

**SUFFOLK COUNTY LEGISLATURE
GENERAL MEETING
DECEMBER 17, 2002**

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

MINUTES TAKEN BY

LUCIA BRAATEN AND DONNA CATALANO , COURT REPORTERS

(* THE MEETING WAS CALLED TO ORDER AT 9:18 A.M. *)

[TRANSCRIBED BY DONNA CATALANO]

P.O. TONNA:

All Legislators please come to the horseshoe.

P.O. TONNA:

I think we have a quorum as long as we get everybody in. All right. All right. Henry, roll call.

(ROLL CALLED BY HENRY BARTON - CLERK OF THE LEGISLATURE)

LEG. CARACCIOLO:

Here.

LEG. GULDI:

Here.

LEG. TOWLE:

(Not present).

LEG. CARACAPPA:

Here.

LEG. FISHER:

Here.

LEG. HALEY:

(Not present).

LEG. FOLEY:

Present.

LEG. LINDSAY:

Yeah.

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:

(Not present).

P.O. TONNA:

Here.

MR. BARTON:

14 present.

P.O. TONNA:

Okay. Great. Thank you very much. First of all. I'd like to thank Legislator Lindsay. Legislator Lindsay, thanks for the food today for these hungry Legislators and staff. Okay. We've done the roll call. I just want to -- today we're -- we will first -- we'll first begin -- okay. Today we're going to start the December 17th that begins at nine o'clock. We'll do the Pledge, the opening prayer, Legislative presentations, then amended tax warrants. At 9:30 we'll go onto recess the meeting of December 5th -- the recessed meeting of December 5th and the remainder of the public portion. This is for anyone who has signed a card for the December 5th public portion. Then well go back -- we'll go to the agenda of December 5th. And then at the conclusion of December 5th meeting we'll adjourn that meeting and move to begin the December 17th meeting and the public portion for December 17th and then go to the agenda of December 17th. We will be doing two meetings in one.

MS. BURKHARDT:

Tell them why.

P.O. TONNA:

Why? Because of the snow storm. I just want you to know that I think it was Legislator Bishop, Legislator Crecca's aide and who was the third?

LEG. CARACAPPA:

Me.

P.O. TONNA:

Legislator Caracappa, versus quick shoes Rienzo, Jioni Palmer and, you know, the only one left was me. And the touch football game after was --

LEG. CRECCA:

Who won?

P.O. TONNA:

We did. Quick Shoes Rienzo, old Babylon guy, was pretty good. Jioni was some blocker. Okay. I guess now I will salute the Flag. All rise for the Pledge of Allegiance to be led by Legislator Bishop.

SALUTATION

P.O. TONNA:

Thank you very much. And now we will move to recognize Legislator Bill Lindsay for the purposes of our clergy introduction today. Thank you.

LEG. LINDSAY:

Good morning, everyone. Next week Christians all over the world will celebrate the feast of Christmas. Jesus Christ taught us that in order to gain the kingdom of God, we must serve rather than be served. And today we're very fortunate to have with us the Reverend Bob Schwartz from Saint Ann's Episcopal Parish in Sayville. And I say that because Saint Ann's and Father Bob as he's called in the community preaches the gospel not only with words, but with

actions. Every year Saint Ann's runs a food pantry that literally feeds thousands of the homeless and the hungry. Saint Ann's has a cemetery connected to the old church, and they're only one of two cemetery in Suffolk County that still bury the indigent. Saint Ann's also has been a center of youth activity in our community for a long, long time, and of late has been the meeting place for a youth Task Force to deal with troubled youth in our community. And it goes on and on and on how everyday through their actions they serve not only the community of Sayville, but all of Suffolk County. So it's with great pleasure that Father Bob here is here this morning to give us our blessing on this week before Christmas. Bob.

FATHER BOB:

Thank you, William, and thank you for breakfast. It was absolutely wonderful. It was like the last breakfast. Let us bow our heads in prayer. First, we pray for the nation and for those called to leadership and for those called to serve, especially those in the uniformed service. May they be kept free from pain and from doubts. May they be protected by the everlasting Father. May he also protect the innocent women and children. May he watch over this nation. From the Old Testament Book, Second Chronicles, if my people which are called by my name shall humble themselves and pray and seek my face and turn from their wicked ways, then I will hear from heaven, and I will forgive their sins and will heal their land. And for each of you gathered at this august body in December, let us give thanks to God the Father for all his gifts so freely bestowed upon us. For the beauty and wonder of creation in earth and sky and sea, for all that is gracious in the lives of men and women and children, revealing the image of the Lord, for our daily food and drink, our homes and families and our friends, for minds to think and hearts to love and hands to serve, for health and strength to work and leisure to rest and play, for the brave and courageous who are patient in suffering and faithful in adversity, for all the valiant seekers after truth liberty and justice, for the communion of saints in all times and places, and above all we give thanks to the Father, for in him we offer praise and glory, and it is his name we are gathered his name we serve, Amen.

P.O. TONNA:

Father has mentioned that he would like to play in the next touch football game.

FATHER BOB:

Only if I can be a running back.

