complete record for our file.

P.O. TONNA:

Thank you. Nothing like having a complete record for our file. Okay. JC, what does it stand for, Fred, in the bill? Legislator Fields had the question. And you know what? Jurisdiction class, is that what it is?

LEG. FIELDS:

It's on the last page, and it says project number JC, project title amount, under JC it's 50.

MR. POLLERT:

You got me.

P.O. TONNA:

Okay. Could we have our Legal Counsel.

MR. SABATINO:

It's jurisdictional class, but that's usually when you're creating or abolishing the position. So I think maybe it shouldn't be here.

P.O. TONNA:

Are we abolishing Paul?

MR. SABATINO:

There's no position involved, so the jurisdictional class should be deleted.

MR. POLLERT:

Frankly, I have no idea what it refers to. It's the first time I've ever seen it.

P.O. TONNA:

David, do you want to come up. You're the one who drafted it, right, I'm sure? It's your whole legal team.

LEG. FIELDS:

But even if it's that, what does 50 represent? 50 poles, 50 jobs, 50 what?

LEG. GULDI:

I think it represents an error.

P.O. TONNA:

Dave. Dave, come on up here, there's a question. I just want to make sure you know -- you know, the eight great habits of great people and stuff. One of them is like something about seven, well, this is the eight, take ownership for the bill that you put in. None of us have done that, but I wanted to ask you there's a JC clause there.

MR. GRIER:

I think that's a typographical error. That shouldn't be there.

P.O. TONNA:

That should probably be it TE, typographical error.

MR. GRIER:

JC shouldn't be there at all.

LEG. FIELDS:

But 50 what?

MR. GRIER:

I believe that's a jurisdictional code that deals with civil service positions, and we're not dealing with civil service positions.

LEG. FIELDS:

No. Under, JC, it has the number 50.

MR. GRIER:

There should be nothing -- that column should not exist.

LEG. FIELDS:

So the 50 should be out as well as the JC?

MR. GRIER:

Correct.

P.O. TONNA:

Now, Henry, do you have anything to add into this?

MR. BARTON:

Yes, there's a bond.

P.O. TONNA:

Okay. There's a motion and a second. Roll call on the bond.

(THE ROLL WAS CALLED BY HENRY BARTON - CLERK OF THE LEGISLATURE)

P.O. TONNA:

Yes, as long as we strike out JC.

LEG. FISHER:

(Not Present)

LEG. CARACCIOLO:

Yes.

LEG. GULDI:

Yes.

LEG. TOWLE:

Yes.

LEG. CARACAPPA:

Yes.

LEG. HALEY:

Yes.

LEG. FOLEY:

Yes to JC.

LEG. LINDSAY:

Yes.

LEG. FIELDS:

Yes.

LEG. ALDEN:

Yes.

LEG. CARPENTER:

Yes.

LEG. CRECCA:

Yes, but only if the JC's in.

LEG. NOWICK:

Yes.

LEG. FISHER:

Yes.

LEG. BINDER:

Yes.

LEG. COOPER:

Yes.

LEG. BISHOP:

Fisher voted for me and then she voted for herself. She just did that, she voted twice.

P.O. TONNA:
Dave, we are going to call a dinner break. I just want to make sure that everybody -- okay.

MR. BARTON:
18 on the bond.

LEG. BISHOP:
I voted yes.

P.O. TONNA:
Now, there was Legislator Caracciolo had a question. And same second -- same vote, same second on the bond resolution, the accompanying resolution. Legislator Caracciolo had a question.

LEG. CARACCIOLO:
If I could just have --

P.O. TONNA:
Legal Counsel was supposed to give an answer.

LEG. CARACCIOLO:
Before Counsel gives it, if the Clerk could just state for the record the one resolution I believe I missed, there's only one resolution.

P.O. TONNA:
No, no, we voted.

LEG. CARACCIOLO:
According to the Clerk.

MR. BARTON:
I've got 1833 he was out of the room. The others were all tabled. There was seven tabled, and 1833, it was at the end.

MR. SABATINO:

No. I think -- what I was going to say before is on the Consent Calendar, you can treat that as one vote on a reconsideration.

P.O. TONNA:

I got three here.

MR. SABATINO:

That would take care of the Consent Calender. What I was going to suggest on the other bills, if my records are accurate, they were all -- they were all, with the exception of one, I think --

LEG. CARACCIOLO:

Tabled.

MR. SABATINO:

Unopposed votes, am I correct?

MR. BARTON:

Correct, that's true.

MR. SABATINO:

Based on that, you don't have split votes, you can make a motion to reconsider all those.

LEG. CARACCIOLO:

Counsel, can you just tell me what the motion that should be made.

MR. SABATINO:

Well, the first motion would be a to motion to reconsider all of the bills on the Consent Calender, that would be the first motion.

LEG. GULDI:

Can't we include it to make on motion to reconsider and --

LEG. BINDER:

Make one vote.

MR. SABATINO:
We're really pushing the envelope on the rules. I'm trying to find an orderly way to do it. You really should go through each one separately, but you don't want to do it, which is the right was to do it. So I'm trying to come up with a better alternative. If you take the Consent Calendar which is one, an Omnibus vote, reconsider that and vote on the merits, then you can take all of the other votes that didn't have an opposition vote, reconsider those as a group and vote on those if you so wish to do.

LEG. BISHOP:
Come on, you missed a vote. Who cares?

LEG. ALDEN:
Motion to reconsider the Consent Calendar.

LEG. CARPENTER:
Second.

P.O. TONNA:
Okay. So we are now reconsidering the Consent Calendar. All in favor? Opposed? The Consent Calendar is reconsidered. There's a motion by myself, seconded by Legislator Postal on the Consent Calendar. All in favor? Opposed?

MR. BARTON:
18.

LEG. ALDEN:
Motion to reconsider all the other bills where there was no opposition.

P.O. TONNA:
Can I say one thing? Fine. I'll second it. Can I just say one thing?

LEG. BISHOP:

You don't have to, he withdrew it.

P.O. TONNA:

Okay. Fine what did we withdraw?

LEG. CARACCIOLO:

He did not, David.

LEG. BISHOP:

Cameron's last motion.

P.O. TONNA:

He did not withdraw the motion. He made a motion and I seconded it.

LEG. CARACCIOLO:

All in favor?

P.O. TONNA:

On bill number what? 1596, 1660, 1660A, 1671? These are the bills that we were all in the affirmative, it wasn't just one bill.

LEG. BINDER:

You can't do bonds that way.

P.O. TONNA:

That's my point.

LEG. BINDER:

You have to redo bonds. The bond would have to be --

LEG. BISHOP:

You have recorded the Consent Calendar. So you missed a few votes.

LEG. CARACCIOLO:

Okay.

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

LEG. BINDER:
Of what?

P.O. TONNA:
Okay.

LEG. CARACCIOLO:
Thank you.

P.O. TONNA:
Now, can I say something? We're here in the last couple of years in the morning sessions we have had votes. You have to be here to vote. That's it. If you miss something because of an emergency, you miss a vote because you know something happened, but I just think this is not a practice that we want to get involved in on a regular basis, period. Okay? Nobody wants to -- nobody would like to tell a colleague at all that, you know, we don't want to have them an opportunity to vote. On the other hand, we have to be here for our votes. And I just think in general, that's the way things should go. If we have an exceptional situation, I could understand that. Thank you.

LEG. GULDI:
Mr. Presiding Officer, can I make a motion to approve --

P.O. TONNA:
Legislator Binder, I'm recognizing Legislator Binder.

LEG. BINDER:
Thank you. I'd like to make a motion to discharge and allow to age for one hour 1904, establishing an open, honest committee process for Suffolk County budgeting. It was handed out.

P.O. TONNA:

Is there a second?

LEG. CARACCIOLO:
Second.

P.O. TONNA:
Fine. Legislator Caracciolo, there's a second. There's a motion and a second to discharge this bill.

LEG. BINDER:
On the motion.

P.O. TONNA:
On the motion. I make -- I don't know, let it go up or down on its merits. Go ahead.

LEG. BINDER:
Right. Mr. Chairman, the question has been put in criticism of the bill that if a few Legislators get together, that if those few Legislators get together, all of a sudden there's an Open Meetings Law that we have to have a stenographer, that we have to have a public session with transcripts, but that's not the case. Let me read from the legislation itself so people know exactly what it says. It says if a group of two or more -- and I change that from three, because state law says two or more, so I'm following New York State law -- two or more Suffolk County Legislators appointed or designated formerly or informally by the Presiding Officer to meet in connection with the consideration over the budgets that we do, in only those cases where they're appointed, not if you get --

P.O. TONNA:
Appointed formally.

LEG. BINDER:
As long as they're appointed by the Presiding Officer, formally or informally, but it's through the action of an elected official of this body, there are only two elected officials on this body, by this body itself, and if that person who is the Presiding Officer in some way appoints a committee, as I say formally or informally, then -- then they're subject to the Open Meetings Law. Now, at the last meeting -- I can hand this out, again, I can have somebody hand this out -- there's a letter

from the New York -- from the state department -- State of New York Department of State Committee on Open Government. And I handed it out at the last meeting, I'll hand it out again, I got plenty of copies from Robert J. Freedman, the Executive Director, New York State's Open Meetings expert. Basically what he tells us in a more than two page letter, sighting the law, is that the system that we have here for doing the budget and the committee system that we have is already under the Open Meetings Law.

But it would seem to me that we should in our own rules, in our own deliberations, make sure that we follow New York State's Open Meetings Law. And again, I can pass this out everybody. I did last time, I'll pass out another copy. If we discharge this, you can all see. And I intend if it's possible, if I can find Counsel who's interested in doing this on his own, on pro bono, if there's counsel that would like to do this, that I'm going to probably make a move even if this doesn't pass to enforce New York State Open Meetings Law on this body anyway. But in the event this passes, then at least we would say we would recognize New York State's Open Meetings Law. And again, I just want to make it clear, because there will be probably an attempt to say that if a couple of Legislators get together for some informal advice from Fred Pollert or from Counsel, if they just together and they just want information, that they've got to do it through some process of the Open Meetings Law. That is not the case. This is very specific.

Only where the people getting together are appointed in some manner. And I said informally or informally (sic), because the way to get around it is to say, well, I'm not formally appointing you, I'm appointing you kind of if you want to, and I'm going do couch it in some language to make it not sound like I'm really appointing you. So that's why I put formally of informally. So that there's not a way to get around it, so it's very clear. And I think the people of Suffolk County should have the ability to hear our deliberations. I don't think this legislation -- Legislature has anything to hide. I think the information is public, we should all hear it, and the people of Suffolk County should hear it. And I think they have the right to hear those deliberations, and they have the right to be able to review those deliberations later in transcripts that are available to the public. So I hope we can discharge it today. I hope for the sake of hope and honest government we're able to pass this today.

P.O. TONNA:

Okay. This is a discharge petition. Does anybody want to comment on the discharge motion?

LEG. ALDEN:

Yes. On the motion.

P.O. TONNA:

If it gets out, then we can debate the bill. On the motion, Legislator Alden.

LEG. ALDEN:

I have a question of Paul Sabatino. What -- thank you. What committee is this in, and how long has it been in committee?

MR. SABATINO:

This was in the Finance Committee. It's been in that committee twice. It was defeated in the committee. Well, actually -- it was defeated in the committee at its first committee meeting, so it wouldn't have been on the agenda for the second committee meeting.

LEG. BINDER:

Actually, it wasn't defeated, it was tabled subject to call.

LEG. ALDEN:

But I just saw a corrected copy.

LEG. BINDER:

It was tabled subject to call, but I have a right to do corrected copies.

MR. SABATINO:

Corrected copies are subject to the six-month rule.

P.O. TONNA:

All right, great. Okay. All in favor?

LEG. BINDER:

Roll call.

P.O. TONNA:

For the discharge.

LEG. BINDER:

Roll call.

P.O. TONNA:

Okay, roll call.

(Roll Called by Mr. Barton, Clerk)

LEG. BINDER:

Yes.

LEG. CARACCIOLO:

Yes.

LEG. GULDI:

Yes.

LEG. TOWLE:

Yes.

LEG. CARACAPPA:

Nope.

LEG. FISHER:

Here -- oh, no.

LEG. HALEY:

Yes.

LEG. FOLEY:

No.

LEG. LINDSAY:

No.

LEG. FIELDS:

No.

LEG. ALDEN:

No Titleist, no.

LEG. CARPENTER:

No.

LEG. CRECCA:

No.

LEG. NOWICK:

No.

LEG. BISHOP:

No.

LEG. COOPER:

No.

LEG. POSTAL:

No.

P.O. TONNA:

No.

LEG. TOWLE:

Yes.

P.O. TONNA:

We've taken care of that, okay.

MR. BARTON:

Five.

P.O. TONNA:

There we go. By the way, if people are going to discharge and take time to discharge, try to get close to ten.

LEG. COOPER:

Mr. Chairman?

LEG. BINDER:

I think the people should know who's for open government and who's not.

P.O. TONNA:

All right. Yadda, yadda, yadda.

LEG. GULDI:

All right. I'd like to move the CN number 2042.

P.O. TONNA:

Let's get to the agenda.

LEG. COOPER:

Mr. Chairman, I'd like to make a motion to approve IR 1391.

LEG. GULDI:

Mr. Chairman.

P.O. TONNA:

Okay. **2042 (Accepting a grant award from the United States Department of transportation, Federal Aviation Administration (FAA) and appropriating funds in connection with the rehabilitation of the approach lighting systems at Gabreski Airport (CP 5726).**

LEG. GULDI:

Motion to approve.

LEG. TOWLE:

Second.

P.O. TONNA:

There's a motion to approve by Legislator Guldi, seconded by Legislator Towle. All in favor? Opposed?

LEG. GULDI:

It's a bond.

P.O. TONNA:

Roll call.

MR. BARTON:

On the bond.

(Roll Called by Mr. Barton, Clerk)

LEG. GULDI:

Yes.

LEG. TOWLE:

Yep.

LEG. CARACCIOLO:

Yes.

LEG. CARACAPPA:

Yes.

LEG. FISHER:

Yes.

LEG. HALEY:

Yes.

LEG. FOLEY:

Yes.

LEG. LINDSAY:

Yes.

LEG. FIELDS:

Yes.

LEG. ALDEN:

Yes.

LEG. CARPENTER:

Yes.

LEG. CRECCA:

Yes.

LEG. NOWICK:

Yes.

LEG. BISHOP:

Yes.

LEG. BINDER:

Yes.

LEG. COOPER:

Yes.

D.P.O. POSTAL:

Yes.

P.O. TONNA:

Yes.

MR. BARTON:

18 on the bond.

P.O. TONNA:

Thank you. Second same -- motion, same vote. Okay. IR twenty-forty --

LEG. CRECCA:

Mr. Chairman. Mr. Chairman.

P.O. TONNA:

-- four.

LEG. NOWICK:

Mr. Chairman, motion for a Certificate of Necessity for --

LEG. CRECCA:

No. Motion to approve.

LEG. NOWICK:

To approve **2044 (Amending the 2002 Capital Budget and Program and appropriating funds in connection with emergency dredging of Stony Brook Harbor (CP 5200).**

P.O. TONNA:

Okay. Legislator Nowick, seconded by Legislator Crecca. On the motion

LEG. ALDEN:

Just on the motion.

P.O. TONNA:

This is the dredging of Stony Brook Harbor, Stony Brook Harbor.

LEG. BISHOP:

This was tabled in committee.

LEG. CRECCA:

It's a different bill. Let me explain. On the motion, Mr. Chairman.

LEG. TOWLE:

On the motion.

P.O. TONNA:

I am going to recognize Legislator Crecca and then Legislator Alden.

LEG. TOWLE:

Add me to the list.

LEG. CRECCA:

The original bill, which was tabled, called for 1.2 million dollars in funding for -- to dredge the mouth of Stony Brook Harbor. That was a -- an estimate and a rough estimate at best from Public Works for that dredging project. After Legislator Nowick and I met with Public Works, as well as representatives from the County Executive's staff, it became clear that before we could even proceed with this project, that we would need to do hydrographic surveys, and some engineering studies in order to determine the extent of this project and determine its feasibility, and apply for the proper permits. This bill allocates $40,000 to do those surveys for the mouth and -- of Stony Brook Harbor and would allow us to then determine if the dredge project should move forward when and what would you be involved it's a necessary first step.

P.O. TONNA:

Okay. Thank you. Okay. Legislator Alden, then Fisher.

LEG. ALDEN:

Fred Pollert, in this account for dredging, is there any money left this year?

MR. POLLERT:

To tell you the truth, I'm not sure exactly what the plans are, but, you know, with the offset, it's coming from the -- from the infrastructure project. I don't know if there were any other

available balances within the dredging account or what the plans of the Department of Public Works are.

LEG. ALDEN:
Infrastructure, by that you mean dredging itself.

MR. POLLERT:
No. I mean Capital Project 1755, which is being used as an offset. It's a catch all Capital Project, which is primarily used during the year as offsets by both the County Executive and the Legislature for projects that were not anticipated when the Capital Program was approved in April.

LEG. ALDEN:
On a percentage basis, how much over 100% of that has been used as offsets?

MR. POLLERT:
Currently, there are -- there are sufficient appropriations. So at this point in time, that project has not been oversubscribed

LEG. ALDEN:
Okay.

P.O. TONNA:
Fisher, then -- Legislator Fisher, then Legislator Lindsay.

LEG. FISHER:
Thank you Mr. Chair. I spoke with Legislator Crecca at the last meeting to tell him that I wished to withdraw my name as a cosponsor of this resolution, because upon speaking and reviewing the studies that were done in 1999 regarding the Stony Brook Harbor, this particular channel was not one of the channels that was recommended for dredging. So this resolution should certainly go through the committee process for review. We should certainly not pass this at this time without very careful review. I for one am opposed to the dredging of the -- of the channel that's at the mouth of the harbor. And at the very least, I believe it should be in the committee to -- for discussion. The dredging itself was -- the dredging of this channel was -- did not pass the committee process, so we should really -- I'm very much opposed to doing this at this point.

LEG. CRECCA:

Just to respond, Legislator Fisher, I apologize. I must have not gotten the message. I apologize that your name was on the bill, I thought you wanted to be on the bill originally. To answer your question, it was tabled at -- Legislator Nowick and I tabled the bill at committee. It's not that it wasn't discussed on the project itself, we decided to table it because we did not want to go forward with the $1.2 million allocation and the dredge projects without having the hydrographic surveys to determine how much spoils there would be. We can't even discuss what environmental impacts there would be without really having these surveys being completed, and that's the idea behind it. As far as whether this dredge does not involve the channel at all, this dredge involves the mouth of Stony Brook Harbor, Porpoise Channel was dredged last year.

LEG. FISHER:

Absolutely. The Porpoise Channel actually was one of the areas --

LEG. CRECCA:

If I can just finish.

LEG. FISHER:

Well, it was still my time.

LEG. CRECCA:

I'm sorry. The Chair recognized me. I'm sorry.

D.P.O. POSTAL:

No, actually I didn't. Because Legislator Lindsay is next.

LEG. CRECCA:

I apologize.

LEG. FISHER:

You just jumped in to answer my question. So if I may say, bathymetry was done in 1999 of the channel -- of the harbor. There had been a study in 1989. This particular channel that's at the mouth, not Porpoise Channel, but the channel that's at the mouth has never been recommended for dredging. It is still not recommended for dredging. It was not part of the environmental

impact statement that was prepared based on those two studies, 1989 and 1999. Therefore, it would require a full blown environmental study. It would be very expensive. It is certainly not something that we should do quickly at this point without having it go through the committee process, without having the people who had been involved in the studies in 1989 and 1999, the people who are on those committees, on the Stony Brook Harbor Committee, look at it. When I looked at this quickly the day you were working on it, I thought you were talking about the Porpoise Channel. I looked at it more carefully and saw it was the channel at the mouth of Stony Brook Harbor, which has never been recommended for dredging. That's why I'm definitely opposed. It should not be something that's done by CN, it should go through the committee process

D.P.O. POSTAL:
Legislator Lindsay.

LEG. LINDSAY:
Yeah. I just wanted to answer -- ask the sponsor, Legislator Crecca, is why the CN, why -- what is the emergency here?

LEG. CRECCA:
Just to respond, Legislator Lindsay, if you read some of the whereas clauses, we were notified by the Town of Smithtown we've had a number of incidents where at low tide we have not been able to get emergency vessels to respond to emergencies outside the harbor area in the waters. We had one incident where we had a boater who was suffering cardiac arrest and they could not get an emergency vehicle out there. They had to go all the way around, and by the time they got there -- I mean, this person thankfully was picked up by another boater and got in time. But we've had a number of emergency situations where we could not get emergency vehicles out there at low tide.

The reason for the CN is the -- there's limited times that can be -- that dredging can take place. Should the survey show -- we want to get the permit process moving as quickly as possible in case there is going to be a dredge there so Public Works has the time to either do it this fall, which highly unlikely or more likely done in the spring -- the window of opportunity in the spring. Literally three weeks will make a huge difference here. And the reason for the CN is after discussing with Public Works if we're going to move on it and we're going to have any likelihood of a dredge in the spring -- and a dredge my not even take place, just so you

understand that. We may do the survey and make a determination that it would not be prudent to do it. But we can't -- this is a step to make a determination. It is a public safety issue. We have a resolution from the Town Board from the Town of Smithtown, we have a resolution from the Town Board of Brookhaven requesting that we move forward on this project. So we have two towns that are affected by this, boaters in two towns were affected. And we do have a public safety issue. So those are the reasons for the CN.

D.P.O. POSTAL:
Legislator Lindsay, did you -- I have you on the list. Legislator Crecca, you were next, but I don't know that you addressed what you wanted to say.

LEG. CRECCA:
I just did so.

D.P.O. POSTAL:
Okay. Legislator Bishop.

LEG. CRECCA:
I just want to add one other thing. The screening committee, the Dredging Screening Committee, approved this area to be dredged, but it was many, many years ago. Just -- so they said there was a public purpose in having it, and that's really what the screening committee does. So that's just so the record's clear. We do have the minutes from that, and public works and the County Executive's office did produce that

D.P.O. POSTAL:
Legislator Bishop

LEG. BISHOP:
Withdrawn.

D.P.O. POSTAL:
Legislator Haley.

LEG. HALEY:
I just want to know whose district it's in. If it's in Legislator Fields' district, I'm supporting her

position.

LEG. FIELDS:
No.

LEG. HALEY:
I mean, Fisher's, I'm supporting her. If it's in Legislator Crecca's or Legislator Nowick's, I'm supporting them. So whose district is it in?

LEG. NOWICK:
It's in the Smithtown District. Just to make it clear, we don't know if the dredging will take place. But a public safety issue is a public safety issue, and if one person's life is lost for $40,000 --

LEG. HALEY:
Thank you. Thanks

D.P.O. POSTAL:
Legislator Guldi. George, where are you? We'll go to Legislator Foley.

LEG. FOLEY:
Yeah. Thank you. Thank you, Madam Chair. In regards to Legislator Crecca's comments of one of the whereas clauses about the Suffolk County Dredging Project Screening Committee, when I was Chair of Public Works, we -- I was a member of the screening committee back in the late '90s, we had rejected a plan proposed by Brookhaven Town for dredging within the harbor area. And the reason that it was rejected at that time was that the plan, the -- a study a bi-town study that was going to be funded jointly by Brookhaven and Smithtown was not yet completed in '99. So the Dredging Screening Committee at that point had rejected the proposal to do any dredging in the harbor pending the outcome of the report. Now, when we had voted on this in the late '90s, there was no mention at that time of any earlier approval given by an earlier screening committee on any project within that given harbor area. So as much as I want to be supportive of it as I usually am of all dredging projects, given -- given the environmental sensitivities of this harbor, I know for a fact that the most recent Dredging Screening Committee back in late '90s had rejected an application for dredging. In other words, they didn't see that the project complied with the public benefit provisions of the law. So how does that square to what

happened in the late '90s to what you're mentioning was approved 20 or 30 years ago?

LEG. CRECCA:
I can't answer obviously.

LEG. FOLEY:
Let me finish this point. If it doesn't meet that criteria, then we really can't even do survey work, because not one penny can be expended -- and this is where it's a little different -- not one penny can be expended either for hydrographic surveys or engineering surveys, none of that can be expended until and unless the Dredge Project Screening Committee has determined a public benefit for a particular project. I'm not trying to be difficult, but this harbor area was given a different classification because of the environmental sensitivities in the area. So if I could hear about that.

LEG. CRECCA:
Yeah. I mean -- and I don't know if County Exec's Office wants to step up about the Dredge Screening Committee, but I will just add that I did see the resolution where they did find a public benefit.

MR. JOHNSON:
As Legislator Crecca mentions, DPW was able to provide -- I'm sorry, DPW was able to provide information that the Dredge Screening Committee did find that the dredging of the mouth of the outer channel, the outer channel of the harbor, would be a public benefit.

LEG. FOLEY:
Do we have copies of that?

MR. JOHNSON:
I can see if I can get a copy.

LEG. FOLEY:
Would you, please?

MR. JOHNSON:
Sure.

LEG. CRECCA:
Brian, just so you know, I did see the resolution. Just so you understand too, we're not talking about -- I understand where you're coming from, but we're not talking about -- Legislator Nowick and I have not said that we are putting forth funding for the dredging itself.

LEG. FOLEY:
I understand that.

LEG. CRECCA:
We want to see -- the hydrographic surveys will -- and I talked to some of the environmentalists, they have no problem with us doing the surveys and seeing what the situation is and where the levels are, there are other benefits of doing this survey. All we're asking is let us proceed with the survey to see what the complete situation is out there. This is a comprehensive hydrographic survey which will tell us what the depth are and where they are.

LEG. FOLEY:
I understand that. I just would say that the technical criteria by the Dredge Project Screening Committee in that not one dime can be spent unless there's determination made of some public benefit. What you're saying to us today --

LEG. CRECCA:
I saw the resolution.

LEG. FOLEY:
-- is that it was approved some time ago, whereas when we reviewed a project back in the '90s, that was -- that public benefit criteria wasn't met and that -- yes, that wasn't the inner harbor area, that wasn't at the mouth of the harbor.

LEG. CRECCA:
So this specific area was covered by the resolution. And again, I'm not asking anybody to approve --

LEG. FOLEY:
No, I understand.

LEG. CRECCA:
I'd like to see what we have here and how much spoils are involved and what -- you know, so we can get to the point of determining what the environmental impact if any would exist. So I would ask for the safety of the residents of Smithtown --

LEG. FOLEY:
Even if you pass that today, I can tell you that I think it would be most unlikely that they would be able to put this on the board for dredging next spring, because they're backed up with a lot of pending projects. I'm just telling you.

LEG. CRECCA:
That's one of the reasons we want to get this started now.

LEG. FOLEY:
I think it's going to be very difficult

D.P.O. POSTAL:
Legislator Guldi.