P.O. TONNA:

Okay. That's no problem. Sounds good. I would have to say it was a tough match. Lynne. I would like to recognize Legislator Lynne Nowick for the purposes of introducing the Kings Park High School Choir. Choir? Chorus. How about a chorus? Is it a chorus or a choir?

LEG. NOWICK:

Good morning, everyone. It is my pleasure, I am so proud to introduce the Kings Park Chamber Singers.

APPLAUSE

P.O. TONNA:

Chamber singers, there you go. If I had hair, I would like to wear it like some of you guys. Anyway, thank you.

LEG. NOWICK:

While the singers are coming in, I just wanted to also thank Mark Kimes. Thank you very much. I know you've been here before, and it's such a pleasure to have you back, with the assistance of Rose {Gardulio}. Is Rose here? Come on in, Rose. Make Smithtown proud.

(STAR SPANGLED BANNER SANG BY THE KINGS PARK CHAMBER SINGERS)

(CHRISTMAS SONG SUNG BY THE KINGS PARK CHAMBER SINGERS)

APPLAUSE

LEG. NOWICK:

I just want to say thank you. It makes it a pleasure to pay taxes in Smithtown.

MR. KIMES:

Our pleasure. Thank you very much. We will be performing tomorrow night, December 18th, at Kings Park High School. We would love to have all of you there.

P.O. TONNA:

Thank you very much. Thank you. Okay. I think Legislator Bishop and myself, we're going to recognize the -- right now the North Babylon High School Varsity Football Team. And I just want

you to know even though Legislator Bishop, you know, he wouldn't be the largest running back and pass receiver in snow touch football, he's pretty tough.

LEG. BISHOP:

I'm the nastiest.

P.O. TONNA:

Nastiest, absolutely.

LEG. CARACCIOLO:

On the field and off.

P.O. TONNA:

On the field and off. I guess the representatives of the North Babylon High School Varsity Football Team and their coaches, come on up. Come on, guys.

APPLAUSE

P.O. TONNA:

Hey, there's some more hairstyles I wouldn't mind. Congratulations. There's a picture. The North Babylon High School Varsity Football Team, The Bulldogs, earned the Suffolk County Division Two Championship. They won the Long Island Champion for the fifth time under the superb leadership of Coach Terry Manning. I just want to get an idea, is that the longest -- is that the Long Island record for wins?

MR. MANNING:

Yes.

P.O. TONNA:

Congratulations, guys. The team received the Rutgers Trophy for outstanding football team in Suffolk County. The team can proudly boast that it is the first time since 1973 that the award has been forthcoming. Proud to be designated as part of the all Long Island Football Team are -- and Jason, I'm just going to use your first name -- Jason -- well, Waltney, is that right?

{MR. WALTNEY}:

Yep.

P.O. TONNA:

Not bad. Larkin Mayberry, Rob Wilcox, Frank Wolf, and Chair of the Honors is Coach Terry Manning, who was named Suffolk County -- or Suffolk Coach of the Year by Newsday. Rob Wilcox has additionally moved up to the Golden Eleven Team for making All County and having the highest grade point. We hereby applaud the extraordinary accomplishments of North Babylon Football Team whose members have brought honor to the school district, their parents, peers and all of Suffolk County. Congratulations, gentlemen. Coach, on behalf of Legislator Postal, who's in the hospital, Legislator Binder, who's here -- not here right now, oh, here it is -- Legislator Bishop and myself, we just want to congratulate all of you guys for a job well done.

APPLAUSE

P.O. TONNA:

Good luck, guys. Good luck.

MS. BURKHARDT:

Paul, would you recognize Legislator Bishop.

LEG. BISHOP:

Would members of the undefeated champion Babylon Panther Football Team, their athletic director, coach and superintendent of schools, please step forward. One of the pleasures of representing the 14th Legislative District is having the opportunity to represent the Village of Babylon. Babylon Village, as many people know, is known for its strong sense of community. And essential to that sense of community is the success of its public school system, not only in academics and culture, but also in athletics. Throughout November and December around the village you would see signs, Panther Pride, and it is a source of great pride the program that the Babylon High School Football Team runs.

That's testimony to the coach, to the superintendent and to the athletic department as a whole and certainly to the players. This team was not only undefeated this season and serves Suffolk County proud by stomping on a Nassau County team in the Long Island Championship, which we particularly enjoy, but these are also scholar athletes. Coach Whitaker keeps the proper perspective. When one of the stars the team earlier in the year ran afoul of academic rules, that

player was suspended, and Coach said, my players are students first and football players second. And that's important. Coach himself was a National Football League Player, and you would think that with that background that the perspective might be different, but this team not only achieves on the field but in the classroom and in the community.

And so I'm enormously proud to represent Babylon and its football team. So I have a proclamation for the football team with lists all the players and notes their undefeated season, their Class Four Title, and their championship game, a 30 to 6 win, which we're all very excited by. I also have another proclamation for Coach Whitaker, who after the game announced his retirement. Now, I'm not -- a lot of people are hoping that that's not going to go through, so this is a conditional proclamation for you, Coach. You have to give it back if you unretire. As I said, you've had 99 wins and 41 losses and two ties, an undefeated season, an outstanding career, we hope it continues. We know it will continue in the classroom. And I want to say thank you on behalf of the 1.4 million residents of Suffolk County. Congratulations, Babylon Panthers.

APPLAUSE

MR. WHITAKER:

On behalf of the Panthers, here's a Suffolk County Championship shirt and a Babylon shirt.

LEG. BISHOP:

Thank you.

P.O. TONNA:

I hope it's a small.

LEG. BISHOP:

Come on, Tonna.

P.O. TONNA:

Okay. That wasn't the coach. Now, I'd like to recognize Legislator Cameron Alden for the purposes of, I think, three different proclamations, am I correct?

LEG. ALDEN:

I'd like to call up the superintendent of schools Alan Vancott from Islip. Also I'd like to call up Coach Patrovic, he's got his captains with him and Coach Riley, I think he's got his captains with him also. If they can come up. Oh, yeah, the athletic director, Bob Pannariello, if you could come up. Principal Ross Golden too.

Islip High School aside from being one of the smallest schools in all of Suffolk County, pound for pound I think they've got more championships going back over the course of the years than just about any school that I can imagine. The other thing is I just want to mention too very quickly Alan Vancott played for East Islip. I had the honor of playing against him in football. I was also one of the first co captains for Islip, and Islip Football Team happened to score the first touchdown for their varsity program. That was a couple of years ago, probably before you guys - - actually, before your parents were born, not to date it. But anyway, Islip, the Football Team, always counted out right from the beginning, nobody gave them prayer of doing anything. What they ended up doing though was winning the Suffolk County Championship and doing us very, very proud against a Nassau County team that also played a very good game. But Islip played them, and it could have gone either way. So congratulations. To the Islip Girl's Varsity Soccer Program, again, Islip is always counted out, but they always manage to come through. They play very, very tough. They play with all their heart, and I want to congratulate -- on behalf of 1.4 million people in Suffolk County, I want to congratulate both of you for championship seasons. Thank you.

APPLAUSE

LEG. ALDEN:

Maurice {Marigiglio}, if you could come up. And actually, I'd like to invite your whole family up here. I think all of us have seen the movie Saving Private Ryan. It showed our soldiers and sailors landing on the beach if Normandy during World War II. Well, this young man and all his brothers landed on those beaches. He was there. Unfortunately, for all of us his, his one brother was killed landing on the beach. He didn't know about it until months afterwards when they were making a track inland to defeat the Germans, then he found out about his one brother. Thank God it was only one brother that was lost, and all the other brothers came back.

What Maurice did a few years ago, and it's a number of years ago now, he created a monument, not only to his brother, but to all people that served in all aspects of the United States Armed Forces. And he tended that for the last -- more than a decade. And that's one of the reasons

why today we're going to have him up here, and we're going to honor him for his service to the community selflessly. And he and his family are they ones who went out there, cut the grass, watered the flowers, made the whole thing very beautiful, kept alive the memory, not only of his brother, but all those that served and didn't come back and all those that actually served and did come back. So today on behalf of the 1.4 million people in Suffolk County, I want to thank you very much.

APPLAUSE

MR. {MARIGIGLIO}:

I want to thank everybody that attended this meeting. It's been a longtime since I was in the Second World War in 1943 through forty-five. And thank good that we -- most of us survived, but my poor brother Joseph didn't. Let's say a prayer for him. Thank you.

APPLAUSE

LEG. NOWICK:

Next I'd like to call Dr. Mary DeRose, Superintendent of Kings Park Schools, Neal Johnson and Bob Perone, members of the Board of Education. Good morning. Just to give you a little bit of a background, and I hate to turn my back -- is this on?

LEG. FISHER:

Yes.

LEG. NOWICK:

A couple of months ago, I took a tour of some of the shelters in Riverhead, the emergency shelters. I'm on the Social Services Committee, and I took a tour with Legislator Fisher. And when I left there, I was left very distressed, we were both left distressed. There were many, many children in the shelters that would spend 24 hours a day in the rooms with not a lot to do, and it was a very, very sad situation. So when I came back, I happened to mention that these are children that in my estimation, having children of my own, are not getting the proper amount of nourishment for their brains, they're not get to read. Well, I'd have to tell you within hours, the Kings Park School District had come through with four -- over 400 books to give to these children, and I need to applaud you for that and thank you very, very much.

APPLAUSE**LEG. NOWICK:**

And I also might say, too, and he hates this, but Ed Hogan, my Legislative Aide is always there helping out. And I thank him too, Ed, and I know you hate that, but thank you.

APPLAUSE**LEG. NOWICK:**

So it is my pleasure to give this proclamation to the Kings Park School District. And also you should be very proud of that wonderful choir. You've done a great job. Thank you very, very much.

APPLAUSE**P.O. TONNA:**

Okay. I'd like to recognize Legislator Brian Foley and myself for the purposes of a proclamation.

LEG. FOLEY:

Mr. Chairman, before I get to the proclamation, I would ask all Legislators who are outside of the auditorium to please come into the auditorium. We're about to give a proclamation to the Commissioner of Health, and I think it's all very appropriate that all Legislators be present while the Presiding Officer and I delivery this proclamation to the Health Commission. So if all Legislators would please come into the horseshoe. Thank you.