LEG. GULDI:
Actually I think you just touched on -- my two questions were, one, will the survey enable us to make a more informed judgement on the environmental concerns and public benefit, and I think the answer to that was the sponsors are indicating yes. My second question though is why the CN, what's the exigency of timing, and how does it relate to other projects? If dredge screening and the dredging program is as backed up as, frankly, I know it to be, why are we running this up on a CN since it's not going to happen before the spring dredging season anyway? Why don't we run it through committee and deliberate?

LEG. CRECCA:
We answered that a little earlier, George. But the short answer is that if we get this done now, it's a very long process to get the permits, it's a very long process to do the environmental assessments to see if it's even warranted to do the dredging project. This is the first step to doing that. They can't even do the other work they're talking about. They can't do the environmental assessment without having the survey.

LEG. GULDI:
My point is we're in September. If we fund this tonight, they do an RFP for the mapping until October, they let the contract in November, it starts in December, it gets tied up in January and February --

LEG. CRECCA:
I have a commitment from Public Works that should we approve this, there are only two or three, and I may be off on the number, it might be less than that, who are qualified --

LEG. GULDI:
Underwater survey companies? I know more than that. But still, even if you get the survey done by February, you've got a March application date? DEC's got a six month review period on permits. You're looking at a permit approval of next fall at earliest.

LEG. CRECCA:
George, first of all --

D.P.O. POSTAL:
Excuse me. I think we're really in a debate, and Legislator Fisher has asked for the floor.

LEG. GULDI:
Actually, I'm asking questions and he's answering my questions. And I think I have the floor at the moment.

D.P.O. POSTAL:
Go right ahead. I just don't want us to get involved in a debate back and forth. If you have a question --

LEG. GULDI:
I have been asking questions, he was answering questions. You may call it a debate, but I'm still asking questions.

D.P.O. POSTAL:
It was going beyond that. So if you have questions, please, go ahead.

LEG. GULDI:
The question was very specific. It's not going to get a permit anyway, why the CN? I don't see it. Explain to me how I'm wrong.

LEG. CRECCA:
Okay. I'll try to do it as briefly as possible, Legislator Postal. First of all, I've been assured that we're talking about -- we can probably have the survey done in the next, I believe, todd, you were in the meeting, about six weeks that we could have the survey to do that. Number one is -- that's number one. Number two is the permit process is a long drawn out process. Should we decide to move forward with this, that will give us more time to get that process going, George. Again, there's a public safety issue involved here. And for that reason alone we want to move this along as quickly as possible. We have -- Legislator Nowick and I have worked on in extensively on trying to keep this moving along so that we can make the process move. It is $40,000, it's extremely important to the Town of Smithtown and the Town of Brookhaven evinced by the resolutions that were passed. It's rare that Brookhaven, for example, even passes a dredging resolution like this, I was told when I met with the staff over there in the town board.

For these reasons, I think it's worth our investment of $40,000 to determine the likelihood of this project moving forward, and I would ask my fellow Legislators to support this. Again, it's important -- it's important to Legislator Nowick and I. We've already has a couple of close calls out in the area with emergency -- we had a gentleman who had a heart attack and we could get a vehicle there, a vessel there. That's the type of problems we're looking at. If there is something we can do, we certainly want to do everything we can.

LEG. GULDI:
The problem is boat access -- boats running aground.

LEG. CRECCA:
We can't get the emergency boats out there at low tide, when water is as shallow as 18 inches at many times. And our concern is the ability to get emergency vehicles in and out during low tide.

D.P.O. POSTAL:

Legislator Fisher.

LEG. FISHER:
And again, I'm just asking that it go back to committee, that it go through the committee process, because it is such a long process. We have an early meeting in October. It's only a few weeks. In the past, when our dredging was delayed because of Smithtown Council delay, if all of you remember, I think two years ago, we were delayed, we missed the window, because we have a very narrow window for dredging based on state regulations. It can't be done this fall, it would be difficult to even get it done by spring, not only because of the process, but because there are only a limited number of dredging companies who have -- who have scheduled dredgings already. So it's very -- it's a long process. This is only a matter of a few weeks. Let it go through the committee process.

My district shares this harbor. I have had a number of concerns pointed out to me regarding this, concerns that have been pointed out to me by the people who have performed the surveys in the past, by the scientists who have done the readings in the past. Until I'm satisfied regarding those concerns, and at least if we go through the committee process, it will give us time to look at what the studies in the past have shown us, and where they sit regarding this issue. I'm just asking for it to go through the committee process.

D.P.O. POSTAL:
Legislator Carpenter.

LEG. CARPENTER:
To the issue of having it go through the committee process, even though we have a CN before us tonight, there was extensive discussion on this issue at the Public Works Committee. In fact, Legislator Crecca was there and did say that if he could pull everything together, they would be presenting a CN. There was a gentleman there, and his name escapes me, but he was there from the environmental community and he was pretty sure that he did not support dredging, however, he was very supportive of moving forward with the survey. So I think for all of the reasons articulated by Legislator Crecca, and especially when Legislator Nowick said public safety is public safety and we heard that there have been instances in the past when they have not been able to get in there to rescue people, I think that we would be very foolhardy to waste any time when we're looking at only $40,000 and go forward with this this evening.

D.P.O. POSTAL:

I think there's a motion and a second, am I right, Henry?

MR. BARTON:

Yes.

D.P.O. POSTAL:

Okay. Roll call.

LEG. BINDER:

This is to approve?

D.P.O. POSTAL:

This is to approve.

MR. BARTON:

On the bond.

(THE ROLL WAS CALLED BY MR. BARTON - CLERK OF THE LEGISLATURE)

LEG. NOWICK:

To approve the CN, yes.

LEG. CRECCA:

Yes.

LEG. CARACCIOLO:

(Not Present)

LEG. GULDI:

Pass.

LEG. TOWLE:

Pass.

LEG. CARACAPPA:

No.

LEG. FISHER:

No.

LEG. HALEY:

Yes.

LEG. FOLEY:

Yes.

LEG. LINDSAY:

Yes.

LEG. FIELDS:

Pass.

LEG. ALDEN:

Yes.

LEG. CARPENTER:

Yes.

LEG. BISHOP:

Pass.

LEG. BINDER:

Yes.

LEG. COOPER:

Yes.

LEG. POSTAL:

Yes.

P.O. TONNA:

Yes.

LEG. CARACCIOLO:

Yes.

LEG. GULDI:

Yes.

LEG. TOWLE:

Yes

LEG. FIELDS:

Yes.

LEG. BISHOP:

No.

MR. BARTON:

15-3 on the bond.

P.O. TONNA:

Okay. Same motion, same second, same vote. I am now adjourning the meeting. It's adjourning, right? I always get those two wrong. It's a dinner break, recess, recess.

LEG. ALDEN:

Recess to Thursday. Thursday, come on.

P.O. TONNA:

Guys, I'm calling for a dinner break until 8 o'clock, 8:30. We're not walking through this. We still have a lot of debate, and to tell you the truth, even though in my own mind I voted against it, there's a majority.

[THE MEETING WAS RECESSED AT 7:00 P.M. AND RESUMED AT 8:30 P.M.]

P.O. TONNA:
Roll call. All Legislators, please come to the horseshoe. Okay. Roll call. Did we do that already?

MR. BARTON:
No. I'm busy voting for everybody.

P.O. TONNA:
Legislator Cooper, I recognize you for the purposes of something.

LEG. COOPER:
Motion to approve IR 1391, please.

P.O. TONNA:
Okay. There is a motion -- if you remember correctly, we passed over tabled Resolution Number 15 -- 1391. Okay. On the motion, Legislator -- there's a motion by yourself.

LEG. CARACCIOLO:
Second.

P.O. TONNA:
Seconded by?

LEG. CARACCIOLO:
Second.

LEG. COOPER:
This is for campaign finance disclosure.

D.P.O. POSTAL:
Page 8. Page 8.

LEG. BISHOP:

Page 8, Resolution 1391. I would like to second it.

P.O. TONNA:

There's a motion to approve by Legislator Cooper.

LEG. FISHER:

Second.

P.O. TONNA:

Seconded by Legislator Bishop. On the motion, Legislator Cooper.

LEG. BISHOP:

This motion was on the agenda, it was skipped over.

P.O. TONNA:

Skipped over, so we have the full Legislature to vote on it.

LEG. ALDEN:

We're going back to it now?

LEG. FIELDS:

Yes.

P.O. TONNA:

So, Legislator Cooper.

LEG. COOPER:

Motion to approve IR 1391.

P.O. TONNA:

Okay. All right. You guys want to say something?

LEG. CARACCIOLO:

Second.

P.O. TONNA:
There's a second already.

LEG. CARACCIOLO:
Just to -- since we're all --

P.O. TONNA:
You changed the bill a little, right? Legislator Cooper, you've changed the bill a little bit, right?

LEG. COOPER:
Right. At the request of several of my colleagues, we modified the bill to make it crystal clear that the electronic filing is not retroactive, it will go into effect January 1st, 2003.

LEG. FOLEY:
It applies not only to county candidates, but who else?

LEG. COOPER:
To town and state.

P.O. TONNA:
Town and state organizations also.

LEG. COOPER:
Organizations.

P.O. TONNA:
It applies to anybody -- from what I understand, and I'll just ask Legal Counsel to make sure, this bill applies to anybody, any entity whatsoever, political entity, governmental entity, campaign entity, that in any way provides an in kind service or a cash contribution to a county candidate

LEG. ALDEN:
What governmental entities that are going to do that?

P.O. TONNA:

Anyway

LEG. ALDEN:

That's jail time.

P.O. TONNA:

That's what -- that's what this applies to.

LEG. COOPER:

The only change from last time is that we made the electronic filing -- made it clear that it's not retroactive to take into consideration concerns of a couple of my colleagues.

P.O. TONNA:

Right. Okay.

LEG. CARACCIOLO:

Mr. Chairman, can we have Legislative Counsel just give us a brief summary of the bill's provisions?

P.O. TONNA:

Legislative Counsel, could you, please, give us a brief summary of the bill?

MR. SABATINO:

This legislation would require candidates and their committees for any of the county elected offices be they six county wide or the 18 Legislators offices to simultaneously file electronically with the Suffolk County Campaign Finance Board the very same statements they have to file under current law with the County or the state depending on -- Board of Elections, depending on the circumstances. And it also would apply to state, county or town political committees, as long as the contributions are in connection with one of those 24 offices that I just described, and as long as they can't establish that they're in no way connected with the particular county wide candidate or office.

LEG. COOPER:

If I could just add --

LEG. CARACCIOLO:
Since there are periodic report requirements, particularly during election years, are there sanctions in this legislation or the previous adopted law that sanctions entities who were not in compliance?

MR. SABATINO:
Under existing state law, the penalty for either filing late or for filing documents that are materially misrepresenting what the actual facts are is a Class A Misdemeanor, that's under state law. So if you make a material misrepresentation in a filing or you miss a filing deadline, and there's like three deadlines -- there's five deadlines rather for a regular situation and it's two for the primary, if I remember correctly, that's a Class A Misdemeanor with a penalty of up to one year and/or one thousand dollars as a fine. This legislation ties into existing local legislation which would have a slightly different fine which would be characterized as an offense with a fine of up to $500 and/or the one year.

LEG. CARACCIOLO:
As far as the delay in filing in a timely fashion, what constitutes lateness?

MR. SABATINO:
Well, you have to miss -- you have to miss one of those deadlines, it's January --

LEG. CARACCIOLO:
Fifteenth.

MR. SABATINO:
Fifteenth, I believe. July 15th. It's 32, 27 and 11 days with regard to general election. It's 27 and 11 days for primary.

P.O. TONNA:
Paul, can I just ask you -- I mean, this is a tangential question, but like, for example, my committee, I have a treasurer, that treasurer if he files late, which he never does, by the way, I think he's, you know, pretty good with that, but if he files late, who goes to jail?

MR. SABATINO:

That's under state law.

P.O. TONNA:

Yeah. I just want to know who goes to jail?

MR. SABATINO:

Well, the person who's responsible in that case.

P.O. TONNA:

Is that the treasurer?

MR. SABATINO:

In that case, the treasurer.

P.O. TONNA:

So the treasurer goes to jail. All right. Just -- now if -- that's how it is now, the treasurer's on the hook --

LEG. FIELDS:

Who's the treasurer, Ron?

P.O. TONNA:

Yeah.

LEG. FIELDS:

Motion to approve.

P.O. TONNA:

I was going to say maybe we'll send him a fake memo that says you have another month to file. Anyway. It's the treasurer who has -- whoever is responsible for that account is the one who is --

MR. SABATINO:

In terms of -- there's two provisions, one, under state law, there's a material misrepresentation, so it's the person who signs, that's the person responsible. If someone prepares it and you sign

it, if you sign it, you're responsible. But if you don't sign it, you're not responsible for the material misrepresentation.

P.O. TONNA:
Great. And lateness is a material misrepresentation?

MR. SABATINO:
That's the second category. If you're late on filing, the responsible party, the person who's been authorized, delegated and given the responsibility to file would be the person who's responsible.

P.O. TONNA:
Great. All right. There's a motion and a second, roll call.

LEG. CRECCA:
I had requested --

P.O. TONNA:
Oh, I'm sorry, I apologize. Legislator Crecca. I get a little confused.

LEG. CRECCA:
That's okay. My request was is that, you know, there's a competing bill, which is on our agenda also, 1541, and I would just ask that we consider the two of them at the same time since --

LEG. BISHOP:
You have to do one first.

LEG. CRECCA:
I understand that. But it's --

LEG. BISHOP:
So what's the point?

LEG. CRECCA:
The point is I'd like to have the opportunity to discuss the differences of the two bills at this point.

LEG. COOPER:

Look, this has been five months.

P.O. TONNA:

Wait. Legislator Crecca has the floor. That's how it works. Then Legislator Cooper, if you want to be recognized, then you will have the floor. Legislator Crecca has the floor right now.

LEG. CRECCA:

I'd ask Legislative Counsel if he could just point out what the difference is. Obviously, there's the obvious difference of the Board of Elections being the one that puts it on the internet in Legislator Binder's bill. And on Legislator Cooper's bill, it's the Campaign Finance Board. Can you highlight some of the other differences?

MR. SABATINO:

Yes. The fundamental difference is the one that you just outlined. One is a simultaneous filing with the Board of Elections, which is Legislator Binder versus the Cooper version, which is the simultaneous filing with Campaign Finance Board. But the other difference now is that Legislator Binder's version would not require the town or county or village committee, if there is one, to make the simultaneous filing, whereas Legislator Cooper's legislation does require those additional filings by those political committees. The -- both bills now have the same prospective trigger point, both bills also have the provision for a treasurer to make a -- file a sworn affidavit saying that there'll be a major problem trying to comply with the e-mail filing. But the substantial differences really are the two categories of how many committees are covered and where the filing is going.

LEG. CRECCA:

The penalties are the same under both bills?

MR. SABATINO:

Yes, because it's not a function of either -- it's not a function of either person creating new penalties, it just has to tie to existing legislation, and they both tie into the same existing legislation. That would be the same.

LEG. CRECCA:

Now, you're saying jurisdictionally, and I apologize, I didn't realize Legislator Cooper's bill extended to towns and village offices, but we have jurisdiction over those political subdivisions?

MR. SABATINO:
No, it's not -- it's only with regard to the six county-wide elected offices I mentioned before and the 18 Legislative offices. But in terms of what a political committee is, it's not jurisdiction over that committee, it's just -- a political committee as defined includes -- a political committee includes the town, the county and state committee. That's just by definition, those are the committees that are covered. So you're not -- and those are already required under state law to make the filings. Legislator Binder in his law is saying he wants the committees that file not to include the town and the village committee. Legislator Cooper's bill is not saying that, Legislator Cooper's bill is saying let all the political committees be covered.

LEG. CRECCA:
Okay. So in other words, the Suffolk County Democratic Committee would have to file under Legislator Cooper's bill and the Republican Committee, but under Binder's bill they would not have to file on the internet, they wouldn't have to publish on the internet; is that correct?

MR. SABATINO:
Would not have to file?

LEG. CRECCA:
They would not have to file and have it published on the internet with the Campaign Finance Board.

MR. SABATINO:
Right.

LEG. CRECCA:
I'm sorry. The other question I have is with regard to -- well, I have a comment during the debate portion, and that is that, you know, as many of you know, I spent all day Friday at the Board of Elections. And I've heard time and time again the allegations that they can't handle this function or that they are too partisan in nature or too political, but I have to say out there, this goes for both Commissioners that I dealt with that day and the staff underneath both

Commissioners, they were nothing but professionals, they were courteous and kind, and it's not the first time I've been out there and had to deal with them on whether it was a recount or whether it was, you know, canvassing of machines and all. I've never had a problem with them not doing what was right and doing what was professional.

I think to now -- I applaud both Legislator Cooper and Legislator Binder for the spirit of their bills, but I don't think that we need to create another level of government with the Campaign Finance Board to administer this function. We have the Board of Elections there, we can require them and mandate that they do this. And it certainly would make a lot more sense to do it where we're already filing and they have the information right away already. You know, and if anybody -- I've heard all the reasons that why we shouldn't be doing it, but the fact of the matter is if it's being published on the internet, it's a document, it's being copied and published on the internet, there's really not going to be any reason why it's out there. It's public access, okay? So this illusion that somehow filing with the Campaign Finance Board creates some more independence, I just don't see it. If you're filing and it's going public anyway, I really think that we should put it where the function is already there now, and that is at the Board of Elections. So I'm going to support 1541, that why I wanted them both considered at the same time, because I do support wholly the concept of publishing our fund-raising and financial disclosure -- I'm sorry, our campaign finance disclosures, but I think the proper vehicle to do that is with the Board of Elections, which is set up to do this.

LEG. COOPER:
Mr. Chairman.

P.O. TONNA:
The list is Legislator Cooper, Alden, Lindsay.

LEG. COOPER:
Just to respond briefly to that, and I really don't want to rehash this entire thing yet again. I don't want to criticize the Board of Elections, I don't want get into any details about concerns that I may or may not have with this being handled through the Board of Elections, I really don't want to go down that route. The 1998 law that's on the books specifies that the Campaign Finance Board has been given this responsibility of collecting the information for the computer data base and for disseminating it to the public. It's the Campaign Finance Board. The '98 law could have said the Board of Elections. It clearly says the Campaign Finance Board.

Number two, the argument about creating it -- a new level of bureaucracy. Once again, that's been addressed several times over the past several meetings. If anything, you'd need fewer people at the Campaign Finance Board, because you won't need a Democrat and a Republican. Maybe you'll need no more people at the Board of Elections, but it's possible. But you certainly would not need no more -- excuse me. They're not there already. Are you saying that everyone there is working 100% of the time -- that they're not working 100% of the time and they have enough additional time to input all the information, collect all the data for this?

LEG. CRECCA:
Yes.

LEG. COOPER:
So you're saying there are people at the Campaign Finance Board --

P.O. TONNA:
At the Board of Elections? Are you kidding me? Are you kidding me? It's like a party.

LEG. COOPER:
I'm sorry at the Board of Elections that are not fully employed and therefore could take on these additional responsibilities?

P.O. TONNA:
I would say they could take on 400% more.

LEG. CRECCA:
I don't know about that, but they could handle this additional function.

P.O. TONNA:
That's the Democratic colleagues as well as the Republican colleagues.

LEG. COOPER:
Okay. Again, that points to a whole different problem that -- which I don't want to take up right now. There's no -- no one has expressed a valid reason for us to ignore the '98 law and to provide -- give the Board of Elections oversight responsibilities instead of the Campaign Finance

Board. So I think the arguments that have been raised are less than convincing.

P.O. TONNA:
Legislator Alden is next. Thank you. I love this, it's such a very urbane conversation. I'm just so happy to see this. That's why I'm for dinner breaks from now on in. Legislator Alden, you have the floor.

LEG. ALDEN:
Legislator Sabatino. Legislative Counsel Sabatino. Paul, under current law, does this proposed legislation change any of the reporting requirements that currently exist, as far as -- forget about whether it goes to, you know, to the Board of Elections or whether it goes to the Campaign Finance Board, does this change any of the current reporting requirements? As you mentioned before, that now the local --

MR. SABATINO:
No, those remain the same, because the key to both bills was to tie it into the form, the format and the deadlines that are set forth in the State Election Law and the rules that were issued and promulgated there under. So none of that was changed by either of the two versions

LEG. ALDEN:
Okay. Thanks.

P.O. TONNA:
Okay. Legislator Alden, are you done?

LEG. ALDEN:
Pretty much, yes.

P.O. TONNA:
Thank you so much for that inquiry. Now, I'd like to turn to Legislator Lindsay. Legislator Lindsay, you have the floor right now. Thank you.

LEG. LINDSAY:
Really some technical questions either of the sponsor or of Counsel. You know, throw out a hypothetical, I get support from the Islip Democratic Committee, which is --

P.O. TONNA:
Wait. Wait. Islip Republican or Democratic Committee, which one?

LEG. LINDSAY:
Democratic.

P.O. TONNA:
Oh, the Democratic. I thought you said Republican. I wasn't sure.

LEG. LINDSAY:
Who reports that? I report that on my form or do they have to report all the money they've taken in and who they donated it to?

LEG. GULDI:
Both. You have to report a transfer in --

LEG. LINDSAY:
Let me hear from the sponsor, one or the other.

LEG. COOPER:
Obviously, you don't have the details about their individual campaign contributions and expenditures. The town committee or the state committee would. The town committee or the state committee could choose not to give to a county candidate. The town committee could provide support to town candidates, the state committee could provide support to state candidates day. But if the town committee chooses to support a county candidate, then they would have to comply with the Suffolk County Campaign Financial Disclosure Law. And the County -- the town committee would have to provide details about campaign contributions and expenditures to the Campaign Finance Board, and it would be posted on the website. They can choose not to contribute.

LEG. LINDSAY:
But the reporting is limited to what they give me?

P.O. TONNA:

No. No. No.

LEG. LINDSAY:

The whole --

P.O. TONNA:

The whole kit and caboodle.

LEG. BINDER:

Can I just add to this? Could you yield?

LEG. COOPER:

Excuse me. If I can just finish.

P.O. TONNA:

This addresses the soft money issue.

LEG. COOPER:

This addresses the concerns that Presiding Officer had raised a couple of meetings ago saying that we should find a way to make sure the town and state committees complied. And Paul Sabatino in his wisdom found a way to do that.

P.O. TONNA:

Right. Under your aegis. Because Paul is neutral on all issues. Okay. Legislator Lindsay, are you done with your level of questioning?

LEG. LINDSAY:

I'm done.

P.O. TONNA:

Okay. Now we turn to Legislator Binder. Legislator Binder, how are you?

LEG. BINDER:

Wonderful. Thank you.

P.O. TONNA:
There we go.

LEG. BINDER:
Kids are doing well. I put them to sleep, so thank you.

P.O. TONNA:
It's your turn, Legislator Binder.

LEG. BINDER:
Thank you. The argument that the law that we pass, the campaign finance law, provides that they be the repository of the information is false on its face, and I think we all know that, otherwise we'd all be filing with the Campaign Finance Board, we wouldn't be filing with the Board of Elections. There's no reason -- why file with the Board of Elections anymore. Let's forget about the electronic filing for a minute. Why should anybody here file with BOE? We've got a Campaign Finance Board, we don't need to file with BOE anymore.

The fact is that you have to file with BOE because that's the legal repository of the information, that's where everybody knows to get it, that's where it goes. At our level, at the state level, there's a BOE, at the federal level that's an FEC. There's a quasi or government agency that is delegated with responsibility from this Legislature, from the State Legislature, from the national Legislature. They have the responsibility to be the repository of this information. That's their job that they've been doing for a very long time.

Now, what does it say in the law? The law says that they have to collect the data base, this Campaign Finance Board. Well, yeah, sure. They went and they asked the BOE for the information that the BOE legally has. They may not like the timing of when they got it, but they get the information and they publish it in whatever form. They publish it in a report, as the Presiding Officer had pointed out, that didn't even reflect reality. But they would publish a report, however good it was or bad it was. They can continue to publish a report. In fact, if they want to take all the information that would be instantly on line with the BOE, now they didn't have to wait for it, because remember we said -- they were all upset, they had to wait for the information. They can data base all the information they can get from the BOE, it's now digital. It's going to be digital, they'll have it instantly, and they can create any report they want

under the '98 law. They can continue to do whatever function we seem to have given them in 1998, which they're doing now. They'll have the information faster.

But the legal repository for the information is BOE. They've always had that responsibility. There's no reason for this Legislature to change that. We didn't change that in '98, and we don't have to change it now. The legal place for all of us to go. You know, why add another place for us to send our stuff? The question is is there new legal liability? Yes, because now you're not just sending it to one place, you're sending it to two. If you send it to the one place, you're now still -- you're legally liable because you didn't send it to the second place. If your campaign finance person sends it to one place as they always do, didn't think about it, and they don't send it to the other place, this new place, this new bureaucracy we created, then you're legally liable or you're treasurer is legally liable. That's the problem. So there is a new liability when we're creating another place, another branch, another place to go. Also understand that --

P.O. TONNA:
Allan, you're on the o'clock. I just want you know. As soon as you started speaking, I put you on the clock.

LEG. BINDER:
Sorry, I'm the only o'clock.

P.O. TONNA:
I have you on the clock.

LEG. BINDER:
I'm not filibustering, or as Mr. Caracappa calls it, Binder bustering.

P.O. TONNA:
You are on the clock. Go right ahead.

LEG. BINDER:
So the other question with BOE versus -- versus the new bureaucracy is BOE we pay for, we know we pay for, we tax for it. This new bureaucracy, two times, Newsday says we should put it out to a vote again, we should now tell everybody it's 65 cents. You know, that's the old joke, just tell them it's only 65 cents. But if we added up all the 65 cents programs, we could pass

everything. We could have -- we could have a 50% tax increase, because we just add -- well, this one's not much, this one's not much. That's what Newsday wants to do. Just tell them it's not much money, maybe they'll pass it. Two times they were told that it's taxes, and they said no. The first time we were criticized because we put taxes three times. Okay, I take responsibility, I did that. All right.

LEG. GULDI:
It worked.

LEG. BINDER:
It worked. The second time, they didn't want to put it in again at all. We put it in, and in the second line, once, just said, "taxpayer", once. When people knew it was taxpayer financed, they said no. So they want a voluntary system. Well, what we have there is a bureaucracy that's taking tax money. So the will of the people is not to create a bureaucracy, not to give them a new job and not to make them now the legal -- give them the legal responsibility and a legal liability for us if we don't comply with going to that new place. So I don't know what we're going to do with that in the future.

Newsday posits maybe we want to kill it. Hey, I don't know. The fact is that no money is going in there, as we said, on a voluntary system. But they can still get the data base, they could still comply with the law, they could still do everything they're supposed to do under '98, but '98 never cancelled out BOE's responsibility to take our information to be the legal repository for it, and now what we should say is like every other level of government, that group of people, which Legislator Crecca has dealt with on a professional level, I had recounts, I was out there through a writing campaign a few years ago, very responsible, professional, did everything the way we were supposed to do it by the book. This agency can do the job and they could do it within existing people that they have, doesn't have to cost the taxpayers anymore, and I would hope that we would pass the other bill. I would hope that we would pass the bill to keep it in the BOE, where legally it's always been and legally it should continue to be.

P.O. TONNA:
Okay. Allan, you made it within 30 seconds. There you go. I got it set at ten again, just in case you want to speak again. Okay, Legislator Postal. You've got ten minutes, Legislator Postal.

D.P.O. POSTAL:

I don't need ten minutes. You know, I don't understand why there's this enormous reluctance to provide information to more than one agency. It seems to me that there's no downside to providing the public with information. You know, the Campaign Finance Board publishes a report that includes the amount of money raised by every Legislative candidate and the amount of money spent on each Legislative raise. That's really informative. Board of Elections isn't publishing it. Now, of course, they don't have to publish it. And, in fact, the Board of Elections traditionally has been the most secretive agency I've ever encountered. They make it extremely difficult to secure any information whatsoever. They obstruct and delay in the interests of protecting their own party and their own candidates, and that's both sides, that's Democrats and Republicans.

So why we're so concerned about this, we have the file a report with the Board of Elections periodically. It's not like filing electronically with the Campaign Finance Board is going to present an overwhelming increase in the amount of documentation that has to be filed for a candidate. I think, you know, it's also conceivable that the campaign finance report could provide this to people with analyses or interpretations, and I would bet my bottom dollar that even at some future time that the Board of Elections provides this information on the internet, there's no way that you're going to have any conclusions drawn. And I suspect that if the Campaign Finance Board made available to the public information about who makes contributions, the public might recognize that there's a connection between contributions made and votes taken. And they might determine that, in fact, they can save an enormous amount of tax dollars if we went to a real viable public campaign system of financing.

P.O. TONNA:

Maxine.

D.P.O. POSTAL:

Yes.

P.O. TONNA:

With all due respect.

D.P.O. POSTAL:

Yes.

P.O. TONNA:

And I have absolute unbelievable regard for you and for your opinions, generally, the -- I just would like to -- and I'll put myself on the ten minutes here. Here we go. There really are two issues here, one is with regard to the Campaign Finance Reform Bill as originally crafted by Legislator Levy and others who talked about the need for campaign finance reform and what this thing has grown into since then. The second is Legislator Cooper's attempt or bill to provide both public access to information, which I think is a good principal and to utilize since they're really not doing much, you know, to utilize this Campaign Finance Reform Committee.

And I'd like to just draw two conclusions from both. The first is, as you have said, this is a good thing because we'll have public finance of campaigns. I feel just the opposite. I feel that the Campaign Finance Reform Bill has already demonstrated that before they had one dollar in the bank, they already voted right away for an $80,000 salary, okay? So we have already understood right away what this was about before they had one dollar pointed. They took care of this is what we need, a job, $80,000 salary, this is what we're going to do.

People basically -- we put in another bill that said public financing will tax, which was honest, whether you say 65 cents as Newsday has suggested, that is just as disingenuous. Sixty-five cents, because people see the word 65 cents, when you're talking about 1.6 million people or how many residents or taxpayers, we're talking about a lot of money. But the crux of it is this. You have public finance where you still are hiding soft money, and I can give you a perfect example. I have party leader X, and now I can get $35,000, okay, if I make sure that my campaign meets the criteria. A couple of $50 checks here and there, all right? And now I say, okay, party leader X, every single other dollar we're going to send to the town of blah, blah, blah committee, and you're going to get it. And we're going to have a private accounting system. We're going to earmark it, I'm going to get the checks over to you, so now it doesn't show that I have any influence. You can't -- you would never be able to track that. And even when the town files its bills, you'll never be able to track it was me who led those checks over to the committee.

And now the party leader says, okay, I'm committed, because, you know, party leaders, they always keep their commitments. I am committed, absolutely committed that when campaign time comes, I'm going pour that amount of money in our secret acting system, you know, back to you. Okay. Now, there's a key vote, and the party leader wants, by the way, I need you to vote for this. Well, I don't know if I'm voting for that, I don't think it's the right governmental

thing to do. Hey, okay, by the way, how are you going to get any financial support for your campaign? Well, what do you mean? I have our private accounting system, I've raised so much amount of money for you. Oh, no, that wasn't a commitment, that was a commitment.

What I'm telling you is you create an atmosphere, just like any single human resource person would know, any single private company would know, you have to give an incentive to make people do the right things. This law, as it's crafted provides an incentive for future Legislators, of course, nobody here in this august body, but for future Legislators to basic thwart the system so that, one, you would never be able to trace money to a candidate or to a vote. Right now, it's pretty easy to do it. If somebody gives me money and you think there's a connection or something, you just look another my filings and you find that out, and you draw your own conclusions. The other way you are basically asking people. And then to add insult to injury, I'm going to get another $35,000 that the taxpayers are going to give because silly them, they thought there's no way around this. That is basically creating a situation -- I got five minutes left

LEG. ALDEN:
Thursday.

P.O. TONNA:
That is a situation for corruption. That is something that I think -- I don't think anybody intended it, but I think that is really going to be the net result of this law. You're going to empower party leaders, you're going to empower people not to be honest and truthful with money being given to other candidates for different purposes. That's the first thing, and this is why this Campaign Finance Board -- the second thing is just let's look at the fruits of their work. They gave a report, the report was the most misleading report I've ever seen in my life. We had somebody with an 80 thousand dollar salary, obviously it was cut, we have a budget now, and now we're saying let's find and do something else. The Board of Elections, they're not overworked, trust me, they're not overworked. I'm sure that both the Democratic and Republican Commissioner could say, you know what, we'll put our special ace people on this project, you know, they have them, who will make sure that we file through the same process, one filing, and it will be out there. It's still -- go to boardofelections.com, you'll get that, and you do not empower another bureaucracy.

Personally, at first, I was saying, you know what, I don't know if I want that information.

Legislator Cooper has a good point, get the soft money into it, let them file too. Legislator Binder, if your bill has that the parties have -- anybody who contributes, the parties the candidates, and anybody, that's what I want to see. I want everything electronic. Anything that goes to the Board of Elections, put them all on it, every single committee, no problem with me. But I do not think this Campaign Finance Reform Committee, it's just creating another bureaucracy when we can do did through the Board of Elections. Thank you. And I still have three minutes to go, and I stop. Thank you.

LEG. COOPER:
Can I be put on the list. I don't know if there's anyone else before me.

P.O. TONNA:
Legislator Cooper. That's it. You got it.

LEG. COOPER:
To address a couple of points you made. First of all, you said you would support Legislator Binder's bill if he included the town in the state committees, but you just said that the real problem you have with this is that you're concerned about political deals being cut between the candidate -- let me just finish -- and the town and state committee. So whether it was Binder's bill or my bill if that was indeed the problem, the problem wouldn't go ahead. Please, let me just finish.

P.O. TONNA:
The problem doesn't go away. The corruption problem doesn't go away the. No matter what. That's why the bill's --

LEG. COOPER:
No one is forcing anyone around this horseshoe to cut a deal with their political party leader. No one. Paul, let me just finish. No one's forcing you to do this. If you did choose to cut a deal with your political party leader, I wouldn't do that, but if anyone did, and that political party leader was less than honest and trustful and went back on his word, would you cut a deal with him again the next election cycle? Probably not. If you got betrayed one time, that would probably be the last money that you'd raise for that political party.

LEG. HALEY:

You're so naive.

P.O. TONNA:

Are you kidding me? Are you serious with that question? When they're collecting your petitions and you've got to run. Are you -- I can't believe that -- I know that your serious, I'm sorry.

LEG. COOPER:

Look, we can broaden this discussion if we really wanted to to a whole range of other issues that I'm sure a lot of people here don't want to talk about.

P.O. TONNA:

I have no problem talking about it. I think just like in the spirit of what you're saying, let's see the light of day. I don't have a problem with that.

LEG. COOPER:

Fine. Board of Elections.

P.O. TONNA:

Right. Go ahead. Really.

LEG. COOPER:

Because I don't want to embarrass people.

P.O. TONNA:

Well, if it's true, let's not embarrass -- I mean, I wouldn't say name, rank and serial number, but go ahead. Tell us principally, what do you want say? Board of Elections stinks?

LEG. COOPER:

If I say it, then everyone's going to know who I'm talking about. And I've done it privately, I don't feel like doing it here.

LEG. BISHOP:

That is an open meetings violation.

LEG. HALEY:
Put me on the list.

P.O. TONNA:
What's your point, the Board of Elections stinks?

LEG. COOPER:
There's corruption in the Board of Elections. Well, there's corruption in the Board of Elections.

P.O. TONNA:
What you're saying, if I can understand you correctly, maybe I'll just say it back. What you're saying is -- wait, wait, wait. Legislator Cooper, what you're saying is that they have been disingenuous, that in some way they're thwarting the transparency that the --

LEG. COOPER:
Violating of state election law blatantly.

P.O. TONNA:
Right. Then what I would say, Legislator Cooper, I wasn't aware of that, to tell you quite honestly.

LEG. COOPER:
Excuse me, privately --

P.O. TONNA:
I don't know the situation you're talking about.

LEG. COOPER:
A number of my colleagues of both parties know exactly what I'm talking about. I really don't want to talk about this publicly.

P.O. TONNA:
How do you say, by the way, this, by the way, I don't want to talk about it? What you're saying is you don't have any faith in the Board of Election to do that. But Legislator Binder's bill

basically does the same thing as you, they've got to file, the individual committee's got to file, right?

LEG. COOPER:
The Board of Elections is a bipartisan organization. Look, everyone --

LEG. BINDER:
What are they going to do with the filings?

LEG. COOPER:
Excuse me. My bill at least, and I believe your bill now permits exemptions from electronic filing and permits paper filing. At least several of your colleagues have already said they want to paper file. If they paper file and the organization in charge of collecting that information, putting it on a computer data base and ultimately a website, is less than forthright, and if they want to protect a political candidate of their own party, they can do it, and it happened in at least one campaign in the last election. It was blatant, it happened not once, but twice. I really don't want to talk about this publicly, but a lot of you know exactly what I'm talking about. And I've heard different rationales from you privately for what the reason was, whether it was malevolence or incompetence or what have you, but --

LEG. CARACCIOLO:
Mr. Chairman, I have a question.

P.O. TONNA:
Just one thing, Legislator Cooper. And I'll put you on. I really believe that your sincere, and I believe in the principal of transparency. I also believe that, you know, you're saying something about the Board of Elections being incompetent. I'm with you. Okay. I'm absolutely with you. All I'm saying is that Legislator Binder's bill -- forget about the paper for a second, the electronic -- that is the work of whoever it is that's going to do this, not the Board of Elections, right, you file it electronically?

LEG. COOPER:
Already some of our colleagues, Legislator Alden, for example, would be paper filing. He doesn't have a computer. He doesn't have the technology, he wants to paper file.

LEG. ALDEN:
I want paper, I don't have a computer.

LEG. COOPER:
A number of our colleagues around here will probably be paper filing. I'm not saying they have anything to hide. But if any of them do have something to hide, if it's a Democrat, there'll be tremendous pressure put on the Democratic Elections Commissioner to hide what's harmful. If it's a Republican, tremendous pressure put on the Republican Commissioner. Even if it doesn't happen, it gives the public perception, the public perception that there's something to hide, that there's a conflict of interest. Why the 1998 law took it out of our hands. We're ready -- I guess I wasn't in the Legislature at that time, excuse me, please.

P.O. TONNA:
Legislator Cooper has the floor.

LEG. COOPER:
In '98, there must have been a debate on this. I mean, Allan you were here at the time, Paul you were here, there was a -- and the majority of Legislators voted to give this responsibility to the nonpartisan Campaign Finance Board. If we --

LEG. BINDER:
No.

LEG. COOPER:
I wish I had it in front of me, I read it last time.

P.O. TONNA:
Not the majority of Legislators here now. I think one of them went on the State Assembly.

LEG. COOPER:
The point is that is the '98 law. It gives the perception to the public that we have something to hide if for five months, going on six months now, some of us have been fighting this tooth and nail.

P.O. TONNA:
My problem, Jon, is not about transparency, my problem is empowering a Campaign Finance Reform Board that I feel in all honesty --

LEG. COOPER:
I thought your problem was with empowering the corrupt political party leaders that couldn't be trusted.

P.O. TONNA:
Yeah, on the first thing. That's why the law is -- that's why I didn't vote for it to begin with. That's why if they had money, if they had money, if they had $35,000 per candidate and everything else, I'd guarantee you party leaders would be very happy right now, extremely happy, because, you know, there would be an incentive for some people -- is that the right word, incentive, for some people to make sure they had a dual accounting system. And it's perfectly legal. It would be perfectly legal.

LEG. COOPER:
Paul, did you or did you not say, though, that if Allan's bill was modified along those same lines, you would support his bill?

P.O. TONNA:
I like the idea.

LEG. COOPER:
That's the exact same problem with the corrupting influence of the --

P.O. TONNA:
You're confusing the two things. The one -- I said there were two issues. One is with regard to taxpayer finance. I like the idea of your bill finding a hook, the Sabatino hook we'll call it, you know that's how you attribute it to, which hooks party committees, state, town, whatever else, I think they shouldn't go, you know, scott free, and I think they should file if they're supporting if want transparency. I like the idea of that, I just don't like having the Campaign Finance Reform Committee responsible for that. I like the idea of the Board of Elections.

LEG. COOPER:
That's the basic difference between the two bills. Do you want the non partisan Campaign Finance Board or do you want the Board of Elections?

P.O. TONNA:
Dual partisan.

LEG. COOPER:
If you want the Board of Elections, then don't vote for my bill.

P.O. TONNA:
If there's corruption, let's clean it up, let's have a lawsuit. It there are things there, let's take that on. That would be fine with me. Let's find out where that is.

LEG. COOPER:
Paul, if you really -- if you want to go down this road, if everyone here wants to go down this road.

LEG. HALEY:
Go ahead

LEG. CARACCIOLO:
Go there, Jonathan.

LEG. ALDEN:
I think you have to.

LEG. COOPER:
-- and talk about political patronage jobs and everything else that we all talk about in the back rooms, if you really want to have -- get into it --

P.O. TONNA:
Wait, wait. Allan, come on. Let Legislator Cooper finish.

LEG. BINDER:

He's talking corruption.

P.O. TONNA:
Let Legislator Cooper -- there's a difference between -- Legislator Cooper, in all fairness to what you're saying, there's a difference between a political patronage job, which anyone here if they were hooked with sodium pentothal wouldn't say, oh my God, I never heard of that versus -- and some would be actually, let me give you a dissertation on it, versus the issue of breaking the law. And there is differences.

LEG. COOPER:
If someone in a political patronage job makes decisions that can affect races, political races, has happened in the last election, there's something wrong with that picture.

P.O. TONNA:
Absolutely.

LEG. COOPER:
Well, fine. So then I do not want to further empower that organization, whether you call it corruption -- I don't care what you call it.

P.O. TONNA:
That's a logical -- I mean, I understand what you're saying.

LEG. COOPER:
But there's no need --

P.O. TONNA:
I don't want to empower party leaders.

LEG. COOPER:
You're concerned about empowering corrupt political leaders, I'm concerned about --

P.O. TONNA:
I didn't say corrupt. I'll let the District Attorney decide that. I did say about political leaders. I didn't use the word corrupt.

LEG. BISHOP:

Yes, you did. You certainly did.

P.O. TONNA:

No, I didn't.

LEG. BISHOP:

You said that there was a form of corruption when you had the --

LEG. COOPER:

Can someone look back at the minutes and see whether --

P.O. TONNA:

I didn't call party leaders corrupt. I'll let the District Attorney decide that. Legislator Caracciolo and Legislator -- there have been in the past, and they've gone to jail, by the way. You know, I'm not saying it doesn't exist.

LEG. CARACCIOLO:

The sponsor speaks to a system that's imperfect, but I think that's in essence his premise.

P.O. TONNA:

Yeah, and I respect that.

LEG. CARACCIOLO:

However, what I as someone whose inclined to support this resolution don't understand is that I don't see where this makes the system any more perfect. So beginning with the premise, Jonathan, what was impetus for you introduce the original resolution and then subsequently, from my perspective, water it down to where it sounds good, it feels good, but it really doesn't do what you wanted it to do?

LEG. COOPER:

Well, it's actually been strengthened quite a bit. I mean, can you give a specific?

LEG. CARACCIOLO:

I don't see the fact that, as the Presiding Officer pointed out, you're passing on an additional requirement to town and village committees really does anything more than what's readily available today. I think, and since you didn't want to go there, I'm happy to go there, because you shared with me a personal experience in the campaign you ran, where you felt there were things going on by your opponent in an election, and that you could not in a timely fashion uncover and disclose for public dissemination that information. In fact, I don't think you were able to find out at all, and I think after the election from your perspective it was academic, so why bother?

LEG. COOPER:
No, it wasn't that bad.

LEG. CARACCIOLO:
But it could have been made the difference --

LEG. COOPER:
A false accusation was made again me. I was accused of lying about an issue. I won't go into details about it. And my opponent challenged me publicly in the local press that if I had the proof that what I had said was correct, let me produce the proof. The only way for me to produce the proof was go to Board of Elections, file a FOIL request and request some information, which we did. The FOIL request was ignored, ignored. And when it was rejected, you're supposed to legally fill out a form explaining why you rejected the FOIL request, that wasn't done.

We filed a second FOIL request, that was ignored. Once again, the person responsible did not fill out a form explaining why the FOIL request was rejected, illegal, illegal under New York State Law. Finally got the information through another channel, I won't explain how, published in the press. I was able to redeem my reputation, my opponent was forced to apologize. He knew all along that the statement that he made against me was false, but he was hoping that the proof, my vindication, would be withheld. And it was withheld for weeks, weeks at the heat of the campaign. And if it was up to the Board of Elections, the information would have never been provided, and I may not be sitting here right now. Some of you may be -- would have been thrilled at that prospect, but it could have -- yes, I saw that. It could have influenced an election. If it happened in my case, I'm sure it's happened in other cases.

I wanted to make the bill as broad as possible. I wanted to require any political committee, whether it was a committee set up by an individual candidate or whether it was a county committee or town committee or state committee to be forced to comply with the public campaign finance disclosure requirements should they decide to try to influence a county election. If the Huntington Town Democratic Committee provides money to my campaign or if your Town Republican Committee or State Republican Committee provides money to your campaign, that's their choice, but they'll have to comply with our campaign finance disclosure law. And all of their campaign contributions and expenditures would be posted -- would be filed with the Campaign Finance Board and posted on the internet.

Now, yes, maybe it won't cover every single contribution, maybe there is some creative way if they work hard enough to shield some of this, but if you wait for a perfect system, whether it's at the local level or the state level or the federal level, we're never going to have any campaign finance reform. And I think that this is a big step in the right direction. If you look at the information that's on the website already, for a number of us, I mean, because our campaign contributions or at least those that have been forwarded by the Board of Elections are on the website now, later than I would like, because the problem was that it often took weeks if not months for the information to be passed on. And if you o'clock check it out there's some interesting information there. Whether anyone has something that they would prefer not to be under the website or not, whether they're ashamed of some contributions that they received, if they're concerned about some of their expenditures, well, I'm sorry, that's not my problem. Maybe they'll think twice the next time when they solicit and accept campaign contributions. But that's the whole purpose of this bill.

And so I think it's the -- it certainly is the strongest bill that I working with Paul Sabatino could create. If there's any way to make it stronger, I would have hoped that someone over the past six months, it's almost six months now, would have told me what to do. But within the constraints that we're operating under as a County Legislature, I think this is a pretty damn strong bill, very comprehensive, and -- but again, for those town or state political committees that are afraid of disclosure and don't want the information to end up on a website, then don't give to a county candidate, give to a town candidate. There's no town that has a campaign finance disclosure law that governs them, and so it will be interesting to find out whether the town and state organizations continue to try to influence county races, or whether they're scared off by our campaign finance disclosure requirements.

LEG. CARACCIOLO:

Under the current system, the information that the Campaign Finance Board receives is provided through the Board of Elections.

LEG. COOPER:

Right. The procedure is that the board of -- the Campaign Finance Board is supposed to make a request with the Board of Elections, the Board of Elections is supposed to provide the information on a timely basis. One side of the Board of Elections, I won't say which one, has historically provided it very promptly. The other side has historically taken quite a bit longer, that's one problem I have, disseminating the information on a timely basis. The other problem I have is unfortunately, I don't fully trust the Board of Elections. There are a loot of great people working there, a lot of dedicated people working there. I don't want to cast dispersions, but I obviously had this personal experience. If it happened to me, I'm sure it's happened to others. You may not be aware of it. But the point is if it happened once or it happened 1,000 times, why even open ourselves up to this? Why would we vote to give the bipartisan -- the Board of Elections, which is, as Newsday said this morning, a political duopoly under the control of the Democrats and the Republicans who obviously --

P.O. TONNA:

Legislator Caracciolo, he's answering your questions, right?

LEG. CARACCIOLO:

Yes.

LEG. BINDER:

It's his time.

P.O. TONNA:

I don't know how to allot this time.

LEG. COOPER:

They obviously have their self-interests. I mean, Republicans, their self-interest is to help Republicans win and protect them. Democrats their self-interest is to protect Democrats.

LEG. CARPENTER:

Not all the time.

P.O. TONNA:

Michael, can I say something? I don't know how to do this. Your time is up. Wait, wait. But I want you to know, this is the weirdest way that you have used your time. Okay? So did you -- did he answer that question?

LEG. CARACCIOLO:

Almost, but the next question I have is, Jonathan, playing devil's advocate, what's wrong with the requirement for a sanction on the Board of Elections if they don't provide this information in a timely fashion, and we can define by legislation what timely means?

LEG. HALEY:

Policy.

LEG. CARACCIOLO:

What's wrong with that?

LEG. COOPER:

Excuse me, if I can answer that. First of all, I don't know how easier or difficult it would be to prove if a candidate wants to hide the information and --

LEG. CARACCIOLO:

Well, hiding information is a lot different than reporting information and someone else not disclosing the information.

LEG. COOPER:

But particularly with paper filing, it's very easy to hide information.

LEG. CARACCIOLO:

In what sense?

LEG. COOPER:

I'm sorry?

LEG. CARACCIOLO:
In what sense?

LEG. COOPER:
Because it's paper filing. If the information is --

LEG. CARACCIOLO:
Obviously you're aware of something that I'm not and others aren't. You should share that, because I think it makes your case.

P.O. TONNA:
I just would say --

LEG. COOPER:
I really don't want -- look, I'm in a very difficult -- I don't want to --

LEG. BINDER:
Mike, can I answer your question? Would you yield to me?

P.O. TONNA:
I don't want to speak for Legislator Cooper, so --

LEG. BINDER:
Can I --

P.O. TONNA:
So Legislator Caracciolo has the floor. I want him to finish his questions.

LEG. BINDER:
Can I ask him to yield?

LEG. CARACCIOLO:
I'd really like the sponsor to answer the question, because I think it might bolster his argument why this resolution is necessary.

LEG. COOPER:

Because unless we want to really have an open and full discussion --

LEG. CARACCIOLO:

Well, isn't that what this is supposed to be about?

LEG. COOPER:

Excuse me, that would take a couple of Legislative sessions, and we all know that it gets into all these issues. And if we really want to talk reform of the political system in Suffolk County, which segues into all these other issues, if everyone really wants to --

LEG. CARACCIOLO:

What other issues are you talking about?

LEG. COOPER:

And if there won't be retributions against me, you know, people are saying, Jonathan, don't go this way. I mean, if we really want to talk about this, we can talk about this.

P.O. TONNA:

Legislator Cooper, every Legislator here knows, especially Legislator Binder and Towle as of late, as long as I'm the Presiding Officer, which means not maybe much for people, but everybody here is allowed to vote the way they want. And as far as what is controlled internally, whether it be staffing, cars, travel, allowance, whatever else, nobody will take it out on a Legislator for asking questions for seeking the truth, whether you vote the way that I like it or don't like it or whatever else. And look at Legislator Binder, it's a perfect example, okay, no ramifications, there will be none with regard to how we work internally.

LEG. COOPER:

No. Excuse me. I don't take a company car, I don't have a company -- County cell phone. That's not my concern. The only reason I'm here is because I'm -- you guys, I'm sorry that six of my bills had public hearings today. It's not my decisions whether a bill is a local law or not. They were all bills that I believe in, and I think will save lives.

P.O. TONNA:

We believe that.

LEG. COOPER:

But the reason --

P.O. TONNA:

Let's not go back to all those bills.

LEG. COOPER:

The reason I'm here is that I'm trying to represent my constituents, and I'm trying to make a difference. And I am concerned that if I'm the maverick, and if I'm the one who raises these issues -- yes, we can certainly talk about all these other issues, that certainly people are not going to vote for my bills and that's not going to do my constituents any good, maybe these are issues that should be talked about some day, but look, we're getting off --

LEG. CARACCIOLO:

Mr. Chairman, the point I was getting at is given the case study that he cited while he was enmeshed in a campaign, had an accusation made that he wanted to clear his name and his reputation --

P.O. TONNA:

His good name.

LEG. CARACCIOLO:

Right. That it took sometime to do that, and in the effort to do so if the clock had run out, he may have paid the ultimate price for not being able to disclose the very information he needed to set the record straight on a blatant false accusation that was groundless. That said, I'm just trying to understand how this accomplishes --

P.O. TONNA:

Correcting that.

LEG. CARACCIOLO:

You know, that we don't have a repeat of something like that happening. In the Eleventh Hour of a campaign, as all of us -- I'll give you an example, 1989, my Democratic opponent, two

weeks before Election Day makes the bold faces of lies by standing at the County Center in Riverhead, holding a press conference that attracted the newly fledging News12 at the time, okay, and says candidate Caracciolo has accepted money from organized crime.

LEG. HALEY:
You're not picking on Lou, are you?

LEG. CARACCIOLO:
Now a Republican, by the way and the zone leader in Brookhaven. Tells you something about --

P.O. TONNA:
What did you say, badda bing?

LEG. CARACCIOLO:
So fortunately News12 gave me the opportunity to respond.

P.O. TONNA:
I've heard all the criminals say, we didn't do that. Hey.

LEG. BINDER:
Mike, could you yield on some of the questions?

LEG. CARACCIOLO:
Why don't you just let me finish this quick story, okay? Fortunately, once we learned what the allegation was, which was totally baseless, it was the same year that Pat Halpin who was then the County Executive, every incumbent county elected office holder, including those who weren't running for office that year, received campaign contributions from a PAC that two co-conspirators with vowels in their last name were indicted on something that had nothing to do with campaign finance, had nothing do with political contributions, because they had vowels in their name and I had vowel in my name Jonathan, okay, I was plastered on the TV screen that night with two people I didn't even know that belonged to a Local where they had done something wrong. The union didn't do anything wrong, these two individuals did. But you never would have known it from the hatchet job that news report provided. It wasn't until the next day that we can get to the Board of Elections and get to the bottom of it that we were able to come back and inform everyone who cared to know that this was a blatant false boldfaced lie,

okay? So the information is there. The information is there and can be uncovered, it can be uncovered in a timely fashion. I think it's unfortunate what happened to you. And I don't know that this system during the last week of a campaign or last couple of days of a campaign worse yet, you have your opponent saying what he said about you, and it's in a mailing piece that hits on Election Day or the day before Election Day, you're dead. People believe it.