P.O. TONNA:

Clare. Dr. Bradley, we'd love to have you. I have no written remarks, because I think this would be easier to speak from the heart. And as the Chairman of the Health Committee and as Presiding Officer, I speak for myself that I could think of no better example of public service, and I could think of no better example of really being such a guiding light in a very, very difficult position. Difficult from the standpoint of just the awesome responsibility that you have in the Health Department, the many, many different things that the Health Department gets involved in. And I think probably when you started your career and you signed on to be a physician, you never thought that, you know, not just being a healer, but also being an administrator.

LEG. BISHOP:

And a politician.

P.O. TONNA:

And politically savvy. And all I can say is, Clare, from the bottom of my heart, we have known each other, we are going to stay in a great relationship. I know the organization {IPRO} they could have no better person to represent the organization. And just thank you, thank you so much for being a guiding light for me and so many others who say that this is what public service is be. And I feel pretty confident in the profession of being a physician when they have healers like you. So thank you.

APPLAUSE**LEG. FOLEY:**

Well, Commissioner, you're certainly going to be missed. And many of us who have been working with you over the years and have been involved in trying to improve public health in this County, to a person, we all believe that last Thursday was, in fact, your finest hour, two Thursdays ago in Riverhead, when you spoke so strongly and eloquently and persuasively about the needs to strengthen tobacco control in this County. And it was the very next day when the word went out that you would be leaving the service of Suffolk County to take on some other avenues of health care, that you believe is time for you to do that kind of work. But, again, within a 24 hour period, we saw the finest of what you stand for and what the department can do. And I can tell you that as the Chair of the Health Committee and the former chairs of the Health Committee, we together have enjoyed your tenure as Commissioner. Your particular department is well regarded, not only in this state, but throughout the country.

Now there are many within this County who don't realize that the myriad of programs that our Health Department administers is considered among the very best in New York State and throughout the country, and it should be state on the record today that part of the national let's say high -- nationally high esteem that people have for our Health Department was the fact that our Health Commissioner several weeks ago spoke at a national seminar on tobacco control in San Francisco. So that's an indication of at least one program of many that this Health Department and this Legislature who helps to fund that Health Department can take great pride

in. And we know there are many challenges ahead for public health care, but you have been a stalwart supporter for public health care. And we know that in the future if need be we can call upon you in order to come before us and to speak about the issues that are near and dear to your heart and near and dear to your mind. So on behalf of our 18 Legislators and all of our residents in Suffolk County, Clare, we'd like to give you this proclamation with deep respect and great love and to wish you the best of luck in the years ahead. And we know that you'll continue to do such a fine job in your new position as you did as Commissioner for these many years. So thank you and best of luck to you.

APPLAUSE

P.O. TONNA:

Before you say some words, I know your favorite Legislator, Legislator Binder, has something to say.

LEG. BINDER:

It's a little unusual during a proclamation to speak from here, but I want to say that it pains me to see you go. You are -- I'm here three -- three -- I'm here a long time. Fortunately or unfortunately, I'm here a long time. And I've seen three commissioners, and I can tell you that Suffolk County will be less for you not being here. You have shown, as Health Commissioner -- I have not agreed with everything, but that's fine, we're not supposed to agree on everything. That's not what it's about. It's about how you did your job, the integrity you did your job with and what you've brought to this County. And it really is unparalleled, and it is unfortunate that you will be moving on, it's unfortunate for this County. And I'll do something that I don't do very often around here, I will admit I was wrong. I made -- early on, I was on the Search Committee, as you remember, and I didn't make it easy for you to get here. And I was Chairman of the Health Committee at the time, and I didn't think I would make it easy for you to get here. I had a lot of concerns and question marks. And I can say that I was completely utterly and totally wrong about that. You have served with distinction, and I'm very glad that I was totally wrong. And we are going to be worse for the fact that your leaving. It is unfortunate. I wish you Godspeed and good luck in your new endeavors. It is unfortunate for us, but obviously, we all hope and wish only the best for you and your family.

COMMISSIONER BRADLEY:

Thank you. Thank you. Thank you very much, very much, Legislator Binder and all of the

Legislature. I want to say a couple of things. I want to thank the Legislature for their support of the department. The department is an excellent department, and as Legislator Foley said, it's known not only throughout the state but throughout the nation for many of its programs. And those programs didn't start with myself, it's been a long tradition of a wonderful department. And as I leave, I ask all of you to please continue to support the department, the programs, the people that we serve and the employees. It's critically important for this County and for the health of the residents of this County. Thank you very much. I've enjoyed working with all of you. I don't always agree with everyone every minute of day, but I have enjoyed working with you, and I'm truly going to miss even the dynamics that go on in the Legislature. It has been one of the more interesting parts of my job.

APPLAUSE

P.O. TONNA:

There's an old saying, she'll miss the Legislature like she'll miss a stick in the eye. But anyway, thank you very much. I think I'm going to recognize now Legislator Vivian Fisher for the purposes of a proclamation, and then Legislator Carpenter, do you have something to say?

LEG. CARPENTER:

Yes, I would like to just as Vivian Fisher's is going forward just to the Commissioner as she's leaving. The one thing, I don't know who will be on the Search Committee for the new Commissioner, but the one quality that so impressed me about Clare is that she was willing to come out of her office and really be a part of the community. And the shining example for me in my district was working with the Bay Shore community in putting together a health initiative that really has to be a model for communities working with government. And that is a quality that we don't see very often in someone who functions at the level that she did. And I'm really hoping that we make that a top requisite of the job. Thank you, good luck to you.

P.O. TONNA:

Thank you. I recognize Legislator Fisher.

LEG. FISHER:

I'd like to ask Kathleen Lutz to come forward, please. He's not heavy, he's my brother. That expression over the years has almost become trite, but when we see somebody who has the

stature of Kathleen Lutz, we see the embodiment of that motto. Kathy has taken upon herself the care and the nurturing of her large family, all her brothers and sisters. And she has done so single handedly. I first came to know about Kathleen when a volunteer who was working in my office happened to call her home, and Kathleen said, perhaps Legislator Fisher could give me a little help with something. She did not seek me out, it was serendipity that we came together and that I was able to reach out to the Department of Social Services, who I believe were very helpful.

When we have a situation such as Kathleen's, we find that the community is ready to come together and to help. And so I'd like to thank not just Kathleen for the work that she's doing and the model and the example that you've set for us, but I wanted to publicly thank the Department of Social Services for the help and the caring that they displayed throughout all of this. And I'd like to thank Newsday for the article that was written about Kathleen, which brought forth -- gave the community the opportunity to come forth and also help -- and the opportunity was certainly seized upon by many people, because you're such a heroin. You're such a wonderful example.

And I'm going to just read the proclamation here. Whereas the Suffolk County Legislature wishes to commend Kathleen Lutz for the example she has shown for caring and concern, and whereas Kathleen Lutz has selflessly devoted her live to loving and care for her brothers and sisters and giving them the nurturing family life that they had always known when her parents were alive to provide for them, and whereas with little concern for her own needs, she has provided them with stability and continual care attending to their special needs with love and professionalism, and whereas Kathleen is an inspiration to all of us as to how to live a fulfilling and loving life. Now, therefore, be it resolved that I, Vivian Viloría-Fisher, Legislator for the Fifth District along with my colleagues on the Suffolk County Legislature do hereby commend Kathleen Lutz for the example she gives for a life well lived. Thank you very much, Kathleen.

APPLAUSE

LEG. FISHER:

By the way, as you know, I teach at Ward Melville High School. Actually last -- yesterday was my last day in my professional teaching career. I'm retired now. But Kathleen's brother is a student at Ward Melville, and he really brings that same spirit of joy and he -- and love to the high school. So it's certainly apparent that your entire family has this wonderful joy of life and

sharing. So thank you very much, Kathleen.

APPLAUSE

MS. LUTZ:

Thank you. I just want to say thank you to everybody here. And I want to thank Family Service League, Social Services and everybody that has come to help me with my home and everything that's been done. Thank you.

LEG. FISHER:

Thank you.

P.O. TONNA:

Okay. I'd like to recognize Legislator Dave Bishop for the purposes of a proclamation.

LEG. BISHOP:

I think this is the final proclamation. Legislator Fisher so eloquently beautifully introduced us to Kathleen Lutz. When on November 19th, Long Island awoke to the story of the Lutz Family, at first it may have seemed a story of desperation and despair, but in fact, through Kathleen's strength and through the support of the community, it's a story of hope and a story that teaches us all it about the spirit of the season. Tim Walters of West Babylon is my constituent, and he read that story, and he took action. Tim organized numerous contractors in the community to remodel, winterize and make more livable the Lutz home. He did so at a time when most people at this time of the season are focused on family and increasing demands. He demonstrated the true spirit of the season, and I have a proclamation on behalf of the Suffolk County Legislature, which says to Tim, thank you, we appreciate the effort. And congratulations.

APPLAUSE

P.O. TONNA:

Okay. All right. Actually we got to go right to December 5th, right? Oh, we have to do the tax warrants. We need everybody in here though, right? Okay. I'd ask all Legislators, please come to the horseshoe. We have to vote on the tax warrants.

LEG. BINDER:

I thought we did.

P.O. TONNA:

No, we have a few more. A few more for you to abstain on, Legislator Binder.

LEG. BINDER:

Give me another opportunity for abstention.

MR. BARTON:

Mr. Chairman.

P.O. TONNA:

Yes.

MR. BARTON:

While the other Legislators are coming into the room, perhaps I can explain what we're about to vote on.

P.O. TONNA:

That would be great. Thank you so much, Clerk of the Legislature.

MR. BARTON:

Certainly. On December 9th I was contact by the Town of Riverhead, and they indicated they had made an error or actually that one of the school districts, the new charter school, in Riverhead had made an error in their presentation. It dealt with the Star Program. This was a very common error at the beginning -- at the onset of the Star Program, where school districts would include the Star monies both on the Star line and also in their tax warrant line in their presentations. The charter school, it's my understanding, has only been in existence for a short period of time, and they've assured me this will not happen again.