LEG. COOPER:
We can't give up on the effort to improve the system. If we say we can't solve all the problems, so why even try? We got to do what we can do.

LEG. CARACCIOLO:
I'm saying it's not a panacea, that's all.

LEG. COOPER:
It's not. We all have our war stories. Everyone's whispering, oh, you know, I've got my war stories to tell. We all have war stories.

MR. COOPER:
Finally, Mr. Chairman, last point on the question of duplicity of a filed report, as my good colleague to the left here pointed out.

LEG. GULDI:
Take me off the list, he's going to say it.

LEG. CARACCIOLO:
If you're e-mailing a report to the Board of Elections or to the Campaign Finance Board, all you have to do is CC a copy to the other one, and you got two for the price of one. Done, instantaneously, not a problem.

P.O. TONNA:
Why do we want -- if we're doing it to one and you go on www.boardofelectionscrimestopper,com, you know, what's the difference? Anyway. Okay. Thank you. All right. Legislator Caracciolo, thank you. Legislator Haley, Bishop, Crecca, Postal, Binder, Guldi.

LEG. GULDI:

Take me off the list.

P.O. TONNA:

Okay. Guldi's off.

LEG. HALEY:

I am absolutely amazed that we're spending the amount of time that we are on something that if you really measured your constituency, you find out that most of them really don't entertain this subject. I think McCain found that out, all right? And I think it's very obvious. You talking about a system, you know, the thing is you're complaining -- and what's interesting, and I'm glad you admitted it, I give you a lot of credit for admitting the fact that you've reacted to what you felt was a wrong doing out of the Board of Elections. But that system, in fact, works. Electronically, we have a problem because, as Legislator Caracciolo says, at any given point, somebody can drop something tomorrow in the mail or let's take it a step further, create 6,000 phone calls on the morning of or send out 6,000 e-mails the morning of, something that you're not going to be able to correct. Whether or not you're going to solve a problem by creating another system, I don't think that's going to work. I think what you failed to do is you failed to resolve the problem of the question within the Board of Elections who has the responsibility of providing the information that's necessary. On top of all of that, I don't know what anybody hopes to prove by putting everybody's information on the internet or having it readily available, because it always has been, even though over the years there's been a slight delay in getting that information, you still manage to get it at some point in time. I'm sure every single one of us at one point or another have requested information on other candidates or some of our party leaders. That system is not going to change. All you're doing is adding, adding -- I'm not asking a question, so -- please don't respond, we've heard from you substantially this evening.

LEG. COOPER:

No, but where would they get the information? You say it's readily available. Where is it readily available?

LEG. HALEY:

I'm not sharing my ten minutes with you. Put your name on the list, and you can have another ten.

P.O. TONNA:

Legislator Haley, you done?

LEG. HALEY:

Information is readily available from the Board of Elections. The problem you may have is that the New York State statute provides for Board of Elections that is -- the patronage is split between the two highest vote-getting parties, and if you have a major problem with that, perhaps you should work on something with the state statute. But if the people in the Board of Elections are failing to deliver the information that you think you need in a timely manner, you don't create another system to do that. What you do is go back and you say you need to correct that system. As I recall, five or six years ago when I got a call from Newsday that said there was a major problem on the -- happened to be on the other side of the aisle, okay, in the use of vehicles and stuff like that and expected me to do something about it, you know, create some big investigation. When, in fact, the Board of Elections falls under the Executive Branch of Government. And if there's a problem that exists, it's incumbent upon the County Executive to be aware of that and to correct that. If you have a problem with the Board of Elections, you have the opportunity to go through not only the County Executive, but the party leaders to correct that which you think was wronged. But you're now creating a whole new system, which, you know what? It's not going to make a whole hill of beans. And what you're doing is wasting a lot of people's time. And you have an awful lot of people, a constituency out there who really doesn't care.

P.O. TONNA:

Legislator Bishop. We were going to move you to the back of the list.

LEG. BISHOP:

Thank you. Thank you.

LEG. CRECCA:

Silence

LEG. ALDEN:

Everybody should make comments while Dave's talking, peanut gallery.

LEG. BISHOP:
Well, do first of all, I want thank you for recognizing me. I'd like to say that I think that the debate here has veered into the territory of, like, Mickey Spillane meets Robert Carrow. And in the effort to make points --

LEG. CARACCIOLO:
Okay, Dennis Miller.

LEG. BISHOP:
-- people are using analogies that have no basis in reality. Now, Legislator Tonna started this with his portrayal of the, I assume Republican Legislator, as this kind of hobbsy and weak character who is either sneaking around with party leaders to try to hide what they're really up to, and is completely susceptible to being told what to do, or the alternative is that the Republican Legislator is actually a lot stronger than that and can withstand the impacts of Legislator Cooper's bill. Excuse me?

P.O. TONNA:
Could be a Democrat, doesn't have to be a Republican

LEG. BISHOP:
well, no, because a Democrat doesn't operate with this system of party leaders. I mean --

P.O. TONNA:
Richard Schaffer's earning a lot of money lately. I don't know. Wait until you see.

LEG. BINDER:
Wait to see how much he's got.

P.O. TONNA:
Give me a break. Jonathan was talking about behind the scenes. Well, behind the scenes, I hear all this stuff about, you know, caucus and the Democrats feel this way.

LEG. BISHOP:
I'll tell you how Democrats feel. If you look at the record, Democrats have felt throughout the last five years that there should be a system of public campaign finance reform in Suffolk

County. This is a tiny baby step in that direction. It simply says that when Legislators raise funds, the public should have access to knowing how they raise the money. You've constructed in opposition to that the scenario where people are sneaking around and there's all sorts of skulduggery, I don't believe that to be the case, but if that's the case, then, you know, I think ultimately those Legislators that engage in that will pay the price, because I don't think that that kind of behavior could withstand scrutiny over the long-term.

P.O. TONNA:
Nobody would ever know about it. Dave, that's the most naive thing. When I got on the Legislature, I got handed me an agenda as a committee Chairman with a party leader who told me this is how you have to vote, bam, bam, bam. When he saw Levy's name, no, no, no. Then you get the questions about fund-raising and everything else. The only way you could be independent, the only way, is if you could raise your own money, period.

LEG. BISHOP:
Which is what Democrats do. This is my point, so vote Democrat.

P.O. TONNA:
My point is that the Campaign Finance Law has basically said to get this $35,000, you could do -- you could have a dual accounting system, it's easy. They're asking about it all the time.

LEG. BISHOP:
You continue to maintain, like, it's automatic, that is going to go on.

P.O. TONNA:
Absolutely.

LEG. BISHOP:
I happen to think that looking at a number of my colleagues here that a number of them on your side of the aisle would say, no, we're not going to do that, we're going to try raise our own money now, and we're going to try to do this the right way. Maybe I'm wrong, maybe they will do -- maybe they will act in a way that you say they will. I hope not.

P.O. TONNA:
Why don't you say the truth? The Democrats can't raise money. Why don't you say that? You

guys are so inept at raising money --

LEG. BISHOP:
Mr. Foley raises a ton of money.

P.O. TONNA:
-- that you -- you know. You make up with your hard work, you know, walk every house, make sure that -- I'm not saying -- but all I'm saying is why don't you say you would like a $35,000 free ride? Just say that. $35,000, I'll get the taxpayers to pay for my campaign. Why do I have to raise it for? I don't want to dirty my hands. Let's get the taxpayers. I don't have to have anybody even want to vote for me. Give me a break.

LEG. BISHOP:
Let me get this straight. I just have to make sure that there was a time when the minutes of this place was believed used to be doctored up. I certainly hope that doesn't happen this time.

[SUBSTITUTION OF STENOGRAPHER - ALISON MAHONEY]

MR. BARTON:
Not since I've been Clerk.

LEG. BISHOP:
Let me go on and make another point which is in response to what you said. Legislator Cooper I think also veered off reality and said that the Board of Elections is corrupt; the Board of Elections is not corrupt. Believe me, I've spent a lot of my career sitting at the Board of Elections watching recounts. The Board of Elections runs a very good election. Look at what goes on around the country and compare it to the Suffolk County Board of Elections. Look at what goes on around the state compared to Suffolk County Board of Elections. Look at what goes on around Long Island and compare it to the Suffolk County Board of Elections. Our results are in, they're accurate, and when they're not accurate it's because of honest reporting errors and you can usually pick them up right on election night.

LEG. CARPENTER:
And they're on the Internet.

LEG. BISHOP:
The people that work at the Board of Elections work damn hard around election time.

LEG. CRECCA:
They do.

LEG. BISHOP:
I mean, and election time is not a brief period, it's months and they have to do the school elections also.

LEG. NOWICK:
And fire districts.

LEG. BISHOP:
Now, are they -- is there political patronage at the Board of Elections? Yes, by law, it's supposed to be the two party system divided equally between two parties. So I don't know, you know, if it's gratuitous to defend the Board of Elections, but I felt that somebody needed to, I think they do all right.

However, back to the point of this bill. This is a small step, a tiny reform, it would make some incremental progress. But you know, if we really wanted to do this thing right, we really need another referendum. Not with loaded language one way or the other, we need to have an honest dialogue that will yield a referendum question that puts the people of Suffolk County, what kind of system they want. And that would be the best way to solve this.

P.O. TONNA:
Okay. Legislator Crecca.

LEG. CRECCA:
Yeah. Because debate has gone on ad nauseam on this, but let's bring it back into focus. Because -- and I think Dave was trying to do that to a certain extent. First of all, he's right about our Board of Elections; we have one of the best Board of Elections in the State, if not the best in the State. And they do get results out quickly and get them out accurately, and I don't think anybody who has spent some time down there can argue otherwise. You know, I think -- I

challenge Legislator Cooper or anybody else, and not tonight or at this forum here tonight, but if there is corruption there -- and I haven't seen it, okay -- then that should be exposed and that should be aired out. But the debate tonight is about whether or not we should have put on the Internet our campaign disclosure statements, it's simply that simple. I think the vast majority of us agree that we should put those out. Then the next question becomes should Board of Elections do it or should do the Campaign Finance Board, that's the simple issues we have before us, okay?

We've heard the arguments back and forth for both, I suggest we vote now. But again, you know, I have heard about Board of Elections from one or two Legislators being partisan, but for the most part we all know they work very well and they do their job well. And with all due respect to Mr. Lutz and the Campaign Finance Board, they have their own idea of what should be, okay, and they have their own interpretation of what should be and their interpretation if the referendum, so don't tell me they're not political because they are.

The bottom line is we have the Board of Elections set up, we have a great Board of Elections, let's vote on these bills up or down, number one. I'm supporting Legislator Binder's bill because we have something we know works, we have something we know they can deliver. And Legislator Caracciolo said it before, you know, you're filing an electronic statement, it's a matter of transferring information from point A to point B with the click of a button. And yes, if they file manually, Jonathan, they're going to scan a sheet in and put it on the Internet. This is not rocket science, okay, they can handle it. And if Board of Elections is changing information on those forms, well, then dammit, you know, we have a major problem that we have to address. And this bill having a Campaign Finance Board do it, who's to say they won't do it then? I mean, that's individuals going against the law and thwarting the system.

The bottom line is is that it can happen any place if it's going to happen. I don't think the Board of Elections it's going to happen any more than it would any place else. And I'd rather have one place that's under our control and we can -- and is subject to the public scrutiny like Board of Elections that will handle this responsibility. But let's just vote on this darn thing already.

P.O. TONNA:

Just the whole concept of the Board of Elections, it's mutually assured destruction. You know, it's equal and so if there is one side, the other side is supposed to be the check and balance. That's why it makes logical sense. But anyway --

LEG. BINDER:
There's no checking it.

LEG. COOPER:
Excuse me.

P.O. TONNA:
Legislator Postal and then Binder. And then Cooper --

LEG. COOPER:
No, just to --

P.O. TONNA:
-- you can talk again.

LEG. COOPER:
Oh, okay.

LEG. POSTAL:
You know, the Board of Elections does an excellent job at running elections and reporting the results of elections; they're recognized at least all over the state, if not outside the state for that. But what they don't do is to do more than act as a repository for campaign finance reports. They check to see that we filed on time, they may give a perfunctory overview of what's on any particular person's campaign report, but they don't do more than that.

About six years ago a Gannett Newspaper in Westchester published a report on illegal contributions that were made to candidates in the various counties across the State of New York. One of the reasons I know that is because one was on one of my reports. Brunswick Hospital Center had made donations to various candidates, and in making those donations to various candidates, the total amount of the contributions exceeded the legal allowable donation for a corporation. So that what happened was because Brunswick's level -- I'm going to pick a figure out of the air. Brunswick was able to contribute $10,000 to County Legislative races in the County of Suffolk, for example, and when they donated the $200 that they donated to my

campaign, they went over that amount by a hundred dollars. Therefore, my report and I was in violation of an election law. Now, you know, it was easy enough to resolve that, but it was the reporter for the Gannett Newspaper who had picked that up. Our Board of Elections never even -- didn't notice it and I'm sure that they didn't go through the reports to see that corporations which are limited to a specific maximum did not, in fact, exceed that maximum.

I think there's a point to having another agency with the specific responsibility of addressing the financing of election campaigns, receiving information so that they can actually look at things like that and see if there are those kinds of violations. And, you know, I'm sure that Brunswick Hospital didn't intend to violate the law and I certainly didn't know how much Brunswick Hospital had contributed to anyone other than that $200 they gave me, so I didn't have a clue. But the fact that the Board of Elections, with all of our reports, never did pick that up says to me not that they're deliberately ignoring that kind of thing, but that they're not looking at all the different aspects of campaign finance.
And I think that the Campaign Finance Board has the ability to do that and the specific interest to do that. They don't have to run campaigns, they don't have to report on the results, they don't have to maintain machines, they don't have to make sure we have election inspectors. They focus on one specific aspect of the electoral system and I think they have a far greater ability to look at and point out those kinds of things.

So for that reason alone, I think it's important to have an agency that has one purpose, one mission, because that mission is really important. And I don't think that an agency that has multiple responsibilities should be charged with such an important mission as well.

LEG. BINDER:
I think you're the list holder.

LEG. HALEY:
I think it's called pandering.

LEG. BINDER:
Who's on the list?

D.P.O. POSTAL:
I don't know if anybody is, let's see.

LEG. BINDER:

Yes, I know I am.

D.P.O. POSTAL:

You are; you are, Legislator Binder.

LEG. BINDER:

Good, thank you. And I appreciate following Legislator Postal. I think her point is well taken, we have never delegated that kind of responsibility to BOE so they don't take on that responsibility, and that's fine. But that doesn't mean we have to legally bind ourselves to sending the information to the Campaign Finance Board. Why? Because if BOE puts it on their site, then this Campaign Finance Board has instant access and they can do all the analysis that Legislator Postal talks about, they can find all the -- they can do anything you're talking about because they're going to have as instant access as I am or anyone else as a citizen because it's going to be posted through BOE.

Now, it was brought up, it was Legislator Guldi's point through Legislator Caracciolo, that the BOE -- that you can just hit one button and the e-mail can go to both places. But the problem is if you pass only Legislator Cooper's bill that's not true, because you don't have to file at BOE through e-mail so it's not going to go to two places, you can only send it to the one place and the hard copy goes to the other place. And if you don't send to this new agency, then you're legally libel for penalties that were outlined. These are new penalties in the sense that you're now legally bound under this new place.

If you pass the BOE legislation, maybe we don't have to pass that tonight. I would discuss saying that a requirement, not legally binding with the misdemeanor, the year in jail, but having that second to do the analysis Legislator Postal talks about, Legislator Caracciolo talks about. I wouldn't mind the BOE being the posting -- the legal repository as they have always been, they have to put it on-line. And then secondarily, you have to send it not under New York State Law but you have to send it under maybe County law, you have to send that to the Finance Board because they want to be able to do this analysis; that's all fine. And as Legislator Guldi would say, one button, it goes to two places, easily done. But the legally binding part of this should be the BOE where it's always been where you know where you -- you've always sent it there and you're bound and you've always been legally bound to do that.

Now, here's another question. You're talking about messing with the document if it's sent in and not electronically filed but paper filing. So again, want to hold this up? I would be very willing to take my bill and require scanning; in other words, that it can't be handwritten, that it must be typewritten and scanned. If it's scanned then it's going to be digitized into the system. Now, as Legislator Crecca points out, if that's going to be changed, that can be changed anywhere, it can be changed at BOE, it can be changed over at the Campaign Finance Board. And the bottom line is who checks the Campaign Finance Board? You talk -- there was -- Legislator Tonna talks about mutually assured destruction, there are two watching each other. There's no one watching the Campaign Finance Board, no one. Just an assumption that there's not going to be "corruption" as we're talking about today. Why should we assume that? Why should we assume that Legislator here won't make a relationship over there and then maybe quietly protect themselves somehow with the people who -- I mean, who's not corruptible? I don't know that everybody there is not corruptible, so why do -- but I do know in a place where there are two parties that have an interest, they're watching each other, and at least I know that somebody is going to try to blow the whistle on the other and they're going to try to do something about it because they don't want their candidate to lose. So that's another reason it should be at BOE.

This is basically administerial function to post it on web, but it's been the legal function of BOE, don't legally bind ourselves to something else that's new that can put ourselves and our Treasurers in legal jeopardy to do this. So that's what I would ask.

The other thing is understand that Legislator Cooper's bill started just as giving general information so they can do their report, as you were talking about, to the Campaign Finance Board. There was never on-line filing until I put in a bill for on-line filing, "Oh, yeah, good idea. Everybody is saying that's a good idea so now I'll put it in my bill." So now all we're talking about is the on-line filing, it wasn't even part of it, that wasn't even a discussion and now it becomes the central focus of Legislator Cooper's bill.

On-line filing should be the same place it's always been. Remember, there's a legal -- you are legally liable if you don't send it there. If you want, I'll make the changes, I'll table it tonight. You want to make sure it's scanned so it's more digitized so they can't have it hand data entried, fine. You want me to make a change that says that it goes to BOE but under State Law BOE -- under Election Law, but there's a County requirement without a year in jail, you have to send it to the other, that's fine, I'll do that so it goes over there, but that's not where it should be posted. The BOE should be the place, the BOE has been set up that way, the FEC, the BOE in

the State; at every level that's where it's been. I'm very willing to make those changes, but let's do this thing the right way, let's not create a new bureaucracy, let's not grow something that we don't want grown with taxpayers' money.

D.P.O. POSTAL:
There's a motion and a second. Roll call.

LEG. CARACAPPA:
Which one are we on?

D.P.O. POSTAL:
We're on 1391 on page eight. ***1391-02 - Adopting Local Law No. 2002, a Local Law to facilitate full public disclosure of County Election Campaign Finances (Cooper).***

LEG. CARACAPPA:
Cooper or Binder?

LEG. BINDER:
Cooper.

MR. BARTON:
Legislator Cooper?

LEG. BINDER:
Motion to table.

LEG. HALEY:
Second.

P.O. TONNA:
I'd say let this thing go up or down. Why not? Let it go up or down. I'd ask that Legislator Binder withdraw his motion.

LEG. BINDER:

I withdraw it.

P.O. TONNA:

All right? Let's just bring this to closure. Why have another debate? I've repeated myself four times. Okay, there is a motion and a second to approve. Roll call.

(*Roll Called by Mr. Barton, Clerk*)

LEG. COOPER:

Yes.

P.O. TONNA:

I asked him to withdraw his thing just so that we can -- let it go up or down.

LEG. BISHOP:

Yes.

LEG. CARACCIOLO:

Yes.

LEG. GULDI:

Yes, to approve.

LEG. TOWLE:

No.

LEG. CARACAPPA:

Pass.

LEG. FISHER:

Yes to approve.

LEG. HALEY:

No.

LEG. FOLEY:

Yes.

LEG. LINDSAY:

Yes.

LEG. FIELDS:

Yes.

LEG. ALDEN:

Yes.

LEG. CARPENTER:

Pass.

LEG. CRECCA:

No.

LEG. NOWICK:

Yes.

LEG. BINDER:

No.

LEG. POSTAL:

Yes.

P.O. TONNA:

No.

LEG. CARACAPPA:

Yes.

LEG. HALEY:

Motion to table.

LEG. BINDER:

Second.

P.O. TONNA:

It wasn't called, right; was your roll called?

MR. BARTON:

No, there's another Legislator to vote yet.

P.O. TONNA:

There's a motion to table and a second. Motion by Legislator Haley and a second by Legislator Binder.

LEG. GULDI:

Roll call.

P.O. TONNA:

You can't -- until they call it you have the right to make a motion.

MR. BARTON:

There's somebody else who hasn't voted yet.

P.O. TONNA:

Roll call.

(*Roll Called by Mr. Barton, Clerk*)

LEG. HALEY:

Yes to table.

LEG. BINDER:

Yes.

LEG. CARACCIOLO:

Pass.

LEG. GULDI:

No.

LEG. TOWLE:

Yes.

LEG. CARACAPPA:

Yes.

LEG. FISHER:

No.

LEG. FOLEY:

No the table.

LEG. LINDSAY:

No.

LEG. FIELDS:

No.

LEG. ALDEN:

No to table.

LEG. CARPENTER:

Yes.

LEG. CRECCA:

Yes.

LEG. NOWICK:

No.

LEG. BISHOP:

nope.

LEG. COOPER:

No.

LEG. POSTAL:

No.

P.O. TONNA:

No to table.

LEG. CARACCIOLO:

Nope.

MR. BARTON:

Six to table. I was in the middle of the roll call. Legislator Carpenter, your vote on to approve.

LEG. CARPENTER:

To table?

MR. BARTON:

No, the tabling is defeated.

(*Roll Call Continued by Mr. Barton, Clerk*)

LEG. CARPENTER:

Abstain.

MR. BARTON:

12.

LEG. CRECCA:

Mr. Presiding Officer, I make a motion to take out of order and approve IR 1541.

1541-02 - Adopting Local Law No. 2002, a Local Law to facilitate full public disclosure of County Election Campaign Finances through the Internet (Binder).

P.O. TONNA:
Okay, just give me a second. Where is that?

LEG. LINDSAY:
Page ten.

LEG. BINDER:
Second.

LEG. ALDEN:
You need two votes, though, right; one to take it out of order and one to approve?

P.O. TONNA:
Okay. Yeah, I'll second that.

LEG. GULDI:
Counsel?

P.O. TONNA:
On the motion -- just wait. On the motion, okay. Oh, well, it's to discharge. There's a motion and a second. All in favor? Opposed?

LEG. BINDER:
Not to discharge.

LEG. GULDI:
On the --

P.O. TONNA:
Oh, it was discharged, I'm sorry.

LEG. GULDI:
It's already discharged, it's before us. There's a motion --

P.O. TONNA:
On the motion, just a question. Legislator Binder, your bill, just so that I understand, it basically has similar provisions that Legislator Cooper has including if somebody donates to the party -- I mean, a party donates to a candidate --

LEG. BINDER:
No.

P.O. TONNA:
-- they have to be filed? No? Are you interested in filing a corrected copy to include that provision?

LEG. BINDER:
If members -- if there are ten members that wanted that.

P.O. TONNA:
I do.

LEG. CRECCA:
We can always amend it later on, though. But if we approve it tonight, this bill, it will go to the County Exec also and he'll have to pick between one of the two bills.

LEG. BINDER:
The point -- I think that Legislator Crecca's point is that -- I think Legislator Crecca's point is that the County Exec can decide whether it -- he can sign either one and veto either one if we sent both of them to him.

P.O. TONNA:
My point is this. We'll vote on it, everybody gets a right to vote on whatever it is, okay. I obviously wasn't for the other bill, it passed, it's going to work. There was one provision that I

like about Legislator Cooper's bill, though, and that is I think that he worked hard after listening to whatever, and I didn't agree philosophically it should go to the Campaign Finance Reform Board, obviously I was in the minority on that vote. To vote in the positive with regard to Legislator Binder's which I think is the right vehicle, I would like to make sure that we have an opportunity to make sure that it covers all the soft money, so when somebody gives they've got to record their thing just like Legislator Cooper's bill.

LEG. ALDEN:
On the motion.

LEG. GULDI:
On the motion.

P.O. TONNA:
Legislator Alden and then Legislator Guldi.

LEG. ALDEN:
I'm going to direct a question towards Paul Sabatino. Paul, does this bill make it mandatory to file electronically? There's no opt-out on this for filing --

MR. SABATINO:
The opt-out provision was added in the most recent corrected copy to track the opt-out provision that was in the Cooper bill. So the new version does have that where the treasurer signs the affidavit and makes the statement that it would difficult and a hardship to comply.

LEG. ALDEN:
Then okay.

LEG. BINDER:
That's in there.

MR. SABATINO:
That's now in the bill

P.O. TONNA:

Okay. And it's prospective, too, I think, right, and all those other things?

MR. SABATINO:

Yes, it's been amended to prospective.

P.O. TONNA:

Thanks. Any other questions, Legislator Alden? Legislator Alden? Legislator Alden, you done?

LEG. ALDEN:

Yes.

P.O. TONNA:

Legislator Lindsay and then Guldi.

LEG. LINDSAY:

Why can't -- can both of these bills be mutually passed, accepted? I mean, really one doesn't do anything to distract from the other. Why can't we file electronically with both groups?

P.O. TONNA:

We can.

LEG. CRECCA:

You could, you can pass both.

P.O. TONNA:

I think more people would be apt to go to the Board of Elections for this information anyway.

LEG. LINDSAY:

Counsel, do you agree with that, that there's --

LEG. FOLEY:

Yeah, we have to hear about it. Where is the --

MR. SABATINO:

Conceptually you could have triple filing as opposed to doubling filing. The technical problem is that if you adopt both bills at the same time, they're amending the same section so you have to pass one, use those sections and then the other bill would have to pick up different sections. You have to harmonize the legislation; right now they're not harmonized because they were constructed from two different directions. So if you pass both bills, the County Executive can't sign both because they would be mutually --

LEG. LINDSAY:
But right now we just passed the Cooper bill, if we don't pass this we'll have to file paper with the Board of Elections and electronically with the election board, right?

MR. SABATINO:
Correct, yes.

LEG. LINDSAY:
And all I'm saying is if we're going to file electronically, like George said before, to push one button and you really can, you know, fulfill your obligations for the same report, it should make it easier.

MR. SABATINO:
Conceptually you can do it, it's just that the bills are no longer -- the bills are not compatible from a technical standpoint because they have -- the scope is different because this covers -- one bill covers more committees than the other bill does. But equally importantly, you have to line up all the sections so that they're not knocking each other out. I mean, it's highly technical draftsmanship, either you'd have to pass one bill, you know, like on an Omnibus basis or you have to pass one bill and then amend the bill that actually gets enacted into law.