Riverhead has also asked for the opportunity to make two very slight corrections, which in the past we probably would have overlooked and corrected in the future, but since you have this before you, and it results in a reduction of \$180,000 on the school side, because of the double counting, the amounts are \$811 on the sewer district and \$272 on one unit in the garbage district, for a net change of \$179,000 to the town. Failure to adopt it would result in a \$180,000

being collected erroneously.

P.O. TONNA:

Okay. Do we have ten here?

LEG. CARACAPPA:

Yes.

LEG. CARACAPPA:

Motion.

P.O. TONNA:

There's a motion to approve IR 2323, all in favor? Opposed?

LEG. ALDEN:

On the motion.

LEG. CARACCIOLO:

On the motion.

P.O. TONNA:

We need all Legislators please to come to the horseshoe. We don't want to reconsider these votes if you miss a vote on the tax warrant, please.

LEG. CARACCIOLO:

On the motion.

P.O. TONNA:

Yes.

LEG. CARACCIOLO:

Question for the Clerk. Henry, I heard your statement with regard to Riverhead.

MR. BARTON:

Yes.

LEG. CARACCIOLO:

In effect -- the net effect, I should say, is that it reduces the tax warrant?

MR. BARTON:

Correct.

LEG. CARACCIOLO:

It has no impact or import on the County portion of taxes.

MR. BARTON:

No. This is entirely on the town side of the bill.

LEG. CARACCIOLO:

The sewer district tax, and what was the other tax, the school district tax?

MR. BARTON:

The major impact is on the school tax. If you recall, three or four years ago with the introduction of the Star Program, Star monies are, in fact, almost like grant monies that are accepted directly from the State of New York. We list them on the tax warrant because they have to appear on the tax bills as benefits of the program. The school district, the charter school, listed it both as Star monies and also as monies to be collected in the tax warrant from property taxes. Since there's a small impact, we didn't catch the change, it was an only \$180,000 out of 44 million. So this -- the Town of Riverhead when they started to put the bills together, realized there would be some significant increase on those folks, and they asked that we make the change.

LEG. CARACCIOLO:

They also indicate in the memo from their financial administrator that there was an additional error in the sewer district and garbage district.

MR. BARTON:

Correct. There was one unit that was left out on the garbage district, which if you don't adopt this today, can be picked up either in the second half or next year. And the same is on the sewer district. The differences were very small, \$811 and \$272. The 811 was an adjustment

down, I believe, and the 273 was an adjustment up.

LEG. CARACCIOLO:

All right. Could you just state for the record what the new tax warrant for the Town of Riverhead, is \$44 million dollars.

MR. BARTON:

On school districts. If you look at 2322 -- I mean, 2323, you'll see the line is \$44 million, 16,621 and thirty-nine cents.

LEG. CARACCIOLO:

Instead of?

MR. BARTON:

Instead of as adopted or reported on 1119, \$44,197,230 and 66 cents.

LEG. CARACCIOLO:

Okay. So the net reduction again is?

MR. BARTON:

Is \$180,609 and 20 cents.

LEG. CARACCIOLO:

That's the only change.

MR. BARTON:

That's the only change on the school districts. The sewer districts are user charges, as are the garbage district charges. And one was a math error and the other was a unit. I don't know if it was a business or home, I'm not sure how their garbage district works, but it was a customer that they omitted a bill.

LEG. CARACCIOLO:

Again, the correspondence from the financial administrator indicates that with these corrections the total warrant has been reduced.

MR. BARTON:

Correct.

LEG. CARACCIOLO:

So I just want to, you know, make that clear. It's a reduction in the tax warrant, and certainly by no means any adjustment to the County taxes in the Town of Riverhead.

MR. BARTON:

No impact on the County side of the tax bill whatsoever.

LEG. CARACCIOLO:

Thank you.

P.O. TONNA:

Okay. Thank you. Okay. There's a motion and a second on IR 2323. All in favor? Opposed?

LEG. ALDEN:

I just had, you know, a question.

P.O. TONNA:

Oh, sorry.

LEG. ALDEN:

Henry, you characterized these as just, like, what, an error?

MR. BARTON:

Yeah. This happened several times when the Star Program was created. The school districts were confused. Many of them wanted to put in the real property tax levy the Star monies that they were going to receive as the state requires them to report it on the document so the receivers can let taxpayers know how much they've saved as a result of the Star Program. If, in fact, the warrant was adopted is -- remains in effect, the town would have the authority to collect \$180,000 in addition to what they should be collecting.

LEG. ALDEN:

Okay. So mainly --

MR. BARTON:

They double counted.

LEG. ALDEN:

The main reason is with the school district, but you also mentioned a couple of other errors that were made by the towns.

MR. BARTON:

Very tiny, and this is common. It just happened Riverhead caught it immediately following our early adoption of the warrants, and they just ask we correct it now rather than having to do it later in the year. It's for the benefit of those two taxpayers. It's a reduction on the sewer district charge, there was an addition error, and an addition of the garbage collection. It's \$272, and it's my understanding that it's one -- one taxpayer, I don't know if it's a residential -- it's one unit -- or commercial.

LEG. ALDEN:

I don't have the full resolution.

MR. BARTON:

You have a folder that's got the two resolution in it and the title pages.