D.P.O. POSTAL:
Legislator Guldi and then Caracciolo.

LEG. GULDI:
Yeah, this was where I wanted to start before Legislator Tonna cut me off which is the inconsistencies between the bill. We are not -- we don't have a codes committee to reconcile inconsistent bills. If we adopt these two bills with their inconsistence provisions, there is no existing County mechanism to sort out their contradictions. The County Executive would be

submitted bills that are not harmonized and have inconsistent provisions and we would be creating a mess. I suggest that the better practice is that Legislator Binder's bill should be harmonized with the -- presuming the County Exec signs them with the provisions we just enacted to accomplish the dual filing result electronically so that they don't create duplicate work. So that literally the criticism of Legislator Binder that there are no checks and balances on the campaign finance reform board would be addressed by the fact of simultaneously filing with the Board of Elections and we can have one nice big happy family of everybody watching each other since the bill that just got approved has 12 votes.

So what I'd suggest strongly is that we do not pass Legislator Binder's bill in its current form. It needs to be tweaked up based on what the law is after the County Executive acts one way or the other on Legislator Cooper's bill. And I think while I understand Legislator Crecca's motivation in making the motion, that it does make sense to file them both, that's really where my comments were all along. You know, let's not only file them both, you know, let's put our opponents on the cc list and simultaneously file our disclosure forms with our opponents, I'm sure they will be glad to give us theirs. But ultimately, we shouldn't be doing it now, we should literally -- we should have reconciled the bills before we passed them, we didn't have the two sponsors working together. I don't think we should create a mish mash now, I think we should wait and refine it because there is a consensus for doing both, I think. If we're going to do it -- certainly if we're going to do it for one. Thank you.

D.P.O. POSTAL:
Legislator Caracciolo.

LEG. CARACCIOLO:
Thank you. Counsel, what are the opt-out provisions of this resolution versus those in the previous one?

MR. SABATINO:
The opt-out is now identical to the other.

LEG. CARACCIOLO:
Okay. Just recap, what are the provisions?

MR. SABATINO:
The opt-out is for the treasurer of the pertinent committee to sign a sworn affidavit saying that that particular committee doesn't have the technology to do the e-filing and it would cause a substantial hardship for the committee to do so.

LEG. CARACCIOLO:
Okay, that's rather easy criteria to meet. So in effect, so everyone understands, this doesn't accomplish what it really is intended to do because you can have treasurers at the local town and County level say we don't have the technology and it would create a hardship and you're right back to where we are today. So it's not the panacea and it shouldn't be painted as such the passage of the Cooper bill.

D.P.O. POSTAL:
I do agree with Legislator Guldi that the Binder bill could be tailored to complement the Cooper bill, that makes sense to me. I certainly don't see any down side to filing electronically with both the Board of Elections and the Campaign Finance Board. But I think that to pass the Binder bill now, both because there are inconsistencies but for another reason as well. We're the policy making body of this County. Now, we've just made a decision with regard to a policy. If we pass the Binder bill as well, then we're really abdicating our responsibility to adopt policy and we're giving that prerogative to the Executive Branch of the government; that doesn't make sense to me.

So I think that the more appropriate thing for us to do is to table the Binder bill, have it corrected so that it corresponds to and is consistent with the Cooper bill and then approve it at a later meeting of the Legislature.

LEG. FISHER:
Good. Okay, let's vote.

D.P.O. POSTAL:
Next person on the list is Legislator Cooper.

LEG. GULDI:
Parliamentary inquiry. And that is that we're -- are we not debating a motion to take a bill that's four bills down the agenda out of order?

D.P.O. POSTAL:

Yes, we are.

LEG. GULDI:

And are we outside the scope, counsel, of a debate on a discharge motion --

D.P.O. POSTAL:

Right, you're debating the merits of the bill I guess.

P.O. TONNA:

All right. Is everybody done?

LEG. BISHOP:

No.

P.O. TONNA:

Okay.

LEG. COOPER:

I relinquish my spot.

P.O. TONNA:

All right, thank you very much, Legislator Cooper. Legislator Bishop, you want to be weighed in on this also.

LEG. BISHOP:

Yes, I do. I want to pick up on what Legislator Lindsay began this inquiry with which is I don't understand what renders this bill a poison pill to the first bill if it's approved.

P.O. TONNA:

It doesn't.

LEG. BISHOP:

It would seem to me that if you report in one legislative scheme to Board of Elections and in the

other legislative scheme to the Campaign Finance Reform, just because there's inconsistencies on how you do it within the schemes doesn't mean that the bills are mutually exclusive. So maybe there is, maybe I'm misunderstanding it, maybe there's language in there that renders them mutually exclusive, I just don't know what it is; that's my question.

MR. SABATINO:
The scope of the two bills is different; one bill covers all the political committees, the other bill doesn't. So when you go to word the simultaneous filing, you're going to have an inconsistency because you're going to have one bill covering a whole series of committees and another bill not covering those.

LEG. BISHOP:
Right. So the Campaign Finance Board --

MR. SABATINO:
So you have to -- I mean, it's not impossible to do, but you can't do it by accident unless you're really, really lucky.

LEG. BISHOP:
But Counsel, the question is -- Legislator Lindsay's question was and mine is are they mutually exclusive; they are not. They treat the committees differently, they perhaps have different requirements for the campaigns, which would be cumbersome, you know, but they are not mutually exclusive; is that correct?

MR. SABATINO:
The sections overlap, the committee language is inconsistent. What will happen is the County Executive will rightfully veto both bills on the theory that they make no sense because you can't -- he can't line item veto programmatic legislation to try to make the sentences and the words and the sections come together, you can't do it. This happened a few years ago, if you recall, when Legislator Levy was here with the -- if you recall with the Initiative and Referendum legislation and we were going to try to pass two different bills on the same night; you can't do it. We had to finally get a Certificate of Necessity to come in and reconcile the language. You have to make the language technically flow or you're suggesting that the County Executive, you know, veto one and approve the other or veto both on the theory that they make no sense.

LEG. BISHOP:

No. I still don't understand because what you're saying -- and you're referring back to Initiative and Referendum -- sure, there's one valid question that's put to the voters or two valid questions on one issue. This is different, this is two directions for campaigns to follow. One is you file with the Board of Elections, the other is you file with the Campaign Finance Reform. Because the steps taken within those filings are different, doesn't render them mutually exclusive.

P.O. TONNA:

Dave --

LEG. BISHOP:

I don't understand why the County Executive would veto one or the other on the notion --

(*Presiding Officer banged gavel*)

LEG. BISHOP:

-- that they're inconsistent.

P.O. TONNA:

The Clerk cannot hear; sorry, transcriptionist cannot hear.

MS. MAHONEY:

Stenographer.

P.O. TONNA:

Stenographer.

LEG. BISHOP:

I will listen to you, but do you have to hover?

P.O. TONNA:

Wait, wait. Dave, Dave, the point is this; it's amending a statute. There's language, it's tied to a Statute. If you have a two bills amending the same statute, you can't pass both bills because

you amend the statute and then you have another bill that amends a statute. It's the same statute that's being amended, this isn't like a brand new law that -- you're amending already an existing law and that's why Paul is saying that you have to reconcile the two, you can't have both of them because you amend the statute, then you amend a statue, then it becomes a timing issue.

LEG. BISHOP:
You can't double amend a statute?

P.O. TONNA:
No.

LEG. BISHOP:
I never heard -- is that like a double negative is a positive?
I never heard of that.

P.O. TONNA:
No, you can't --

LEG. BISHOP:
You can't double amend a statute.

P.O. TONNA:
You can't put a law that says -- the things says "And you can do this," and then it says, "You can do that," and then in another one it says, "You do this," at the same statute, you can't do it. That I understand.

LEG. BINDER:
Mr. Chairman?

P.O. TONNA:
Yes, wait. Legislator Bishop, you done?

LEG. BISHOP:
Yes, thank you.

P.O. TONNA:
Legislator Binder.

LEG. BINDER:
Thank you, Mr. Chairman. I am hearing Legislators wanting different options than what they have been given tonight. Now, I understand one passed with 12 votes, but the question I guess is do Legislators want to go down the road we do with I&R and I can call in the County Executive and ask for a CN. The CN could have filing in both places. The question I would ask, do Legislators think that campaign should be legally bound on the filing of campaign finance which is not a normal filing for us. So if you were to make the mistake, do you want to be the legally bound where you get jail for a year or whatever New York State Law is, maybe we can under -- under County law we can put the bill together that allows filing at the BOE, also allows for filing at the Campaign Finance Board.

The reason that my bill is the correct vehicle of the two is because that's the bill that this all started on. There was no question of filing until my bill was put in, okay. So this is the bill that should be a vehicle for on-line filing, okay? I would ask for -- I would ask for a CN tonight to put together the two pieces of legislation to make sure that the filing is in both places. If there are other provisions that people want, I can make sure that -- I'm hearing that Legislator Cooper's provision about the parties is something Legislators want so that can be part of the bill, that would then put the two together. It wouldn't be hard to draft it because it's all in the computer, we're here in Hauppauge, it would probably take very little since it's all -- all the wording is there. We can create the bill and we can ask for a CN and we can pass one bill tonight that everyone wants. Instead of Legislator Guldi's suggestion, let's not pass the second one, let's wait till this one -- see the what the County Exec does, if it vetoes it maybe we'll go back, if he passes it, then we'll amend this; that's kind of crazy.

I mean, we're here tonight, we can pass the package that Legislators actually want. And obviously they want more than either Legislator Cooper's or mine. So if that's --

P.O. TONNA:
Well, this is the problem, Legislator Binder.

LEG. BINDER:

Sure.

P.O. TONNA:

Twelve Legislators have voted for a bill, that's a majority, right.

LEG. BINDER:

We can reconsider and vote for a CN.

P.O. TONNA:

This is my thing. We'll probably have six Legislators say, yeah. That sounds like a good idea. All I'm saying is 12 Legislators voted for a certain thing. We have now a discharge bill, a bill that's been discharged.

LEG. ALDEN:

No, it's before us.

P.O. TONNA:

It's before us.

LEG. BINDER:

It's just out of order.

P.O. TONNA:

Let's vote.

LEG. FOLEY:

It's out of order.

LEG. BINDER:

No, I know. And I say why just let's vote. Why not -- are there Legislators --

P.O. TONNA:

Okay. Because I don't see any consensus besides maybe yourself and Legislator Crecca.

LEG. BINDER:

No. Actually, the consensus I hear --

P.O. TONNA:

Let's vote on it then, let's vote on it. Give me a motion.

LEG. BINDER:

No, because --

P.O. TONNA:

Give me something that I can vote on.

LEG. BINDER:

No, the problem with voting on just the one separate is that Counsel says that it's inconsistent, the two don't function together.

P.O. TONNA:

Okay. This is what I would say.

LEG. BINDER:

So why shouldn't --

P.O. TONNA:

Legislator Binder, in all due respect, then this is what I suggest. Put this off then, go around, see if you can get 12 Legislators, okay, to support a CN; if you get 12 Legislators to support a CN, all right, come to me while we're voting on the other stuff and I'll ask the County Executive if you can get 12 people. Twelve people already voted another way. So unless the Legislature is 24 people who are going to vote, you know, to do something else, fine.

LEG. TOWLE:

God help us.

P.O. TONNA:

We have 18 Legislators. I didn't agree with Legislator Cooper's legislation but, hey, a lot of

things pass that individually we don't agree with. The majority of the Legislature decided this is the way they want to go, so be it. Let's -- if you've got enough for 12 people to do a CN, I'd be glad to talk to the County Executive. While we're talking about that, if you want to hold off your bill, let's hold it off and get on with the agenda and start asking people. We need 12, right?

LEG. BINDER:
Then I would postpone the vote.

P.O. TONNA:
Okay, thank you. All right, I'd ask all Legislators to come in. We're going to move through this, the rest of this agenda hopefully very quickly, at least until we get to another Cooper bill. Okay.

LEG. POSTAL:
(Inaudible).

P.O. TONNA:
No, the motion is to just leave it alone right now.

LEG. POSTAL:
Oh, okay.

P.O. TONNA:
We'll deal with it later.

LEG. CRECCA:
I didn't withdraw the motion.

P.O. TONNA:
I didn't ask you. We're going to get back to it in a little while, he's looking for a CN, he wants to see if he can get 12 Legislators.

LEG. ALDEN:
Let's start voting, let's go.

P.O. TONNA:

Okay, let's go. The second was dropped, Legislator Crecca.

We have ***Economic Development & Energy:***

1903-02 - Adopting Local Law No. 2002, a Local Law amending the designation of an Empire Zone (County Executive).

LEG. ALDEN:

Page 10.

P.O. TONNA:

Page 10. We have an Empire Zone issue that got out, 1903. Legislator Caracciolo, do you have anything that you want to say on this? Anybody making a motion to approve?

LEG. FISHER:

I would like to make a motion to approve.

LEG. HALEY:

Second.

P.O. TONNA:

1903, there's a motion to approve.

LEG. BISHOP:

Motion to table.

P.O. TONNA:

Motion to table by Legislator Bishop. Who's seconding it?

LEG. CARACCIOLO:

Second.

P.O. TONNA:

Second by Legislator Caracciolo.

LEG. HALEY:
Whoa, whoa, on the motion.

P.O. TONNA:
On the motion.

LEG. HALEY:
Why are we tabling it?

LEG. FISHER:
Why are we tabling it?

P.O. TONNA:
Legislator Bishop, why are we tabling this?

LEG. BISHOP:
1903 takes an Empire State Development Zone Designation, which is granted to the Town of Riverhead for a specific property, the Calverton Airport which was a defense facility. As a closed defense facility, that is their eligibility to be declared the zone. What the resolution seeks to do is to take that zone and move it down the road into downtown Riverhead and into the Town of Southampton, even out of the Town of Riverhead. The areas that will be receiving the zone do not qualify on their own, they are not in economic depravation to the extent that they would qualify on their own for the zone status. It is, therefore, a very important, significant, discretionary policy change on the part of this County.

{RETURN OF STENOGRAPHER - LUCIA BRAATEN}

{TRANSCRIBED BY STENOGRAPHER - DONNA CATALANO}

LEG. BISHOP:
I have done some research between this meeting -- the last meeting and this meeting. There's further research that I want to do. For example, it seems to be that it facilitates the construction of a particular hotel development. I don't understand the significance of that

development such that we would transfer an entire zone across town in order to accomplish that. Secondly, the area that is receiving the zone status is on the banks of the Peconic River, and it is -- seems to work at cross purposes to what we're trying to accomplish along that whole stream corridor, which is to preserve and protect it. We've had resolutions, a number of them, in the past couple of years that have done that. I don't know if in the end --
he's gaveling you. I don't know if in the end I will oppose this or support this, but I would ask Legislator's indulgence for more time to research it. And I think the questions I raised are valid enough that you may yourself want to look into this.

P.O. TONNA:
This is my question, Legislator Bishop, just quickly, have you mentioned this to the Chairman of the Economic Development and Energy Committee? Why did they let it out of committee?

LEG. BISHOP:
I did, and in fact, that Chairman did have them --

P.O. TONNA:
Where is that Chairman?

LEG. BISHOP:
He's riding his victory tour right now. That Chairman did come back -- I mean, he did have further hearings on it, but the question -- specific questions I've raised in my statement now were not addressed in committee. And I -- again,

P.O. TONNA:
So why don't we recommit to committee?

LEG. BISHOP:
No. If you just leave it here -- you could do that, I'm fine with that.

P.O. TONNA:
If you think there are questions on the committee level that have to be asked, recommit it to committee and let them look at it.

LEG. BISHOP:

I'm making a motion to table. I'm making a humble motion to table.

P.O. TONNA:

I mean, if there's scrutiny that needs to be provided by the members of the Legislator, it should go back to committee.

LEG. FISHER:

No. The committee was satisfied.

LEG. GULDI:

If I may. A couple of points, three in fact. First of all, this is not the removal of the Economic Development Zone from Riverhead to Southampton, this is the removal of part and only a small part of the Empire Zone from the Calverton facility. That part had previously been designated to land that the Department of Defense is not surrendering to the Town of Riverhead because they have substantial environmental clean up to do on it, and it is not suitable for any kind of development until that remediated work is completed, which has not been scheduled; am I correct? I have people who are working on this. The second point is there is no deprivation of any useful portion at Calverton. The zone itself is not an economic criteria zone. It does not need to go into an economically deprived area because --

LEG. BISHOP:

May I?

LEG. GULDI:

No. I have the floor, let me finish.

LEG. BISHOP:

I know. I just want to go on the list.

LEG. GULDI:

It is a defense facility zone. And as a former defense facility, the 60 acres portion of it that's being transferred to Gabreski is totally consistent with Gabreski's former designation as a defense facility, and it's purposes are exactly the same as we've been trying further at Gabreski through the development of an industrial park there for the last several years. It is exactly the

kind of additional economic incentive that is needed at that facility. The bulk of the parcels, if you look at the backup, are in downtown Riverhead, and downtown Riverhead, while it doesn't need to be is one of the most extremely economically hurting zones in the County. Downtown Riverhead, particularly because of the Route 58 development, just like other downtowns, has pretty much been a for-rent and for-sale street for the last decade. It is exactly the kind of site that you want to put an economic -- and Empire State Zone if you were solely looking at the criteria.

Finally, the Riverside property is not -- it is not on the Peconic River at all. It is, in fact, well outside of the end of the Peconic River along Peconic Bay, and there's a difference between the bay and the river, firstly. Secondly, the small -- the area of Riverside in Flanders is probably one of the most economically devastated areas in the entire county. It is -- it's got extreme social and economic problems. It is exactly the kind of area that would qualify and should be approved as an economic development zone. So the -- you know, the --

P.O. TONNA:
So I guess you're in favor of this.

LEG. GULDI:
I don't think the bill should be tabled. I think the questions are there to the extent that there are needs for other Empire State zones in the County on the basis of economic development, the approval or non approval of this resolution will have no impact on them. They would have to begin the process on their own. So I urge my colleagues to -- to oppose the tabling of this resolution and let's decide it on its merits.

P.O. TONNA:
Legislator Guldi, just a quick question. Is this a timely issue?

LEG. GULDI:
That was actually --

P.O. TONNA:
That was your third point, because you only got to two.

LEG. GULDI:

My third point is, is the timing critical? And there are people here from Economic Development who can address that. I simply don't know if the three week delay to our next meeting could be critical to this project or not. Could you, please, tell us.

P.O. TONNA:
Caroline, do you want to come up and say hello?

LEG. BISHOP:
Is this what we do in the middle of a vote?

P.O. TONNA:
Well, he asked a question of the administration. Hi. Name, rank and serial number.

MS. TAGGART:
Laurie Taggart with the County Executive's Office. I'm also Chair of the Zone Administration Board. The timeliness comes into play, because before any of these changes can be approved, they must be approved by New York State. New York State is in the process of reviewing new zones, so we're trying not to be lost in that pile at the state level.

P.O. TONNA:
Okay. So timeliness is an issue.

LEG. GULDI:
Timeliness is an issue, because in fact, we have applicants at Gabreski who want to use the credits in the zone to build, put stuff there, and we need to get the state approval before they can take their approval in order to qualify for the zone. Because if they're prior approved, they won't qualify; is that correct?

MS. TAGGART:
That's correct.

P.O. TONNA:
Thank you.

LEG. BISHOP:

Timeliness is an issue because there's an application at the state? There's a deadline on the application? I didn't hear any date.

P.O. TONNA:
Why don't you look at the representative from the County Executive's Office, and let her answer it one more time.

LEG. BISHOP:
This is a response in a spin.

LEG. GULDI:
No. What it is is there an applicant for use at the airport.

P.O. TONNA:
Hold it a second.

LEG. GULDI:
Who wants to use the zone credits.

P.O. TONNA:
Legislator Guldi, just wait one second so people actually will listen to you.

LEG. GULDI:
That would be a first.

P.O. TONNA:
I would just ask --

LEG. CARACCIOLO:
Who's the applicant?

LEG. GULDI:
There's an application -- there are actually 12 applications pending. There's one that's in design for -- to construct a 17,000 square foot facility at Gabreski Airport in our 60 acres that wants to

use the Empire Zone credits. To do that, they must have the state approve the zone transfer after the County does, because we're the sponsor of this zone, before they can approve -- have their application approved and move forward with it. So you've got a business that's --

LEG. BISHOP:
Okay. So they're going to be three weeks delayed.

LEG. GULDI:
Only three weeks?

LEG. HALEY:
David, don't be obnoxious, it's not a big deal.

LEG. BISHOP:
All right. Can anybody tell me who the principals of the hotel development are? I don't know.

LEG. GULDI:
Didi, what's her last name?

D.P.O. POSTAL:
What her last name?

P.O. TONNA:
Come on up.

MS. TALMADGE:
I should mention that zone is not project specific, it is property specific. It doesn't really matter which project is there, it --

LEG. BISHOP:
It goes with the land.

MS. TALMADGE:
Right. It goes with the land, and that's commercially zoned. And it's part of the hamlet study, the particular development that's slated for that is within their hamlet study.

LEG. BISHOP:
That's in Southampton Town.

MS. TALMADGE:
That's in Southampton Town. It's Didi (Gothealth} is the developer. She also developed the Southampton Inn.

LEG. CARPENTER:
She was at the last meeting.

MS. TALMADGE:
Yes.

P.O. TONNA:
Legislator Bishop, you don't have the floor. Legislator Foley, you do.

LEG. FOLEY:
I'll temporarily defer my time to Legislator Bishop, because I think he had some follow-up questions with Ms. Talmadge; is that not correct? Were you going to follow-up, Dave, with some other questions?

P.O. TONNA:
I'd say either you could speak or not, you could always go back on. Do you have something to say, Legislator Foley?

LEG. BISHOP:
Go ahead.

LEG. FOLEY:
The question I have, I'm fully supportive of the effort to revitalize downtown Riverhead, and I'm also fully supportive of the idea of Gabreski Airport. My concern hinged upon the hotel development. I wanted to know more about hotel development and how that fits into a scheme of economic revitalization, when if given these tax breaks to a hotel developer, I mean, if they already have who the developer is, why is there this focus on hotel development as a means to

revitalize an area economically when I haven't seen that happen in other areas of the County?

LEG. GULDI:
I could address that question.

LEG. FOLEY:
Whether it's Lori or whether it's a Legislator.

LEG. GULDI:
You want me to take a shot at it, because I'm familiar with the transaction? Because I asked a similar question in committee. The hotel does not get a discount on its real estate taxes. The real estate taxes are due and owing and have to be distributed to the municipality, to the town, to the school district. The developer, however, gets a state tax credit dollar for dollar for the property tax credits versus a standard deduction. So instead of being worth a deductibility, it's a tax credit. So that's the economic incentive. The local impact is that the vacant land, this vacant or unutilized, because it's a hybrid, some of this is a redevelopment, some of it is vacant, will become a substantial taxpayer in a district, which is extremely tax strapped for -- actually they got a triple whammy going in Riverside.

First of all, more than half of the property in the Flanders -- in the school district has been preserved and is public, including the County Center, the County Jail and the Pine Barrens. So more than half the land is off the tax rolls. What little commercial there is is ante diluvian and not extraordinarily valuable so it doesn't have a good base. The third whammy is that they are a Southampton properties with a Southampton equalization rate in the Riverhead School District. So a $200,000 parcel of land, improved land, in the Riverside School District has a tax burden that's three or four times what a $200,000 parcel of land would have in any other community in Southampton because of the disproportionate effect of the equalization rates between Riverhead and Southampton as applied to the school district.

LEG. FOLEY:
Would this be -- through the Chair, would this be connected to the Riverhead sewer system or would they have an on site?

LEG. GULDI:
No, this would not be -- it can't be connected to the Riverhead sewer system, because it's on the

wrong side of the bay.

LEG. FOLEY:
Okay. So it would be an on-site sewage treatment facility?

LEG. GULDI:
It would have to be on site. I know there's been substantial environmental review. The town has had a lot of discussion. I'm not fully privy on all of the detail of that, but I'm certain that it's been and will continue to be very methodically reviewed.

LEG. FOLEY:
So the portrayal in some of the media and by some of the critics of the plan that particularly the hotel portion would have a severe negative impact upon the environment. You challenge that particular description.

LEG. GULDI:
Frankly, I'm sure that the environmental concerns are going to be extremely exhaustively addressed in the approval process in any hotel in Southampton Town because of my confidence that the town board there will do exactly that. The hotel recreational center development along this Riverside area is really part and parcel of a downtown development effort for that whole section, that includes Legislator Caracciolo's and my resolution to partnership acquire the entire craft building at the traffic circle. Resolution we approved last year or the year before to give to the town the 72-h to the town parcels to be taken for taxes just north and slightly to the west of this to relocate the state trooper barracks from where it is in Hampton Bays into one of the highest crime neighborhoods in the County, that section of Riverside.

In addition to that, the town has begun a very ambitious planned affordable housing redevelopment section of the Old Quogue Road community, which is just to the south of this. These four projects together are part of a concerted effort to address what's truly a blighted neighborhood and a community that's suffering from tax problems. How am I doing? Okay?

LEG. BISHOP:
Are they all getting the Empire Zone?

LEG. FOLEY:

Thank you, Mr. Chairman.

LEG. GULDI:
Not all of the Riverside parcels are. I don't have the map here, but frankly, Riverhead's not willing to give up all of it's Empire Zone. The reason Riverhead's willing to give some of these Empire Zone credits to Southampton is because they have to come to us, the County, to get the transfer out of Calverton, because where they are in Calverton, they cannot be used at all.

LEG. BISHOP:
Am I back on?

D.P.O. POSTAL:
I don't know. Who was on the list? Had anybody been recognized? Legislator Caracciolo.

LEG. CARACCIOLO:
Thank you. Lori, if you wouldn't mind, please. Is this resolution been adopted by the Riverhead Town and Southampton Town Boards?

MS. TALMADGE:
Southampton has approved the resolution, yes, and it will be considered at the Town of Riverhead's October 1st meeting.

LEG. CARACCIOLO:
Are they -- have they indicated they are in favor?

MS. TALMADGE:
In personal conversations with them, yes. Eddie {Denezeski} has some concerns. I'm not sure exactly --

LEG. CARACCIOLO:
Well, I'm aware of that. That's why I'm raising the issue, because I'm not so sure that the Town of Riverhead who would have to relinquish from their township these EDZ credits, even though they are on the County domain right now. I mean, the town receives them by virtue of the County being the applicant to the state. So if we weren't in the mix, they wouldn't have to do anything, they couldn't, but in this case -- well, the issue George, I think becomes one of this

project in Flanders, because my recollection from local news media reports, and I think maybe Legislator Foley was hinting at this, is that it's not a controversial project, the project by Didi, but the original project size and scope has been downsized considerably.

MS. TALMADGE:
Yes.

LEG. CARACCIOLO:
Now, could you state for the purpose of full disclosure here why that occurred?

MS. TALMADGE:
Well, the downsizing occurred because of the taking from the New York State DOT for the purpose of a recharge basin in an area that was slated for development by Didi. That has been -- so she's reconfigured her project at this point,

LEG. CARACCIOLO:
And it is considerably smaller now.

MS. TALMADGE:
Considerably smaller. It does not have an office building and does not have an assisted living facility, which were initially proposed. It's simply the hotel with a marina.

LEG. CARACCIOLO:
Now, on the Flanders side, you look across the river where McDonalds is, where is her property located?

MS. TALMADGE:
There are several parcels just east of McDonalds on Route 24 that go east to --

LEG. CARACCIOLO:
105?

MS. TALMADGE:
No, not 105. It's the Old Bridge Auto Shop, I'm not sure if your familiar with that. I believe that is the eastern most parcel.

LEG. CARACCIOLO:
And what tax benefits would she and others receive as a result of this transfer? Let's talk about this property owner who would be developing the site.

MS. TALMADGE:
As I explained at committee, using this particular developer on this particular piece of property, she would be eligible for what -- because she's a new business and she's creating jobs and not just moving them within New York State, she would be eligible for the fullest extent of the benefits.

LEG. CARACCIOLO:
Which are?

MS. TALMADGE:
Which would include wage tax credits, which is at least $1500 per job per employee that she hires. Sales tax exemptions on --

LEG. CARACCIOLO:
The building materials.

MS. TALMADGE:
-- building materials and also services and materials that she uses in her business.

LEG. CARACCIOLO:
Low cost power?

MS. TALMADGE:
Low cost power.

LEG. CARACCIOLO:
If it's available.

MS. TALMADGE:
Right. Right. And the biggest being a real property tax credit, which means that she would be

able to credit her real estate taxes against her corporate tax liability. So she would be paying the full amount and then crediting it towards any corporate franchise taxes that she has.

LEG. CARACCIOLO:
It should be noted that the Flanders portion of this area even though it is in a different town, is part of the same school district. So for the school district, it's a net net, it's a wash. I mean, it helps -- it helps George's constituents in his town, but it may do so at the expense of residents in the Town of Riverhead, because they're part of the same school district and the equalization rate issue, George, is one that is contentious. And we differ on that. But that's neither something that neither you or I can do --

MS. TALMADGE:
It's still expanding the corporate the tax base.

LEG. GULDI:
Still {irradible} that doesn't send any kids to school that adds revenue to the school district. It's not a bad thing on either side whatever equalization rate it is.

LEG. CARACCIOLO:
Well, some feel that it have an adverse impact on school district residents in the Riverhead Town portion of the district. That's been in the papers as recently as this week. So that said, I guess what I'd like to know for the residents that I represent in Riverhead town, downtown Riverhead --

MS. TALMADGE:
Right.

LEG. CARACCIOLO:
We all know that the area is in the process of transformation for the better. We have the aquarium, we've have other activities on Main Street that are starting to make a difference. So these credits will do what for whom among the existing property owners in downtown Riverhead?

MS. TALMADGE:
Well, the program is geared toward creating jobs and attracting investment, so basically what it would do for downtown is not only will it allow someone who wants to build on the vacant pieces

that are downtown, it will help someone wants to demolish say one of the larger corner pieces Peconic and Main Street that -- that's the piece that the town board is looking to have demolished and redevelop, it will help in the investment of that. It will help any business down there who is looking to expand their employment base and put some investment into their building. Any investment over, I believe it's $50,000, would realize some benefit.

LEG. CARACCIOLO:
Okay. I'd like to just state up front I'm going to abstain. I don't know what the town board of the Town of Riverhead wants to do on this. And since that's the area of this resolution that I represent, I would like to defer to them and wait to see what their judgment is on this.

LEG. FISHER:
Legislator Caracciolo, would you suffer an interruption? Because there were representatives from Riverhead at the meeting, at our committee meeting, and they represented that there was a very strong approval. There was a unanimous approval.

LEG. CARACCIOLO:
I'd like to see the town board adopt that resolution and then I would take that lead.

LEG. FISHER:
Okay. They had not -- they did not have a resolution.

MS. TALMADGE:
It's slated for October 1st. We're just -- you know, everybody has to approve it. It's not one before the other.

LEG. CARACCIOLO:
So that's why I table -- I mean I second the motion to table. I'd like to defer to the town, give them an opportunity to pass judgment on this. We're only talking about three weeks.

LEG. FOLEY:
October 8th.

LEG. CARACCIOLO:
October 8th? I don't see where this is so time sensitive that we can't table it until the next

meeting, October 8th.

D.P.O. POSTAL:

Legislator Bishop.

LEG. BISHOP:

Thank you. I think it's clearly not that time sensitive, and we would be well advised to move prudently with this, because consider this, an Economic Development Zone is being broken a part and individual pieces of it are being assigned to individual parcels out of the jurisdiction. Now, if that's not something that you should move prudently on and take a very close look -- first of all, I don't even think it's anything we should -- it's a loop hole in the law, frankly, because an Economic Development Zone is a zone, and it implies that the zone is in need. When you're breaking out pieces and moving them to areas that would not otherwise qualify, that's troubling. When you're doing it on an individual parcel basis, that's deeply troubling, and that's how I see it. I just don't -- you know, that is really an invitation for trouble. You are picking winners and losers and declaring this person's going to get -- give me that litany of wonderful benefits, sales tax free on construction, payroll tax benefits, what else are they getting?

MS. TALMADGE:

Sales tax, wage tax credits, investment tax credits.

LEG. BISHOP:

I mean, you're talking about millions dare I say in benefits in the end if it's a big large scale project? Hundreds of thousands of dollars.

MS. TALMADGE:

Hundreds of thousands of dollars. But I will say that this particular process that we're going through is a function of the state law. Every zone goes through a boundary of revisions, some of them on a annual basis.

LEG. BISHOP:

Yeah, but are the boundaries not contiguous?

MS. TALMADGE:

They don't have to be at this point.

LEG. BISHOP:
They don't have to be. I understand the point. The point is that this is a zone created by the fact that Calverton lost its defense industry, you know, lost its defense industry installation. You get zone status and then you could break apart the zone and transfer the zone. You're breaking it apart and transferring it out of the area, moving it to another town on a piecemeal per parcel basis. I'm troubled by that. I'd like to move very slowly with this. And if I'm outvoted on the tabling, and we move forward, then I'll vote against it, because I'm not comfortable with it at this time.

D.P.O. POSTAL:
We have a motion and a second to table for a variety of reasons; to wait for a town board resolutions and to have more of an opportunity to examine something that has many implications. Roll call.

(Roll Called by Mr. Barton, Clerk)

LEG. BISHOP:
Nice synthesis.

P.O. TONNA:
Great. This is for tabling?

LEG. BISHOP:
Yes. Yes to table.

LEG. CARACCIOLO:
Yes.

LEG. GULDI:
No.

LEG. TOWLE:
No.

LEG. CARACAPPA:

No.

LEG. FISHER:

Yes, in deference to Legislator Caracciolo.

LEG. HALEY:

No.

LEG. FOLEY:

One cycle, yes.

LEG. LINDSAY:

Yes

LEG. FIELDS:

Yes.

LEG. ALDEN:

Pass.

LEG. CARPENTER:

No to table.

LEG. CRECCA:

No to table

LEG. NOWICK:

Yes.

LEG. BINDER:

No.

MR. BARTON:

Legislator Cooper.

P.O. TONNA:

He's got to be here for a vote.

MR. BARTON:

Legislator Cooper.

LEG. POSTAL:

Yes.

LEG. COOPER:

Yes.

P.O. TONNA:

Table one meeting.

LEG. ALDEN:

One meeting and that's all.

LEG. COOPER:

Yes to table.

MR. BARTON:

Okay, 11.

P.O. TONNA:

Okay. **1971 (Support the Suffolk County Department of Economic Development's grant application to the Empire State Development Corporation for funding to assist with the redevelopment of the industrial park at Gabreski Airport (CP-5713).** Is there a motion?

LEG. TOWLE:

Motion.

P.O. TONNA:

Thank you. Seconded by Legislator Guldi. All in favor? Opposed?

MR. BARTON:
18.

P.O. TONNA:
Fine. **1978 (Amending the 2002 Capital Budget and Program and appropriating funds in connection with the replacement of equipment: Landing Counter for Francis S. Gabreski Airport 5732),** the bond resolution. Motion by Legislator Cooper, seconded by Legislator Fisher.

LEG. CARPENTER:
Explanation.

P.O. TONNA:
Explanation?

LEG. GULDI:
It's the landing units. It's the landing units. It's mine.

P.O. TONNA:
All right. You want it? I thought you just wanted to stay away from these.

LEG. GULDI:
No, not at all.

MR. SABATINO:
It pays for landing counter for the Airport for $100,000. This would be the piece of equipment to allow you to count and invoice so you can bill for landing fees at Gabreski Airport.

LEG. ALDEN:
But we don't bill for them, do we?

P.O. TONNA:
I guess there's a difference between landing and crashing. What is the crashing fee anyway? There's a motion and a second. Roll call.

(Roll Called by Mr. Barton, Clerk)

LEG. COOPER:

I'm sorry, pass.

P.O. TONNA:

No. You say yes. This is your bill -- I mean, it's your committee.

LEG. COOPER:

Thank you. Yes.

LEG. FISHER:

I'm sorry.

MR. BARTON:

Your vote?

LEG. FISHER:

Yes.

LEG. CARACCIOLO:

Yes.

LEG. GULDI:

Yes.

LEG. TOWLE:

Yes.

LEG. CARACAPPA:

No.

LEG. HALEY:

Yes.

LEG. FOLEY:

Yes.

LEG. LINDSAY:

Yes

LEG. FIELDS:

Yes.

LEG. ALDEN:

Yes.

LEG. CARPENTER:

Yes.

LEG. CRECCA:

Yeah.

LEG. NOWICK:

Yeah.

LEG. BISHOP:

Yes.

LEG. BINDER:

Yes.

LEG. POSTAL:

Yes.

P.O. TONNA:

Yes.

LEG. HALEY:

Yes.

MR. BARTON:
17-1 on the bond.

P.O. TONNA:
Same motion, same second, same vote. Okay. I'm not supposed to tell you that, we're supposed to say she voted twice for you.

WAYS AND MEANS

Okay. Ways and Means. **1963 (Authorizing the amendment of a lease of premises located at the Kellum School Building, Town of Babylon, NY for the Department of Health Services).**

LEG. POSTAL:
Motion to approve.

P.O. TONNA:
Motion to approve by Legislator Postal, seconded by myself. All in favor? Opposed?

MR. BARTON:
18.

P.O. TONNA:
Approved. Okay.

LEG. BINDER:
I'll make a motion.

DISCHARGED 8/27/02

P.O. TONNA:
1541 (Adopting Local Law No. -2002, a Local Law to facilitate full public disclosure of County Election Campaign Finances through the internet). Motion, seconded by myself.

Let's not table this. Let's not talk about it, let's vote on testimony.

LEG. BINDER:
After all the debate, I want to explain why it's up.

P.O. TONNA:
Just let's vote.

LEG. BINDER:
Just because I couldn't get the other together.

P.O. TONNA:
So we could say that people like me, poor sows like me, could say, see I voted for campaign finance reform.

LEG. BINDER:
Mr. Sabatino couldn't -- we don't have the staff, they couldn't put the bill together anyway, so I wanted to put a merger together, I couldn't do it --

LEG. HALEY:
What's your pleasure?

LEG. BINDER:
-- tonight so I'm going to --

P.O. TONNA:
There's a motion to approve and I seconded it. Let's just roll call.

LEG. CRECCA:
Henry, do you have the old --

MR. BARTON:
I got a mess.

P.O. TONNA:

Roll call, please.

MR. BARTON:

On what?

LEG. CRECCA:

I don't know if the Clerk has the motion.

MR. BARTON:

I'm not sure what you're doing.

P.O. TONNA:

Motion on 1541.

MR. BARTON:

There were a lot of motions on 1541. I don't understand.

P.O. TONNA:

There's a motion to approve 1541

LEG. FOLEY:

By who?

P.O. TONNA:

By Henry --

LEG. CRECCA:

The motion was by myself.

LEG. CARPENTER:

Binder and Tonna.

P.O. TONNA:

Binder and --

LEG. CARPENTER:

Binder and Tonna.

P.O. TONNA:

Okay. Make it Binder and Crecca, that way he feels good in case he runs another primary this year. Roll call.

(Roll Called by Mr. Barton, Clerk)

LEG. BINDER:

Yes.

LEG. CRECCA:

Yes.

LEG. CARACCIOLO:

I'm sorry. One minute.

LEG. GULDI:

On amendment, this is a motion to approve, not table. No.

P.O. TONNA:

We're not going to table.

LEG. TOWLE:

Yes.

LEG. CARACAPPA:

Yes.

LEG. FISHER:

Pass.

LEG. HALEY:

Yes.

LEG. FOLEY:

Pass.

LEG. LINDSAY:

No.

LEG. FIELDS:

No.

LEG. ALDEN:

Yes.

LEG. CARPENTER:

Yes

LEG. NOWICK:

Pass.

LEG. BISHOP:

Abstain. My support is with revisions.

LEG. COOPER:

No.

LEG. POSTAL:

No.

P.O. TONNA:

Absolutely. I can't believe this thorough-thinking, way-ahead-of-time bill.

LEG. FOLEY:

No.

LEG. GULDI:

Actually, change my no to an abstention, Henry. It has good provisions that needed to be reconciled.

MR. BARTON:

Nine.

P.O. TONNA:

It figures, I support a Binder bill and I go up in flames. Anyway, here we go.

MR. BARTON:

Nine, seven and two abstentions.

LEG. FISHER:

Henry, I said pass, not yes.

MR. BARTON:

We both had you as a yes. Sorry.

LEG. FISHER:

I said pass. Sorry.

MR. BARTON:

So it's eight, even deader.

P.O. TONNA:

Even have less, less is more.

FINANCE

1915 (Authorizing the County Treasurer to borrow cash funds from other County funds for 2002). I make a motion, second by Legislator Postal. All in favor? Opposed? Approved.

MR. BARTON:

18.

P.O. TONNA:

1920 (Re-appointing Steven Morrison as a member to the Judicial Facilities Agency). Motion by Legislator Haley, okay, seconded by --

LEG. GULDI:

I'll second.

P.O. TONNA:

There, Legislator Guldi. This reappoints Steve Morrison. Okay. All in favor? Opposed? Approved.

MR. BARTON:

18.

SOCIAL SERVICES

P.O. TONNA:

Social Services. **1921 (To modify County regulations for emergency housing accommodations).** Motion by Legislator Guldi.

LEG. CARACCIOLO:

Second.

P.O. TONNA:

Seconded by Legislator Caracciolo. All in favor? Opposed? Approved.

MR. BARTON:

18.

P.O. TONNA:

1984 (Approving the appointment of Janet DeMarzo as Commissioner of the Suffolk County Department of Social Services). Motion by myself.

LEG. FOLEY:

Is she here?

P.O. TONNA:

I don't know. It's 11:00. She was here probably until 10:55.

LEG. FOLEY:

She should be here.

LEG. GULDI:

Janet's here.

P.O. TONNA:

Is she here?

LEG. FOLEY:

Is Janet --

P.O. TONNA:

Janet.

LEG. FOLEY:

Is Ms. DeMarzo here?

P.O. TONNA:

Janet. Is she here?

LEG. FOLEY:

She should be here.

P.O. TONNA:

Okay. There we go.

LEG. FOLEY:

Skip it over. Let's go.

P.O. TONNA:

No, we're not skipping it. She'll be here in a second.

LEG. ALDEN:

Let's come back Thursday.

P.O. TONNA:

No, No, I'm not. I'm not coming back. Todd, is she here?

MR. JOHNSON:

She's coming right now.

P.O. TONNA:

Okay. There's a motion by myself, seconded by Legislator Caracciolo. Okay? There you go. Hey, Janet, consider yourself lucky. Not only did I sponsor the resolution, but, also, Legislator Caracciolo seconded my motion.

MS. DEMARZO:

Thank you.

P.O. TONNA:

Okay. Come on up here. We have questions for you.

LEG. FOLEY:

I have questions. Let's go.

LEG. BISHOP:

I have a question.

LEG. HALEY:

Motion to adjourn.

LEG. ALDEN:

Let's come back Thursday.

LEG. FOLEY:
It's a huge Department.

P.O. TONNA:
But you asked them in committee.

LEG. FOLEY:
It's a huge department.

P.O. TONNA:
Okay. You saved part for the committee and the other part for here?

LEG. CRECCA:
Is this the only way we could get rid of Janet?

P.O. TONNA:
Brian. Okay. Hi, Janet.

MS. DEMARZO:
Do you want me to go with that approach?

P.O. TONNA:
Janet, how are you tonight? It's great to see you.

MS. DEMARZO:
I think I'm okay.

P.O. TONNA:
All right. I think so, too. Legislator Foley has a couple of questions for you. I know he asked you some questions in committee, but since it's such a large department, he felt he'd save some for the regular meeting.

LEG. FOLEY:
We asked a number of questions in committee, but given the size of the department, and

notwithstanding the time of the evening, but given the importance of the department that you seek to become Commissioner to, and given the fact that part of the reason why we're going to have some real budgetary problems in the upcoming budget process is because of particularly the State mandates as it relates to Social Services and Medicaid. Some of the comments, Ms. DeMarzo, that you made in committee, other members of this horseshoe should also hear what your comments were at that particular time.

Part of what we had spoken about, for instance, was the fact of how the Medicaid mandates that the State is foisting upon the counties and cities in this state are really creating a terrible burden on our local budgets. So for those who weren't in attendance of the Social Services Committee, which was the great majority of the Legislators here, and, again, notwithstanding the hour, but given the importance of your position, I think it would be important for you tonight to tell us how, in fact, given your background, and I would say this respectfully, but I think it's quite accurately, given your background more in the area of intergovernmental relations as opposed to administration of a department, although you've had experience with some administration in some subunits in departments, how would you use your experience, particularly on an intergovernmental level, as a Commissioner to try to prevail upon the State when it comes to those areas of mandates within your department that will increase the financial burdens of taxpayers in this County? It's not a yes -- it's not a yes or no answer.

MS. DEMARZO:
Right.

P.O. TONNA:
It's an essay question.

LEG. TOWLE:
If you can answer that, we'll appoint you.

MS. DEMARZO:
Do I get a multiple choice here?

LEG. FOLEY:
You can take either one, two, or three, or four, but if you could please answer the question.

MS. DEMARZO:

The largest area of the mandate problem we face, well, there's multiple mandates placed upon Social Services, and each of them have a variety of problems. The most expensive mandate placed upon the County, and, well, the Department of Social Services and the County at large, is the Medicaid mandate. We're projecting that next year's budget should be between about 228 to 230 million dollars in Medicaid cost. The Medicaid budget is growing at over 10% a year for the last several years, when you average it out.

We have, as you know, as a County taken a very aggressive stand, and the County Executive met with the County Executive of Nassau and Westchester. The problem of Medicaid is becoming a crisis situation for counties throughout the State of New York. In many ways, as I explained to the Social Services Committee, it's not a crisis of services. I believe that we all feel that the Medicaid Program, both with the establishment of the Child Health Plus and the Family Health Plus Program, has actually expanded the coverage to many of the residents of Suffolk County, so that we have better medical care for our people. But, unfortunately, the State of New York is one of the only states that puts such a large burden on its counties. We are essentially the only state in the country that provides that the County provide 25% of the non-federal share, or 50% -- 50% of the non-federal share, or 25% of the overall program.

What we need to do as a county is reach out to our State officials to ask them to work to restrict the growth of the program on county governments. We should ask them to either cap it at prior levels, or to restrict any expansions of the program. It's not that the program costs are growing per case, but it's that the whole program, each year the State keeps expanding the program, and it's a lot easier for them, because we're 20 -- we're half of the cost. So we need to get the State to in some way cap our expenditure.

And the other piece is that we as a state are not being treated fairly. If you look at the Medicaid dollars throughout the country, New York State is one of the lowest reimbursements in all of the states. We are in like a 50 to 51% reimbursement rate, and there are a number of states in the nation that are above 70%, and the report that I have says that some of them go up to 83% federal reimbursement.

What we need to do is continue to hammer home to our Legislators what that means in local terms, what that means in property taxes, what that means in taking away local choice to meet local services. So what I think we need to do is turn this information, not into a simple fiscal

argument, but to make them understand the services that we can't provide locally, because they're making us pay for their decisions to provide these Medicaid services.

LEG. FOLEY:

Thank you for the answer, Ms. DeMarzo. Another issue that many of us as Legislators have to grapple with on a weekly basis is the fact that a number of our staff have become, in essence, adjuncts to the Social Services Department, where there's too much time where our staff has to do the work that really should be done by caseworkers in the department. So one of the points that we had raised in committee, and I'd also like to hear from you tonight, is how you intend to work with our Legislative staffs, so that instead of our staffs having to be the middle person between the client and the caseworker, but, instead, have a seamless discussion, if you will, between the department and the client, so that our staff, our offices, are no longer considered, as they have been for a long period of time, despite some efforts made by the prior administration of the department, the fact still remains that too much of our time is spent as an adjunct to a Department of Social Services as opposed to Social Services working directly with a client who is a constituent. So it's important that we hear how you intend to work to change that. Also, in the same frame of mind, how you intend to work with the reduced workforce within your department and managerial initiatives that you may undertake or that you will undertake to try to have certain efficiencies, whether through technological changes or other kinds of changes, that would deal realistically with the fact that you have hundreds of less employees now than was the case even two months ago. So those two issues, if you could please address us this evening about them.

MS. DEMARZO:

On the constituent response issue, one of my responsibilities in my current position is to oversee the Constituent Response Unit in the County Executive's Office. I believe that it's good -- sometimes no matter what the department does, I think it's good for individuals to be able to reach out to their elected officials, and I would not want to stop that process, but I think where you'd like us to pick it up is at the point when you get that problem, how we follow-up on it and how we make sure --

LEG. FOLEY:

Correct.

MS. DEMARZO:

-- that the answer is given to the client in a timely fashion, and that not only is that done, but that your department is advised that it is dealt with in a timely fashion.

LEG. FOLEY:
Right.

MS. DEMARZO:
And I believe that we need to establish a system where you have a point of contact within the department that you can call. And I'm not familiar with how available the Commissioner's Response Unit is to you, but we should set something up, so that you have access to some -- a caseworker within the Commissioner's Response Unit. And I find that the E-mail system is a good way of making sure that you get it in a timely fashion without actually having to make sure that you touch base, because sometimes telephone tag takes a long time. So I think we need to set up a system where you have access to a person within the department who can take that from you, and that it then be followed up with the individual client, and that you be sent like a closing letter on the case --

LEG. FOLEY:
Exactly.

MS. DEMARZO:
-- so that you know what the outcome is.

LEG. FOLEY:
Exactly. Good.

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

LEG. FOLEY:
No. There's one final point as far as management initiatives, in light of the fact that the hundreds of jobs that have been, not lost, but through retirements.

MS. DEMARZO:

There was -- as I understand it, there was about 10% of the workforce or about 137 people that --

LEG. FOLEY:
Ms. DeMarzo, if you could just wait for a moment. Mr. Chairman.
Mr. Chairman, if we could please have some -- you know, again, notwithstanding the hour, but given the importance of this -- of this appointment and this department and this budget, you know, it's incumbent upon all of us, and I'm not one to -- you know, to sermonize, but, you know, this is really important, and I wish we would give a little more attention to the answers here. Thank you.

MS. DEMARZO:
I do believe that the department is in a real transition state. It lost 137 people, which was about 10% of the workforce, the really critical pieces. It lost, as I've said to the committee, thousands of years of experience when those 137 people left. I believe that a lot of people, younger people, some people that have been there for awhile, are stepping up. I think there's a transition when you bring somebody new in, as I'm sure as I go to the department there will be a transition process. I think that we need to look at what you say, some technological advances, we need to look at the use of, you know, new approaches to old problems.

I am a little concerned that some of the problems are growing as the workforce has shrunk, and we have to decide whether we need to reallocate. I mean, one of the things I've heard consistently and I've seen is the housing problem. It's big. We need to put more resources there, but we have to see where we can allocate them from, so we don't create a second problem. I don't know exactly what the solution is. I know that there was 137 people that left. I know a lot of positions were authorized to be refilled. It's in a little bit of a settling out period, because we're hiring so many new people. I think that we'll have a better view of the situation as these new people settle in and we decide whether we can take them from certain areas and put them in housing. But, right now, I think that, you know, a lot of things are critical.

Our Medicaid caseloads are going up. To get the Medicaid people enrolled quickly is a concern. So I would really like the benefit of a little more time to assess the transition to the new workforce and the reallocation of the staff that the Commissioner has left in place, and have the opportunity to come back to you and tell you what I see. But I don't want to leave you with a positive belief that creative management alone will solve it. Hopefully, you know, a lot of

energy, some assistance from both the Executive and the Legislative Branch and, you know, that we can make the transition successful.

P.O. TONNA:
Legislator Bishop.

LEG. BISHOP:
Thank you, Mr. Chairman.

P.O. TONNA:
Legislator Bishop, Postal, Tonna, Fisher, Nowick, Haley.

LEG. BISHOP:
Ms. DeMarzo, I want to -- it's quite a litany, right? The murderer's row.

MS. DEMARZO:
Can I have a seat? No.

LEG. BISHOP:
I want to thank you for your willingness to step forward and take this position. I understand that you're willing to suffer some diminishment of remuneration, and perhaps, from some perspectives, a diminishment of power and prestige, but, in my eyes, you're actually stepping up in importance, because this is a job that truly affects the lives of thousands of Suffolk County residents. And I think that you possess the toughness and you care enough that you could make a difference and bring a more creative, flexible, accountable system to Social Services, and God knows, from what we heard today, we need that.

What I want to ask about is just one little program that I care an awful lot about, which is the Living Wage Law, and I'm beginning to believe that the program is being intentionally -- sabotaged might be too strong, but there seems to be too much indifference to the enactment of the living wage in that the -- many contract agencies that would be eligible for funding under the money that was set aside by the Legislature in Fiscal Year 2002 are being told that they cannot access the money unless their contracts are up, which may be a valid policy decision, but, as a result of that, we are not inquiring of any of the contract agencies what their needs are in Fiscal Year 2003. So, if you are a provider under a DSS contract, there's nobody surveying you right

now to say, "Hey, how many people are you going to have to bump up, how much is that going to cost, and what is your intention in terms of an application next year for assistance under the Living Wage Program that we've enacted?" Can you just make a commitment to me that you'll address that in the time between now and the end of the year? Or, actually, I'd like it shorter, in the next few weeks, so that the Legislature can make informed policy decisions on living wage implementation.

MS. DEMARZO:
I'll be honest and I'm not -- I know there are some living wage issues right now within the department for 2002. And while I can't speak specifically, I was under the belief that there was a recent request for the salaries for not-for-profits under a local law that Legislator Carpenter sponsored to seek, which was secondary, you know, which is not a direct living wage connection, but it does seek from the contract agencies a listing of the salaries paid. But --

LEG. BISHOP:
If it comes in that way as opposed to under living wage bureaucracy, rubric, that's fine. I just -- we just need the answers, and it's -- I thought that we were -- nobody was asking.