LEG. ALDEN:

I was going to point out that I didn't have time to read them all. You indicated to Legislator Caracciolo that all this affects is a Riverhead portion of the Suffolk County tax?

MR. BARTON:

It's the Riverhead side of the tax warrant, not the County side.

LEG. ALDEN:

Okay. Thanks.

P.O. TONNA:

There's a motion and a second, all in favor? Opposed? Okay. **IR 2324 amending the tax warrant for the Town of Riverhead.**

LEG. CARACCIOLO:

Same motion.

P.O. TONNA:

I'll make a -- motion by Legislator Caracciolo, seconded by myself. All in favor? Opposed? Okay. Great. To the public portion. And just -- this is the December 5th public portion, okay? I would just make this --

LEG. FISHER:

Plea.

P.O. TONNA:

Appeal and plea. We have two sets of cards, two agendas today. A vast majority of the speakers are on issues that we've already spent a calculated probably around 20 hours listening to the public. I would ask for those who are in the public who expect that there might be some type of Legislative action today, whether it be an Ephedra bill or on the smoking bill, that if you've decide that you've already spoken six times, five times, three times on the issue and decided that you just want to speak again, why not, just remember that we're holding up the process of voting one way or the other.

So I would ask that people -- the public use their discretion and that Legislators use their's. By the way, I just wanted to announce, I think that Legislator Postal -- you understand why Legislator Postal is not here at this meeting today. She, I guess, had a dislocated shoulder and a punctured lung with two broken ribs. And so your stuck with me all day.

LEG. FOLEY:

Yikes.

P.O. TONNA:

I would ask that Legislators, I will use for the last meeting of the year this gavel and the power to recess meeting and the rules and everything else if it gets out of hand. I will -- I want to move through these agendas. Thank you very much.

APPLAUSE

P.O. TONNA:

How am I doing, Legislator Caracappa?

LEG. CARACAPPA:

So far, so good.

P.O. TONNA:

All right, let's start. Kevin McAllister. This is about the new Paul Tonna. I've got the gavel. If you want, you can also give me -- this is the 2002 gavel, give me the 2001 and the 2000, I might break them all today. Thank you, sir. You have three minutes.

MR. MCALLISTER:

Good morning, everyone. My name is Kevin McAllister. I'm the Peconic Baykeeper. Being true to my convictions and true to my mission, I'm here again to speak to you about your mosquito control program. A very brief overview. Over the last couple of years, we've come forward to bring attention to what we feel are significant adverse environmental impacts associated with the program. Last year, through compelling testimony, strong legal arguments, this body made the determination that there would be no significant adverse impacts. Thus the negative declaration pursuant to SEQRA.

On the heels of that action, there was a positive declaration, meaning you did recognize significant adverse impacts for the same elements of the mosquito program under the guise of the long-term plan, Vector Control Long-term Plan. Of recent, Council on Environment Quality recognizing that, in fact, there would be segmentation pursuant to the 2003 plan deferred back to the 2002 plan, which was the neg dec'd, the continuation thereof. I have concern. I think we're going down a slippery slope with respect to compliance with SEQRA and the law. Of significant concern with respect to the Vector Control activities is the wetland ditching activities. And I've brought this forward for the last several years. This will cause irreparable harm to those tidal marshes, and thus impact water quality in those systems, the receiving waters as well as surface waters.

I want to bring your attention, this body, although you are the acting body, you have been kept out of the loop with respect to correspondence. And what I'm speaking of is communications with the Department of Environmental Conservation, with the Department of Public Works. And

they in, I believe, a September correspondence have advised DPW that the application seeking a ten year general permit to perform wetland ditching activities does not seem to line-up with the SEQRA determination. That permit presently as we speak is going nowhere. You need to made aware of that.

There's grave concerns on the part of the department. They will be corresponding with this body hopefully by the end of the week. I was fortunate to meet with the Department Commissioner Erin {Crody} last Wednesday. We discussed this program at length, and again, I believe the department, DEC, that is, is poised to offer comment as to the 2003 work plan in compliance with respect to SEQRA. Pure and simple, this is a nuisance control program, and I wish you would recognize that fact.

P.O. TONNA:

Sir, your time is up.

LEG. GULDI:

Mr. Tonna.

LEG. FOLEY:

Question.

P.O. TONNA:

You have a question.

LEG. GULDI:

Question. The concern I have -- there are actually two areas I need you to address. One is with respect to the Department of Public Works application for ditching wetlands calls for how many miles in the permit application to the DEC? How many miles of ditches?

MR. MCALLISTER:

The permit calls for the reditching and new ditching of 660 linear miles of ditching within this County.

LEG. GULDI:

Six hundred and sixty miles of cutting of marsh lands, okay? The -- the negative dec that we

issued at this -- the negative dec for SEQRA for the temporary program was premised upon a limited amount of ditching. Was that specifically articulated before us at the time we -- that we agreed that the program for the year would have no substantial environmental impact?

MR. MCALLISTER:

Correct.

LEG. GULDI:

How much was envisioned when we discussed it?

MR. MCALLISTER:

They reduced the ditching from what the application speaks 220 linear miles per year over a three year program down to 75 linear miles for the 2002 program.