MS. DEMARZO:
No. I know that they are --

LEG. BISHOP:
And, in fact, (Randal Chimes) --

MS. DEMARZO:
I know they're dealing with that, and I know they're dealing with at hand 2002. There are some -- there are some issues with certain agencies in 2002, and I think that was department's priority. But I understand your concern for 2003. And I can't speak for sure that the department is doing that, but I did think that -- and I'd have to look at Legislator Carpenter's actual request. Maybe it's just for the Executive Director, or is it -- it's for the whole agency, isn't it?

LEG. CARPENTER:
It's for the agency and it's for the top five salaries.

MS. DEMARZO:

Okay. So it's --

LEG. BISHOP:

Okay. So then you do need to do it for the living --

LEG. CARPENTER:

And they have to be filed by October 1 of this year.

MS. DEMARZO:

Right. Okay.

LEG. BISHOP:

If you can --

MS. DEMARZO:

So we do need to look at it beyond that.

LEG. BISHOP:

And I have your commitment on that, that you'll make the inquiry of these contract agencies under DSS --

MS. DEMARZO:

To see which one --

LEG. BISHOP:

-- as to what they're anticipating their needs are for 2003. I've been told by the Department of Labor that information gathering and dissemination filters through the departments, not through the Department of Labor. In other words, Labor tells DSS, "Okay, go talk to your agencies and find out."

MS. DEMARZO:

It's the administrating agency.

LEG. BISHOP:

And I'm being told, further told by the agencies it's not happening. So I'm asking you, as the Commissioner nominee, and, hopefully, Commissioner, to address that.

MS. DEMARZO:
Well, I understand your request. I believe that a letter from the department in anticipation of contract renewals in 2003 should address that, and that would be something that I can do.

LEG. BISHOP:
Thank you.

P.O. TONNA:
Great. Okay. Legislator Postal, then, again, Tonna, Fisher --

LEG. CARPENTER:
Can I be on the list?

P.O. TONNA:
-- Nowick, Haley.

LEG. POSTAL:
And Carpenter.

P.O. TONNA:
And Carpenter.

LEG. TOWLE:
Add me to the list as well, please.

LEG. POSTAL:
Janet, we -- certainly, we understand the need for addressing some of the problems that are costly to us in terms of budgeting. But there are a great many problems in terms of operation of the Department of Social Services and serving people that come up here again and again and again. We talked privately. We all heard Mr. Roper and what happens with Mr. and Mrs. Roper each day, and I think you've -- you have to be ready to review every rule, every procedure in the department, because some of them are just, frankly, inhumane, and there are others that

are counterproductive. So it's not -- even though you're losing a lot of staff, there are things that need to be done, things that need to be looked at with a very critical eye, and maybe more creativity than we've looked at things in the past. I know we're going to meet in my office. I've asked you -- Legislator Haley and myself would like to meet with you to discuss some of the issues involved with homelessness, and shelters, and motels.

But I think, for example, my office does a tremendous amount of constituent work with clients of DSS. We don't mind doing that. But we seem -- we do the same or address the same problems over and over and over again. For example, clients who come back many, many times, because they don't have the proper documentation. It seems to me that there ought to be a procedure, and, apparently, there is none, where there's a written checklist that's provided to clients that tells them what they need, and checks off what they don't have, because they're given verbal instructions, they forget, and so they have to come back repeatedly, and they never -- you know, their eligibility just drags on forever. There are just many things that happen like that.

Some of the Department of Social Services employees are extremely discourteous. About two years ago, two-and-a-half years ago, a constituent of mine was having great difficulty, and a staff member of mine, who's African-American, met the constituent at the Wyandanch Social Services Center. She went up to the receptionist's window and she was addressed so rudely that it was amazing that someone would speak to another person in that tone. And, as a matter of fact, even after she identified herself as my Legislative Aide, the situation didn't improve.

So some of this stuff doesn't cost any money, it just has to do with, I guess, putting some respect into the process, and making it easier for applicants to complete the application process. So I hope that you're going to be looking at every step of the process. I almost have the feeling, I've always had the feeling over the years, that there's a reluctance to change anything. And the problems that need to be addressed, the objectives that need to be addressed, for example, you've got an individual, a family that's homeless, the objective is to place that individual or family. We really don't care where we're placing the individual or the family. Once we place them, we discharge our responsibility, we don't have to worry about it again. So, for example, we place them in shelters like those that were run by Carrie Wilson, and despite the number of complaints that come in about places like that, until Newsday does a major expose, we ignore the problem, because if we address it, we might not have Carrie Wilson shelters to send clients to.

So I just think there are so many things that need to be changed that have nothing to do with cost, that have to -- have to do more with a real honest evaluation of the way we're doing things and a willingness to change them, and I hope that you're prepared to do that.

MS. DEMARZO:

Well, I'll do my best. Some reactions are running through my mind, and I'm standing here, "Do I tell them? Do I tell them that I'm a little concerned that we're truly work in a unionized situation where I don't know if a reprimand or" -- you know, I don't know how -- you know, one of the things we have to look at is, is changing the cultures, so the people in the department are not overwhelmed, and they do see themselves as their primary role is to help, and that they don't feel so overwhelmed that their frustration is taken out on the client. And my first reaction is we need -- I, as a Commissioner, would need to create a climate that there's one of support, and that they're not going to be overwhelmed as department -- you know, as a department employee, and that we're going to give them the resources they need to be effective, instead of taking out their frustrations on the clients. And I believe that I should try that, but I also am a realist to a certain extent. You know, there's only so much you can do.

LEG. POSTAL:

Well, I have faith in your ability to do that, but I also believe that if you develop some changes in procedures, for example, the written checklist of documentation, and that's provided to a client, and the person who's working with the client goes over it to say, "Well, you don't have this, you don't have this, you don't have that," then the next time that client comes back, the client will have better information and a better chance of bringing back the proper documentation ,so that the client will not have to come back a third time, which will create frustration in the client and maybe even a confrontational attitude on the part of a client toward the worker?

MS. DEMARZO:

Right. I mean, that was also a suggestion, a similar suggestion by Legislator Fisher. I think we need to have information that we give out that's -- that's readable, that's easy to understand, that doesn't have, you know, bureaucratic phrases in it, and that's clear for people to know what their benefits are, what's needed of them, and what the schedule is. I mean, you're right, we need to make our -- we need to make our process, as the old cliche, user friendly, and I'm not confident that it is, because I kept hearing these complaints. So, to some degree, there are problems in the way that we communicate with the clients to help them be prepared.

P.O. TONNA:

Hi, Janet. Thank you. As you've known from day one, I'm very supportive of your candidacy to be Commissioner of Social Services. I have -- each of us have lists of different things. And being the Chairman of Social Services, it's been actually a pleasure for the last three years to learn what larger than a third of our government does in helping people in need. One of my concerns, and I -- you know, I've articulated to this privately, but I would -- I'd like you to very seriously consider the Council on Accreditation, and to look at what they have with regard to an outside body to come in, you know, an expert group to come into the Department of Social Services and review standards, to review working conditions, and everything else, so that you have a tool, a management tool that's going to give you a good assessment of, you know, some of the things that you do. And you'll be open to that, right?

MS. DEMARZO:

Yes, we are open to that. And I know that the department has actually looked to put some money aside in 2003 budget to begin that process.

P.O. TONNA:

Okay. The second thing, and we heard today about the Ropers in a situation that I wasn't aware of, is that there's a DSS policy where some people actually have to move out of the hotel each day. I am a little skeptical in that I also know that some of these motels, it was -- they have a day rate situation going, and I wonder if it was something to facilitate the day rate business. While we're still paying for the whole day, they get kind of a double-banger in the room. I didn't mean it that way, but, you know, they have an opportunity to cover double rates for the day and without any logic. And I would ask that you look into that policy.

MS. DEMARZO:

I am aware of it. I do think it is a problem, and --

P.O. TONNA:

Okay. And, then, finally --

MS. DEMARZO:

Legislators have spoken to me about that.

P.O. TONNA:
-- is you know that a section of my office, as Presiding Officer, is dedicated, through our Map Team, to working specifically with issues that effect the Department of Social Services and needy people. And I just would want to make sure and have your commitment that the flow of information, you know, be constant, so that when we have questions and requests, and stuff like that, and, you know, that we continue that.

MS. DEMARZO:
I believe that the Map Units, and Chris Reimann in particular, will be very helpful to the department. And I do -- I do believe that there will be a positive relationship and the flow of information will go back and forth, and more than the flow of information, the flow of ideas will go back and forth.

P.O. TONNA:
Right. And just as a final note is I believe in you, I really do. I really believe that, as a manager, and as somebody who has had an enormous amount of different challenges and been in different positions, I believe that you can come into a department and you can make things change for the better, and that's the faith that I have in that I'm basing my vote on today. I do believe that.

MS. DEMARZO:
Thank you.

LEG. ALDEN:
You feel the love, right, Paul?

MS. DEMARZO:
Thank you.

P.O. TONNA:
Well, let's see.

MS. DEMARZO:
Is this real interest, or you guys just decided it was, you know, just a lot of fun to get me up

here at 11 o'clock at night?

P.O. TONNA:

No. This -- well, we're seeing --

LEG. HALEY:

We're not finished yet.

P.O. TONNA:

Legislator Fisher.

LEG. HALEY:

You got a long way to go.

MS. DEMARZO:

I just -- I feel real honored, because I don't believe a lot of other Commissioners have this level of attention.

P.O. TONNA:

Right.

MS. DEMARZO:

Actually, I'm starting to feel a little paranoid, if you really want to know.

LEG. TOWLE:

It's been the close working relationship with each of us that has --

P.O. TONNA:

Legislator Fisher.

LEG. TOWLE:

-- given us this great opportunity tonight to talk to you.

LEG. FISHER:

Janet, I told you they missed seeing you at that podium. Did you say --

P.O. TONNA:
Legislator Fisher.

LEG. FISHER:
Okay. Janet, you've heard the conversations that we've had regarding the very serious issues in -- regarding Social Services and client treatment, etcetera, but you and I discussed this at the committee meeting, and I just think it's important for the people who are here to know your response. At the Social Services Committee, we discussed having a round table that would consist of the people who are part of your Advisory Council. Is that what it's called, that group that gives -- the Advisory Board that --

MS. DEMARZO:
There is an Advisory Board, yes.

LEG. FISHER:
The Advisory Board people from the College, even the business community would be represented, so that we could see what kind of jobs people could go to, in order to get a fuller view of how we are providing service to the people of Suffolk County. And you indicated that you were willing to sit at a round table. And just now, in your response to Legislator Tonna, where you said that the mapping project is another piece of it, can you describe how you would use this type of round table, how that would help you to effect a better policy, or mode mowed of behavior, or culture, if you will, in the Department of Social Services?

MS. DEMARZO:
I believe that the round table we're discussing is a round table to do an assessment or to discuss the services provided by the department, as well as some of the problems facing the individuals that the department serves, as well as some of the obstacles that the department has in meeting those needs. Is this correct, my assumption of the purpose of this round table?

LEG. FISHER:
Yes. And it goes a little further, because it's a way to address the Welfare to Work Program, to enable people to go out on their own. Also, the educational portion of the piece of that program. There has been a lot of criticism that we haven't been educating people well enough to go out and provide for themselves.

MS. DEMARZO:
Right. Now it's coming back to me, and there was a very short presentation by Catholic Charities regarding --

LEG. FISHER:
Right.

MS. DEMARZO:
-- some of their concerns about a workfare piece.

LEG. FISHER:
If we could continue to listen to the Commissioner, I think this is a very important piece of this.

P.O. TONNA:
Could I ask everyone --

MS. DEMARZO:
I believe that the round table would provide -- I think that -- I often think that you need both the -- a classic phrase that we use in government is the stakeholders at the -- in the process to be involved in assessing it and making recommendations, and I think that all the people you identified to be part of that round table are stakeholders, are businesses, are not-for-profits, the Community college, the Department of Labor and the Department of Social Services. And while, you know, various discussions occur in different ways to bring all the people together with the primary purpose of doing an assessment, identifying some of the needs and the changes, I think it would be helpful, and I think those are the kinds of things you need to do on an ongoing basis. The round table here is a first step, but I think you need to keep that kind of dialogue and exchange of ideas and sometimes criticisms open.

LEG. FISHER:
Yeah, I agree, and it's a way of -- Legislator Postal had mentioned earlier that having a check sheet list, and that was something that I had discussed with you, and it was something that Legislator Nowick and I had discussed when we went to visit the motel, and we said, "Why aren't people just given a list of what they need to do, so they don't have to come back the next day, so they are not sanctioned," which is such a horrible word. Sanctioned just has such terrible

ramifications. So I support your position here, and I'm glad -- I'll be very happy to vote in favor of your appointment.

MS. DEMARZO:
Thank you.

P.O. TONNA:
Okay. Lynne Nowick.

LEG. NOWICK:
I actually had a lot more to say, but Legislator Postal and Legislator Fisher have asked the questions. Our concern ,of course, was for the homeless shelters, and I would say a more vigilant type of department in that regard. And I'm not going to keep you any longer than you have to. I think we've grilled you, we've drilled you.

MS. DEMARZO:
Thank you.

LEG. NOWICK:
We've done everything. But we will see you at the Social Services meeting.

P.O. TONNA:
Yeah, I'm sure.

MS. DEMARZO:
Regularly.

P.O. TONNA:
Yes.

MS. DEMARZO:
I don't know, monthly, every other week, depends.

P.O. TONNA:

Right.

MS. DEMARZO:
In the month.

P.O. TONNA:
All depends on my golf schedule. No, I'm joking. I was just joking. Make sure you put "joking" with that, okay? Joking. Okay. Legislator Haley.

LEG. HALEY:
First and foremost, I honestly and truly, you know this, wish you the best. However, what really concerns me --

P.O. TONNA:
"But I can't vote for you." No, I'm joking.

LEG. HALEY:
But what really concerns me --

MS. DEMARZO:
I've heard that. No.

LEG. HALEY:
-- is that, and I don't mind saying it on the record now, because I've always said it to your face, is that I think you believe too much in government and I think you're too liberal. All right? But the only thing that really concerns me was your response to Legislator Postal's remarks about how her Aide was treated. And I don't much care about the system, I don't care about unionization or whether you think you're giving employees the tools, or anything like that. I don't think anyone in this County is overworked to an extent where they can justify speaking to a client inappropriately. So that, in my view, is inexcusable. But I wish you the best.

MS. DEMARZO:
I think it's inexcusable, too, but I just want to say that I'm not confident, as I stand here tonight, how much that is within my control, what you can actually do about it, if you can dismiss somebody. I mean, we all know there's ways to deal with it, and I think it has to -- you

know there's a carrot and a stick, and I think I'm going to have to try with a carrot as much as I can in the first instance, because I'm not quite sure what all the powers are. I don't want to leave here making you all believe that it's going to be magic and I'm going to make it great, and in six months, it's not going to be great. I want to leave here with you understanding that I'm going to do the best I can, and that I'm going to use the resources I have and come to you when I need more resources, and we're going to do the best we can as the County, but we have some big problems. So I want to -- I just feel that that's necessarily.

I don't want to feel that I'm painting a picture that everything's going to be perfect. All I can give you is my commitment that I'll do the best I can, and that some of these things, we all have to be honest, maybe with -- beyond our control a little bit, or that we may have to make some modifications as a department and as a county to help fix them. So I just don't want to create --

LEG. HALEY:
No, I'm --

MS. DEMARZO:
-- too great an expectation.

P.O. TONNA:
Legislator Carpenter.

LEG. HALEY:
The style you select to solve your problems is something that you're going to have to deal with over the next five years. But I do know that it doesn't matter what department it is, if I get a call from a constituent that hasn't been talked to appropriately, then I'll be quite frank with you, you're going to have a big problem with this particular Legislator and perhaps others. So, however you manage to work that out, that's something that would not be acceptable to me under any circumstance, but I'm sure you could deal with it. Good luck to you.

P.O. TONNA:
All right. Legislator Carpenter.

LEG. CARPENTER:
Thank you. Certainly, a lot has already been said this evening, Janet, and I, too, wish you a lot

of luck. I commend you for wanting the position, because you really face an awesome responsibility. I know you're aware of where we are with the Medicaid costs, where we are with the homeless problem in this County, and it doesn't look like it's getting any better with what's happening with the economy. There's an awful lot of challenges ahead of you. But I think that if you continue to approach the position as you have in your past performance, and Legislator Postal said one word that I think, if you ascribe to this, which I believe you will, and you can motivate your staff to be that way, and we can treat everyone with respect, I think that's the clue, that's the answer, and I really believe that you can do it. And I think it has to be a partnership, it has to be us working together. And I get that sense from you that that is what's going to happen. And perhaps it's the fact that you're a woman, and maybe in that role, that kind of mothering where we want to make things better for everyone and I think in that --

LEG. HALEY:
Put me on the list.

LEG. CARPENTER:
-- department in particular --

P.O. TONNA:
No, I'm not putting you on the list.

LEG. CARPENTER:
-- it is so important, it is so needy and necessary, because people coming to Social Services are coming with a vulnerability. They don't want to come for the most part, they really need to be there. And I think the female perspective will go a long way, and I wish you well.

MS. DEMARZO:
Thank you.

P.O. TONNA:
Fred Towle.

LEG. TOWLE:
Thank you, Mr. Chairman. Janet, you've been asked a lot of questions, and I think, all kidding aside, I think that's because we've all had a relationship with you over the years. Sometimes it's

been good and sometimes it's been bad. And that's, obviously, a credit to you, because, obviously, you represent the Executive and you don't represent the Legislature. And I think the message that the Legislators have sent to you tonight clearly is that the Department of Social Services is a department that's very close and near and dear to all of our hearts, because it clearly is a constituent-based operation.

You know, I've listened to your answers, and they sound very passionate and I believe them, but I had a couple of questions that I wanted to ask you. And, obviously, this is a major change in your career at this point in your life, and, you know, one of the immediate questions that came to my mind is why do you want to be the Commissioner?

MS. DEMARZO:
Okay.

LEG. TOWLE:
And it just seems like a -- it seems like a very simple question, but, you know, it's more than, you know, a simple question than I think.

MS. DEMARZO:
Actually, it was one of the questions asked me at the Social Services Commission and -- Committee, and, actually, I had looked at prior Commissioner's consideration by the committee. And I walked around my house for days saying, "Why do you want to be Commissioner, why do you think you should be Commissioner, and what's your vision for the department?" So I did a lot of soul searching, because, quite honestly, I have thought about going to the Social Services Department and have considered it for a number of years. This wasn't a spontaneous decision, it's something that I've considered for a number of years. And, actually, I explained to the Committee and just to other people over the course of many years, the reason I came into County government was I really came in to serve and to provide some social reform.

And some of you have actually said over the years that I'm too much of a bureaucrat, and to a certain extent, this is why I came into government. So the path I took was quite long, it's been 22 years in County government, but the reason I came into County government was to provide service to the people and to create some kind of social reform, especially for women. And while Legislator Carpenter spoke about the women issue, and I try not to do it that much, I do feel that many of the clients, the majority of the clients in the Department of Social Services are

women, and that, you know, economic opportunity for them is important, but I don't really speak about my feminism that much.

LEG. TOWLE:
Okay. If you were to categorize, you know, of all the challenges and tasks that you're going to have ahead of you, what would be your three top goals in your first year as Commissioner?

MS. DEMARZO:
My top three goals?

LEG. CARACAPPA:
Survive.

MS. DEMARZO:
My top three goals is to -- let's see.

LEG. TOWLE:
Legislator Caracappa just shouted out "survive".

LEG. HALEY:
Make Freddy happy. Make Freddy, that's the first thing.

MS. DEMARZO:
I feel like the genie just asked me what my three wishes were.

LEG. FOLEY:
May not be able to grant them.

MS. DEMARZO:
I hope to -- I hope to create a department that's motivated and that's in touch with the people that it serves, it knows who the people are, it provides those services with consideration and graciousness.

LEG. ALDEN:
That's three.

MS. DEMARZO:
Oh, that's just the -- I was just putting that as one. Sorry. That's three.

LEG. TOWLE:
I took it as one, but --

MS. DEMARZO:
I like Cameron's.

LEG. TOWLE:
He's the new P.R. spokesman for the department, I guess, right?

MS. DEMARZO:
You know, I hope to, you know, bring some of the costs under control that are beyond our control, so that we can use some of those dollars for locally-decided problems, instead for homelessness and Medicaid. And third is I hope continue to be as motivated and happy about my decision in a year as I am tonight.

LEG. TOWLE:
Clearly, you possess an enormous amount of governmental experience, which will, hopefully, be helpful to you in your new position. But I just want to get back to my opening statement, and I want to ask you for a verbal commitment that you've given already tonight, but I want to ask it in a different format. Obviously, your role now is going to change. You are clearly not going to be just a representative of the County Executive, you're going to be a representative of the residents of Suffolk County, of the Legislature, of the County Executive, which is a different role for you, a major different role for you in policy and in operations. And the last two Commissioners have been outstanding, as far as I'm concerned, in the way that they have dealt with the Legislature and the way that they have dealt with the Executive, but, in particular, in the way they've dealt with the public. And, you know, you've heard, obviously, tonight some examples of some concerns that Legislators have of that continuation. And I just want a commitment from you tonight that -- and I know that's going to be a difficult change for you, you know, because you're going from an Executive position to a Commissioner, that the doors of the department will be open, and that communications will be moving at a rapid pace with the information that you're receiving, particularly since we have some very serious budget

problems. And, obviously, that department is going to play a major role in where our budget's going and what's going to happen. So I guess the question is, you know, I'm hoping that your door will be open, and that you will be accessible and involved with us as much possible and as much as the last two Commissioners have been.

MS. DEMARZO:
I will do just as the last two Commissioners have done.

LEG. TOWLE:
Okay. Thank you.

P.O. TONNA:
There's a motion and a second. I would ask for a roll call, because we still have another Commissioner I want, and I have other bills where, you know, we're 15, 20 minutes away from --

LEG. CARPENTER:
Roll call.

P.O. TONNA:
Okay.

MR. BARTON:
Legislator Tonna.

P.O. TONNA:
Just all in -- well, I want to make sure there's a quorum. All in favor? Opposed?

LEG. BISHOP:
Is this on the DeMarzo --

P.O. TONNA:
Yeah, motion to approve. All in favor? Opposed? Great. Thank you.

LEG. FIELDS:

I abstain.

MS. DEMARZO:
Thank you.

P.O. TONNA:
Okay. One abstention. Okay. Great.

[Vote: 16 yes, 1 abstention, 1 not present. Not Present: Leg. Guldi]

I have **1919 (Appointing new member to County Off-Track Betting Corporation Board of Directors (Herbert G. Hemendinger)**, which was discharged out of committee. It's in front of everybody. It's the appointment of Herb Hemendinger to the OTB. He came down, he answered any questions that people had. He filled out the card. I made a motion.

LEG. BINDER:
Second.

LEG. CARPENTER:
Second.

P.O. TONNA:
Second. I think it's seconded by Legislator Carpenter. All in favor? Opposed? Thank you. 18. No, it's a discharge. It was discharged resolution. Thank you very much.

Now we're going to go -- I'm going to make a motion to take out of order Page 12 -- I hope this is the Judy Gordon one, **1988 (Approving the appointment of Judith Gordon as the Commissioner of the Suffolk County Department of Parks, Recreation and Conservation),** seconded by Legislator Postal. All in favor? Opposed? Fine, it's in front of us right now. And I would ask --

LEG. CARPENTER:
What's the number?

P.O. TONNA:

This is 1988. Hi, Judy. How are you?

MS. GORDON:

I'm still awake.

P.O. TONNA:

I know, not bad.

MS. GORDON:

Actually, I'm a morning person so maybe if you waited 15%, I become awake.

P.O. TONNA:

There you go. Legislators might have questions. All that I would say is that, you know, the last one took 40 minutes. We will not be able to vote on this if we take 40 minutes.

LEG. ALDEN:

Do we have a motion on it? Motion to approve.

P.O. TONNA:

There's already a motion to approve and a second. You want to make it okay? There's a motion to approve and a second. Judy, you know -- maybe just as the Chairwoman of the Parks Committee, do you have any questions or anything? I know you asked them in committee, right?

LEG. FIELDS:

She answered them all appropriately in the committee, and I think we were very happy with all of her recommendations, her resume. And we're looking forward to working with you.

MS. GORDON:

I just have to say I'm humbled and honored to be considered here for this position. I will give everything, I'll give it my best, I guarantee all of you that.

P.O. TONNA:

And Judy, just watch out for those flying golf balls. I heard one hit you in the head a couple of

weeks ago.

MS. GORDON:

Didn't happen on the county golf course.

P.O. TONNA:

Or else that would be a worker's comp suit.

LEG. CARACAPPA:

It was your shot.

P.O. TONNA:

It wasn't my shot, I don't hit that far. It was a 288 yard drive. I'm not in your league, Legislator Caracappa with driving distance. Anyway, all in favor? Opposed?

MR. BARTON:

17, 1 not present.

P.O. TONNA:

I have the next -- congratulations, Judy.

LEG. ALDEN:

Legislator Tonna.

LEG. FISHER:

1785.

P.O. TONNA:

No, I have it.

LEG. FISHER:

1785, Page 10.

P.O. TONNA:

1985 (Authorizing, empowering and directing County Parks Department RFP process to reopen trap and skeet shooting range for recreational gun owners near Southaven Park in Yaphank, Town of Brookhaven.) I make a motion to take out of order, seconded by Legislator Fields, Page 12, 1985.

LEG. TOWLE:
On the motion.

P.O. TONNA:
This is time conditioned. I think there's a motion to approve by Legislator Fields, seconded by Legislator Carpenter.

LEG. TOWLE:
On the motion.

P.O. TONNA:
On the motion.

LEG. TOWLE:
There have been a couple of changes to the bill. I'd just ask Counsel to recap the bill, what it does.

LEG. CRECCA:
Put me down as a cosponsor, too.

MR. SABATINO:
1985 will direct the Parks Department to conduct a full fledged RFP process for the selection of a vendor to manage the Trap and skeet Shooting Range in Yaphank. And all of the conditions that are to be met in the RFP are set forth in the resolution, and there are time lines for completing the process and ultimately making a recommendation to the County Legislature -- excuse me -- within 135 days for approval of a contract.

LEG. TOWLE:
Just quickly, two other follow up questions, Mr. Chairman. Just quickly go over the timelines if you could, Counsel, because obviously Legislator Fields has changed those a couple of times,

and I just want to put those on the record of where we are as far as that goes.

MR. SABATINO:
Okay. The RFP itself is to be completed within 30 days, then the review process and the recommendation for award of a contract is to be 90 days after that, for a total of 120 day time period.

LEG. TOWLE:
Two other questions, Mr. Chairman. Obviously we've conducted or had to -- Counsel, if you could just to follow-up on two other points. Obviously we've purchased or had two consultants come in and give, you know, testimony to the Legislature, produce a report in regards to environmental operations, I guess, and sound operations at the facility. This RFP would also require them to meet and comply with any and all local laws regarding sound, particularly, I guess, because obviously that's been the main concern of the residents.

MR. SABATINO:
It's got -- the environmental requirements are one of the ten conditions that the RFP called -- the resolution calls for in the RFP.

LEG. TOWLE:
Also requiring them to comply with all local County and town ordinances regarding sound or not?

MR. SABATINO:
Yes. It's one of the ten categories.

P.O. TONNA:
Thank you. There's a motion and a second. All in favor? Opposed? Approved.

MR. BARTON:
18.

P.O. TONNA:
I'm making a motion to take out of order **1957 (Authorizing Estee Lauder Breast Cancer Awareness Program at H. Lee Dennison Executive Office Building and Cohalan Court**

Complex).

LEG. FOLEY:
Second the motion.

P.O. TONNA:
This is seconded by Legislator Alden.

LEG. CRECCA:
What page?

P.O. TONNA:
This is Page 11. This is authorizing -- it's a time conditioned with regard to Estee Lauder and breast cancer, to use the --

LEG. CRECCA:
Cosponsor.

P.O. TONNA:
-- Executive Office in the Cohalan Complex as a lighting area.

(COSPONSOR IN UNISON BY LEGISLATORS)

P.O. TONNA:
All in favor? Opposed? Fine, it's right in front of us. There's a motion by Legislator Alden, seconded by myself. All in favor? Opposed? Approved.

MR. BARTON:
18.

LEG. ALDEN:
I'd just like to extend the invitation to all of you to come down and participate in the lighting of the building. I'm sending that out in writing to you also.

LEG. FISHER:

Can we just go to Page 10, the one that we were up to.

ENVIRONMENT, LAND ACQUISITION & PLANNING

P.O. TONNA:

She told me **1785 (Authorizing planning steps for acquisition under Water Quality Protection Component of the 1/4% Drinking Water Protection Program (property at West Broadway and Barnum Avenue, Port Jefferson Village, Suffolk County Tax Map No. 0206.012.00-06.00-003.000 & 007.000).** Motion by Legislator Fisher, seconded by myself. All in favor? Opposed? Approved.

MR. BARTON:

18.

P.O. TONNA:

1836 (Authorizing planning steps for implementing Greenways Program in connection with acquisition of active parklands at Montauk Highway, East Moriches (Town of Brookhaven). Motion by Legislator Caracciolo, seconded by myself. All in favor? Opposed? Approved.

MR. BARTON:

18.

P.O. TONNA:

1882 (Authorizing planning steps for acquisition under Suffolk County Multifaceted Land Preservation Program (Quogue Wetlands, Rich property, Village of Quogue, Town of Southampton). Motion by Legislator Guldi, seconded by myself. All in favor? Opposed? Approved.

MR. BARTON:

18.

P.O. TONNA:

I'm sorry. Second was Legislator Foley. I apologize.

LEG. FOLEY:
Thank you, Mr. Chairman.

P.O. TONNA:
1887 (Authorizing planning steps for acquisition under Suffolk County Multifaceted Land Preservation Program (Quogue Wetlands, Greeff Property, Village of Quogue, Town of Southampton).

MR. BARTON:
17, 1 abstention

P.O. TONNA:
Motion by Legislator Guldi, seconded by --

LEG. FOLEY:
Second.

P.O. TONNA:
Seconded by Legislator Foley. All in favor? Opposed? I am one abstention. I'm abstaining on that.

MR. BARTON:
16, 2 abstentions.

P.O. TONNA:
Thank you. Okay. **1922 (Appropriating Greenways infrastructure improvements fund grant for Bay Village Park property, Village of Amityville, in the Town of Babylon).** God bless you. 1922. Motion by Legislator Bishop, seconded by Legislator Postal. Roll call.

LEG. BISHOP:
Why do you need a roll call?

MR. BARTON:

It's a bond.

P.O. TONNA:

It's a bond. We have a bond. Just go with the flow here. Just trust me on that.

(Roll Called by Mr. Barton, Clerk)

LEG. BISHOP:

Yes.

LEG. POSTAL:

Yes.

LEG. CARACCIOLO:

Yes.

LEG. GULDI:

Yes.

LEG. TOWLE:

Yes.

LEG. CARACAPPA:

Yes.

LEG. FISHER:

Yes.

LEG. HALEY:

Yes.

LEG. FOLEY:

Yes.

LEG. LINDSAY:

Yes.

LEG. FIELDS:

Yes.

LEG. ALDEN:

Yes.

LEG. CARPENTER:

Yes.

LEG. CRECCA:

Yes.

LEG. NOWICK:

Yes.

LEG. BINDER:

Yes.

LEG. COOPER:

Yes.

P.O. TONNA:

Yes.

MR. BARTON:

18 on the bond.

P.O. TONNA:

Great. Thank you very much. Same motion, same second, same vote. **1958 (Authorizing the acquisition of development rights to farmlands by the County of Suffolk, Phase V [Omnibus 2002 (2)].** Motion by Legislator --

LEG. CARACCIOLO:

Me.

P.O. TONNA:

Caracciolo, seconded by Legislator Guldi. All in favor? Opposed?

LEG. CARACCIOLO:

Cosponsor.

MR. BARTON:

18.

P.O. TONNA:

Great. **1983 (Authorizing planning steps for acquisition under Suffolk County Multifaceted Land Preservation Program (property of Naim at Bayport) Town of Islip).** Motion by Legislator Lindsay, seconded by Legislator Foley. All in favor? Opposed?

LEG. FOLEY:

Cosponsor.

MR. BARTON:

18.

PUBLIC SAFETY & PUBLIC INFORMATION

P.O. TONNA:

Great. Public Safety. **1973 (Appropriating funds in connection with security booths at Suffolk County Correctional Facilities (CP 3011),** bond resolution, sponsored by Legislator Carpenter, seconded by myself -- Legislator Postal seconded it. Roll call.

(Roll Called by Mr. Barton, Clerk)

LEG. CARPENTER:

Yes.

D.P.O. POSTAL:

Yes.

LEG. CARACCIOLO:

Yes.

LEG. GULDI:

Yes.

LEG. TOWLE:

Yes.

LEG. CARACAPPA:

Yes.

LEG. FISHER:

Yes.

LEG. HALEY:

Yes.

LEG. FOLEY:

Yes.

LEG. LINDSAY:

Yes.

LEG. FIELDS:

Yes.

LEG. ALDEN:

Yes.

LEG. CRECCA:

Yep.

LEG. NOWICK:

Yes.

LEG. BISHOP:

Yes.

LEG. BINDER:

Yes.

LEG. COOPER:

Yes.

P.O. TONNA:

Yeah.

MR. BARTON:

18 on the bond.

P.O. TONNA:

All in -- same motion, same second, same vote. Okay. **1974 (Amending the 2002 Capital Budget and Program and appropriating funds in connection with the Residential Juvenile Detention Center (Capital Program Number 3012).** Can I do same motion, same second? No, it's a bond, right? Okay. Motion by Legislator Carpenter, seconded by Legislator Postal. Roll call.

LEG. CRECCA:

Roll call.

(Roll Called by Mr. Barton, Clerk)

LEG. CRECCA:

Yep.

LEG. POSTAL:

Yes.

LEG. CARACCIOLO:

Yes.

LEG. GULDI:

Yes.

LEG. TOWLE:

Yes.

LEG. CARACAPPA:

Yes.

LEG. FISHER:

Yes.

LEG. HALEY:

Yes.

LEG. FOLEY:

Yes.

LEG. LINDSAY:

Yes.

LEG. FIELDS:

Yes.

LEG. ALDEN:

Yes.

LEG. CARPENTER:

Yes.

LEG. NOWICK:

Yes.

LEG. BISHOP:

Yes.

LEG. BINDER:

Yes.

LEG. COOPER:

Yes.

P.O. TONNA:

Yes.

MR. BARTON:

18 on the bond.

P.O. TONNA:

Fine. Same motion, same second, same vote. 1974.

MS. BURKHARDT:

Seventy-nine

P.O. TONNA:

Seventy-nine? **(1979-Accepting and appropriating 53% Federal pass-thru grant funds from the NYS Division of Criminal Justice Services for the "Juvenile Day Reporting Center" Program administered by he Department of Probation, creating and abolishing positions in the Department of Probation and authorizing the County Executive to execute grant related agreements for this program.)** Motion to approve, seconded by Legislator Fields. All in favor? Opposed? Approved.

MR. BARTON:

18.

PUBLIC WORKS & TRANSPORTATION

P.O. TONNA:

1976 (Amending Resolution Nos. 1306 of 1996 and 778 of 2000 for participation in Engineering in connection with the reconstruction of CR 67, Long Island Motor Parkway at LIE Exit 55, Town of Islip (CP 5172.110). Motion by Legislator Crecca, seconded by Legislator Lindsay.

LEG. LINDSAY:

All in favor? Opposed?

MR. BARTON:

18.

HEALTH

P.O. TONNA:

Great. We did the Health, Legislator Alden. Okay. **1970 (Amending the 2002 Capital Budget and Program and appropriating funds in connection with the Public Health Nursing Patient Records System (CP 4065).**

LEG. FOLEY:

Motion.

P.O. TONNA:

Motion by Legislator Foley, seconded by Legislator Fields.

LEG. FOLEY:

Roll call.

P.O. TONNA:

Roll call.

MR. BARTON:

On the bond.

(Roll Called by Mr. Barton, Clerk)

LEG. FOLEY:

Yes

LEG. FIELDS:

Yes.

LEG. CARACCIOLO:

Yes.

LEG. GULDI:

Yes.

LEG. TOWLE:

Yes. Cosponsor.

LEG. CARACAPPA:

Yes.

LEG. FISHER:

Yes.

LEG. HALEY:

Yes.

LEG. LINDSAY:

Yes

LEG. ALDEN:

Yes.

LEG. CARPENTER:

Yes.

LEG. CRECCA:

Yes.

LEG. NOWICK:

Yes.

LEG. BISHOP:

Yes.

LEG. BINDER:

Yes.

LEG. COOPER:

Yes.

LEG. POSTAL:

Yes.

P.O. TONNA:

Yes.

MR. BARTON:

Okay. (Vote: 18)

P.O. TONNA:

Thank you. That's approved. Same motion, same second, same vote.

PARKS, SPORTS & CULTURAL AFFAIRS

1955 (Appointing a member of he Suffolk County Alternative Parks Funding Committee (Charles Stein). Motion by Legislator Fields, seconded by Legislator Fisher. All in favor? Opposed?

MR. BARTON:
Okay. (Vote: 18)

P.O. TONNA:
1956 (Appointing Jack Finkenberg as a member of the Suffolk County Alternative Parks Funding Committee). Same motion, same second, same vote.

MR. BARTON:
18.

EDUCATION & YOUTH

P.O. TONNA:
Okay. **1936 (Appropriating funds in connection with renovations to Sagtikos Theatre - Western Campus (CP 2115).** Motion by Legislator Fisher, seconded by Legislator Foley. Roll call. Every single one of these is a bonding resolution, right?

MR. BARTON:
Motion and second again, I'm sorry.

P.O. TONNA:
1936.

MR. BARTON:
I have it. Who is it?

P.O. TONNA:
Fisher/Foley.

(Roll Called by Mr. Barton, Clerk)

LEG. FISHER:
Yes.

LEG. FOLEY:

Yes.

LEG. CARACCIOLO:

Yes.

LEG. GULDI:

Yes.

LEG. TOWLE:

Yes.

LEG. CARACAPPA:

Yes.

LEG. HALEY:

Yes.

LEG. LINDSAY:

Yes.

LEG. FIELDS:

Yes.

LEG. ALDEN:

Yes.

LEG. CARPENTER:

Yes.

LEG. CRECCA:

Yes

LEG. NOWICK:

Yes.

LEG. BISHOP:

Yes.

LEG. BINDER:

Yes.

LEG. COOPER:

Yes.

LEG. POSTAL:

Yes.

P.O. TONNA:

Yep.

MR. BARTON:

18 on the bond.

P.O. TONNA:

Same motion, same second, same vote. **1937 (Appropriating funds in connection with improvements to telecommunications and information systems - College Wide (CP2155).** Fisher and Foley. Fisher and Foley.

MR. BARTON:

Fisher/Foley, okay.

(Roll Called by Mr. Barton, Clerk)

LEG. FISHER:

Yes.

LEG. FOLEY:

Yes.

LEG. CARACCIOLO:

Yes.

LEG. GULDI:

Yes.

LEG. TOWLE:

Yes.

LEG. CARACAPPA:

Yes.

LEG. HALEY:

Yes.

LEG. LINDSAY:

Yes.

LEG. FIELDS:

Yes.

LEG. ALDEN:

No.

LEG. CARPENTER:

Yes.

LEG. CRECCA:

I guess, yes.

LEG. NOWICK:

Yes.

LEG. BISHOP:

Yes.

LEG. BINDER:

Yes.

LEG. COOPER:

Yes.

LEG. POSTAL:

Yes.

P.O. TONNA:

Yep.

MR. BARTON:

17-1 on the bond.

P.O. TONNA:

Same motion, same second, same vote.

LEG. FISHER:

Motion.

P.O. TONNA:

1939 -- 38, sorry. **(1938 - Appropriating funds in connection with renovations to Physical Plant/Warehouse - Ammerman Campus (CP 2165).** Fisher/Foley.

(Roll Called by Mr. Barton, Clerk)

LEG. FISHER:

Yes.

LEG. FOLEY:

Yes.

LEG. CARACCIOLO:

Yes.

LEG. GULDI:

Yes.

LEG. TOWLE:

Yes.

LEG. CARACAPPA:

Yes.

LEG. HALEY:

Yes.

LEG. LINDSAY:

Yes.

LEG. FIELDS:

Yes.

LEG. ALDEN:

No.

LEG. CARPENTER:

Yes.

LEG. CRECCA:

Yes

LEG. NOWICK:

Yes.

LEG. BISHOP:

Yes.

LEG. BINDER:

Yes.

LEG. COOPER:

Yes.

LEG. POSTAL:

Yes.

P.O. TONNA:

Yes.

MR. BARTON:

17-1 on the bond.

P.O. TONNA:

Same motion, same second, same vote. Okay. 1940, Fisher/Foley.

MR. BARTON:

Thirty-nine.

P.O. TONNA:

Thirty-nine. **(1939 - Appropriating funds in connection with the improvements to he Electrical Distribution Systems - College Wide (CP 2179).**

MR. BARTON:

Fisher/Foley.

(Roll Called by Mr. Barton, Clerk)

LEG. FISHER:

Yes.

LEG. FOLEY:

Yes.

LEG. CARACCIOLO:

Yes.

LEG. GULDI:

Yes.

LEG. TOWLE:

Yes.

LEG. CARACAPPA:

Yes.

LEG. HALEY:

Yes.

LEG. LINDSAY:

Yes

LEG. FIELDS:

Yes.

LEG. ALDEN:

No.

LEG. CARPENTER:

Yes.

LEG. CRECCA:

Yes.

LEG. NOWICK:

Yes.

LEG. BISHOP:

Yes.

LEG. BINDER:

Yes.

LEG. COOPER:

Yes.

D.P.O. POSTAL:

Yes.

P.O. TONNA:

Yes.

MR. BARTON:

17-1 on the bond.

P.O. TONNA:

Same motion, same second, same vote. **1940 (Appropriating funds in connection with renovations to Islip Arts Building - Ammerman Campus (CP 2180).** Fisher/Foley.

LEG. CARPENTER:

Forty-one.

P.O. TONNA:

Forty-one -- 40.

(Roll Called by Mr. Barton, Clerk)

LEG. FISHER:

Yes.

LEG. FOLEY:

Yes.

LEG. CARACCIOLO:

Yes.

LEG. GULDI:

Yes.

LEG. TOWLE:

Yes.

LEG. CARACAPPA:

Yes.

LEG. HALEY:

Yes.

LEG. LINDSAY:

Yes.

LEG. FIELDS:

Yes.

LEG. ALDEN:

No.

LEG. CARPENTER:

Yes.

LEG. CRECCA:

Yes.

LEG. NOWICK:

Yes.

LEG. BISHOP:

Yes.

LEG. BINDER:

Yes.

LEG. COOPER:

Yes.

LEG. POSTAL:

Yes.

P.O. TONNA:

Yes.

MR. BARTON:

17-1 on the bond.

P.O. TONNA:

Same motion, same second, same vote. **1941 (Appropriating funds in connection with renovations to Smithtown Science Building - Ammerman Campus (CP 2182).**

LEG. FISHER:

Motion.

P.O. TONNA:

Motion by Legislator Fisher/Foley.

(Roll Called by Mr. Barton, Clerk)

LEG. FISHER:

Yes.

LEG. FOLEY:

Yes.

LEG. CARACCIOLO:

Yes.

LEG. GULDI:

Yes.

LEG. TOWLE:

Yes.

LEG. CARACAPPA:

Yep.

LEG. HALEY:

Yes.

LEG. LINDSAY:

Yes

LEG. FIELDS:

Yes.

LEG. ALDEN:

No.

LEG. CARPENTER:

Yes.

LEG. CRECCA:

Yes

LEG. NOWICK:

Yes.

LEG. BISHOP:

Yes.

LEG. BINDER:

Yes.

LEG. COOPER:

Yes.

LEG. POSTAL:

Yes.

P.O. TONNA:

Yes.

MR. BARTON:

17-1 on the bond.

P.O. TONNA:

Same motion, same second, same vote. **1942 (Appropriating funds in connection with site improvements - Ammerman Campus (CP 2200).** Fisher/Foley.

(Roll Called by Mr. Barton, Clerk)

LEG. FISHER:

Yes.

LEG. FOLEY:

Yes.

LEG. CARACCIOLO:

Yes.

LEG. GULDI:

Yes.

LEG. TOWLE:

Yes.

LEG. CARACAPPA:

Yep.

LEG. HALEY:

Yes.

LEG. LINDSAY:

Yes

LEG. FIELDS:

Yes.

LEG. ALDEN:

No.

LEG. CARPENTER:

Yes.

LEG. CRECCA:

No

LEG. NOWICK:

Yes.

LEG. BISHOP:

Yes.

LEG. BINDER:

Yes.

LEG. COOPER:

Yes.

LEG. POSTAL:

Yes.

P.O. TONNA:

Yeah.

MR. BARTON:

16-2 on the bond.

P.O. TONNA:

Same motion, same second, same vote. **1943 (Appropriating funds in connection with renovations to Babylon Student Center - Ammerman Campus (CP 2207). Fisher/Foley.**

(Roll Called by Mr. Barton, Clerk)

LEG. FISHER:

Yes.

LEG. FOLEY:

Yes.

LEG. CARACCIOLO:

Yes.

LEG. GULDI:

Yes.

LEG. TOWLE:

Yes.

LEG. CARACAPPA:

Is this 43? Yes.

LEG. HALEY:

Yes.

LEG. LINDSAY:

Yes

LEG. FIELDS:

Yes.

LEG. ALDEN:

No.

LEG. CARPENTER:

Yes.

LEG. CRECCA:

Yeah

LEG. NOWICK:

Yep, yes.

LEG. BISHOP:

Yes.

LEG. BINDER:

Yes.

LEG. COOPER:

Yes.

LEG. POSTAL:

Yes.

P.O. TONNA:

Yes.

MR. BARTON:

17-1 on the bond.

P.O. TONNA:

Same motion, same second, same vote. **1944 (Amending the 2002 Capital Budget and Program and appropriating funds in connection with cooling tower replacement - Ammerman Campus (CP 2302).** Bishop/Foley.

LEG. CARACAPPA:

On the motion. Offset?

P.O. TONNA:

What?

LEG. CARACAPPA:

Offset?

LEG. FISHER:

This is amending --

P.O. TONNA:

1944? What is the offset?

MR. POLLERT:

No offset is required, because it's funded with 50% State aid.

LEG. CARPENTER:

Good.

P.O. TONNA:

Thank you.

MR. POLLERT:

Therefore, there's no offset.

(Roll Called by Mr. Barton, Clerk)

LEG. FISHER:

Yes.

LEG. FOLEY:

Yeah.

LEG. CARACCIOLO:

Yes.

LEG. GULDI:

Yes.

LEG. TOWLE:

Yes.

LEG. CARACAPPA:

No.

LEG. HALEY:

Yes.

LEG. LINDSAY:

Yes

LEG. FIELDS:

Yes.

LEG. ALDEN:

Yes.

LEG. CARPENTER:

Yes.

LEG. CRECCA:

Yes.

LEG. NOWICK:

Yes.

LEG. BISHOP:

Yes.

LEG. BINDER:

Yes.

LEG. COOPER:

Yes.

LEG. POSTAL:

Yes.

P.O. TONNA:

Yeah.

MR. BARTON:

17-1 on the bond.

P.O. TONNA:

Okay. Okay. I have two late-starters. I would ask that we make a motion to waive the rules and lay on the table Number 2043, which will go -- why do I have the same thing twice?

MS. BURKHARDT:

2045.

LEG. ALDEN:

Just for the record, Mr. P.O., could you put on there what the emergency is with these?

P.O. TONNA:

Sure. This is the Peconic and Gardiner's Bays, and it seems like an emergency to me. No, I have -- I think the County Executive has asked that there was something with regard to both of these, but anyway. And 2045, I know that Legislator Carpenter, I'm sure will be able to talk about the emergency.

LEG. CARPENTER:

The acquisition of Sagtikos Manor, we're going to be given the personal property and we need a resolution accepting it. They're going to be closing on the property within the next week or two.

P.O. TONNA:

Okay. Thank you. So there's a motion to lay them on the table. 2043 is assigned to Environment, and 2045 is assigned to Environment also. Thank you. Okay. We have four minutes, let's start.

MR. BARTON:

They're laid on table.

P.O. TONNA:

It's my full intention to leave whatever's on the agenda, to leave it on the table.

Sense 30 (Memorializing resolution requesting State of New York to authorize Drug and Alcohol Rehabilitation Program through Suffolk County dedicated fund). Motion to table by Legislator Fields, seconded by Legislator -- myself. All in favor? Opposed? Tabled.

Sense 50 (Memorializing resolution requesting State of New York to cap carbon dioxide emissions from power plants).

MR. BARTON:

18.

P.O. TONNA:

50 Fisher, myself. All in favor? Opposed? Approved. (Vote: 18)

LEG. BISHOP:
Go ahead.

P.O. TONNA:
Sense 52 (Memorializing resolution requesting the State Commissioner of Education and the Suffolk Cooperative Library System to offer library services to the children of Elwood School District should the vote to establish a library be rejected). Motion by Legislator Binder. This is the Elwood --

LEG. FISHER:
I'll second it.

P.O. TONNA:
Second by Legislator Fisher. All in favor? Opposed? Approved.

LEG. POSTAL:
I'm opposed.

LEG. FOLEY:
Opposed.

LEG. BISHOP:
Opposed.

P.O. TONNA:
Three opposed. Sense 53.

MR. BARTON:
All right. 15.

P.O. TONNA:
Thank you. **Sense 53 (Memorializing resolution requesting Federal government to**

ensure HMO services for senior citizens in Suffolk County). Motion by Legislator Lindsay, seconded by myself.

LEG. BINDER:
Opposed.

LEG. FISHER:
Cosponsor.

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

LEG. BINDER:
Opposed.

LEG. FISHER:
Cosponsor.

P.O. TONNA:
Okay, great. Sense 55.

MR. BARTON:
17-1.

P.O. TONNA:
(Sense 55 - Memorializing resolution requesting New York e Parole Board to reject parole for cop-killer Jalil Abdul Muntaqim). Motion by myself, seconded by Legislator Carpenter. All in favor? Opposed?

MR. BARTON:
18.

P.O. TONNA:
Thank you. **Sense 56 (Memorializing resolution requesting Federal Food and Drug**

Administration (FDA) to adopt regulations to restrict sale of herbal stimulants). Motion by Legislator Cooper, seconded by myself. All in favor? Opposed?

MR. BARTON:
18.

LEG. ALDEN:
Just one abstention, I abstain.

LEG. BINDER:
Abstain.

P.O. TONNA:
Herbal stimulant. Have you used one?

MR. BARTON:
16, 2 abstentions.

P.O. TONNA:
I have one in the back room.

MR. BARTON:
18.

P.O. TONNA:
Sense 58 (Memorializing resolution requesting State of New York to authorize municipal tax on tobacco products). Motion by Legislator Fields, seconded by myself. All in favor? Opposed?

LEG. ALDEN:
Opposed.

MR. BARTON:
Legislator Alden.

P.O. TONNA:

Okay. Sense 60. Motion by --

LEG. ALDEN:

58.

LEG. BINDER:

We have 58? Opposed.

LEG. CRECCA:

We're on 58?

MR. BARTON:

What on 58?

P.O. TONNA:

Yeah.

LEG. CRECCA:

Put me as a no. I'm sorry.

LEG. TOWLE:

Abstain.

LEG. CRECCA:

I though we were on 57.

P.O. TONNA:

Okay.

LEG. FOLEY:

Let the record reflect that those tax monies would be used --

P.O. TONNA:

Let's not reflect. Let's not reflect. We've got four more bills.

LEG. FOLEY:

-- to serve -- to serve the health care needs in this County.

P.O. TONNA:

Okay. **Sense 60 (Memorializing resolution requesting Federal government to eliminate fee to receive passport information).** Motion by Legislator Fisher, seconded by myself.

MR. BARTON:

Thirteen on 58, two opposed, one abstention, two not present.

LEG. CARACCIOLO:

Put me as an abstention.

MR. BARTON:

I'll move back two on that.

P.O. TONNA:

I've got ten seconds. **(Sense 61 - Memorializing resolution requesting State of New York to require insurance company reimbursement for enhanced cervical cancer test).** Motion by Legislator Fisher, seconded by myself. All in favor? Opposed?

Okay. We did pretty good, guys. Reminders. Listen to me, I have two reminders for you. First of all, our next scheduled meeting, General Meeting, is October 8th. Committee meetings will be held October 1st through the 4th. There is a special meeting called by the County Executive this Thursday.

LEG. FOLEY:

What time?

P.O. TONNA:

In two days. September 19th at 3 p.m.

LEG. BISHOP:

Mr. Chairman, do you know if the Executive -- the special meeting, how does that work?

P.O. TONNA:

It works like any other special meeting. There's a public portion. If after 15 minutes nobody speaks, we can do that, finish it, he gives a speech, and then he leaves.

LEG. BISHOP:

He doesn't stay for questions?

P.O. TONNA:

To tell you quite honestly, no, but you wrote a letter I think asking him.

LEG. BISHOP:

Do we have a response?

P.O. TONNA:

They're going to write a response.

LEG. BISHOP:

I haven't received that.

P.O. TONNA:

I'm sure you're going to get one. Okay.

LEG. BISHOP:

Okay.

P.O. TONNA:

There you go.

[THE MEETING WAS ADJOURNED AT 12 MIDNIGHT]

{ } Indicates Spelled Phonetically