LEG. GULDI:

So we said you can go ahead and 75 while we do the study, and they've applied for 600 from the DEC on the permit?

MR. MCALLISTER:

That's correct.

LEG. GULDI:

The problem I have with it is -- the question. The DEC, if you are a private land owner that owned the marsh and wanted to do development of your land, how far is the set back that the DEC would compel you to have to put up berms and protect the marsh from any disturbance whatsoever?

MR. MCALLISTER:

A minimum of 75 feet from the edge of wetland.

LEG. GULDI:

Seventy five feet. So the rest of the world has to set back 75 feet and can't so much as disturb a blade of grass, but we have an application in to ditch 600 miles of wetland without declaring a positive environmental impact, is that what you're telling us?

MR. MCALLISTER:

That's correct.

LEG. GULDI:

And the DEC somehow has decided that not be a completely kosher application, they're troubled by it.

MR. MCALLISTER:

They are troubled by it. For unexplained reasons in 2001, the department fell silent on this issue as through correspondence from Ray Cowan to Legislator Tonna and the Legislature, of course. They are, I believe, prepared poised to reengage in this. They are an interested party to this application. They are a coordinating agency with respect to this. Again, compliance with SEQRA, the state law, State Environmental Quality Review Act ensures that there's coordination. You are the lead agency, and quite frankly, the buck stops here. It really does.

LEG. GULDI:

Okay. With respect to SEQRA, though, let me -- I've got to -- you as baykeeper have commenced an action with respect to the wetlands -- the mosquito Vector Control Program; isn't that correct?

MR. MCALLISTER:

That is correct.

LEG. GULDI:

The gravamen of your action is that what we have done in terms of spraying poison on marshland and wetlands and cutting up marshes somehow is a positive environmental impact and our negative declaration is in error, is that the gist of your lawsuit?

MR. MCALLISTER:

Absolutely.

LEG. GULDI:

Okay. As a result of that lawsuit, let me -- Legislator Tonna, I'd like your -- Mr. Tonna, I'd like your attention to this point in particular.

P.O. TONNA:

Yes.

LEG. GULDI:

In the 2002 omnibus, was the baykeeper not designated for an item of -- that I added to the budget in the sum of \$10,000?

P.O. TONNA:

You're asking me?

LEG. GULDI:

No, I'm asking -- I want you to pay attention to this section, that's all.

MR. MCALLISTER:

That's correct. It was, I believe, the unanimous support through the Legislature.

LEG. GULDI:

In the omnibus it was added. What's the status of that money going to the baykeeper right now?

MR. MCALLISTER:

There seems to be complications. I understand that County Attorneys are providing a legal opinion on that -- on that provision, on the allocation of those funds. And my understanding is perhaps the legal action may have some bearing as to why there's difficulty in allocating such funds.

LEG. GULDI:

So basically for -- do you feel that you are being punished in terms of the money that was put in the budget to support your operation being deprived -- you being deprived of it as a result of having the audacity to actually challenge the negative dec and Vector Control?

MR. MCALLISTER:

I'll look everyone in the eyes, and, you know, I'm a reasonable and good person, but I will not take -- I will not apologize for that action when there is an unlawful action. And the presumption

is, yes, in fact, I am being punished for, I guess, ensuring that our environment is being protected and this body is complying with environmental laws.

LEG. GULDI:

But isn't the protection of the bays enforcing the compliance with environmental law precisely your job as baykeeper?

MR. MCALLISTER:

That is precisely my role.

LEG. GULDI:

Mr. Presiding Officer, my inquiry on this \$10,000 is that is was added to the budge on a line --

P.O. TONNA:

For 2003.

LEG. GULDI:

For 2022. The clock is ticking. If it's not disbursed by December 31, it closes the fund balance, and he can never get the money. That's the game. So at the beginning of the month, a memo went to the County Attorney seeking an opinion.

P.O. TONNA:

By you?

LEG. GULDI:

No, by the Health Department.

P.O. TONNA:

Okay. George, just wait for a second. It's something you know about, and I'm just the first time hearing this. You're going to have to go a little slower for me to understand. You're talking about putting something in for 2003 budget.

LEG. GULDI:

No. No. This was in the 2002 omnibus, okay? And apparently, Mr. Presiding Officer, the stall is

on, there's not going to be a contract signed for the baykeeper before the 31st of the year, and the intent is to close it to fund balance. And that's what he gets for having the audacity to suggest that Suffolk County ought to comply with law.

And I -- I request you as Presiding Officer, that was your omnibus, that I supported, and the administration --

P.O. TONNA:

That's probably why I got the ten -- no, I'm joking. Go ahead.

LEG. GULDI:

The administration is flouting it. I would like you to intervene and see to it the logjam is immediately stopped and this budgetary item be allocated as was intended by omnibus when we put it in and voted for it unanimously.

LEG. BISHOP:

He still won't vote for you as P.O.

P.O. TONNA:

That's okay. Don't worry about that. I've had worse things happen to me. A couple of things, George. First of all, what I'd like to do -- and as you know, because Legislator Postal is not here, I am going to be sitting here all day. Hopefully, somebody will be long winded -- somebody will be long winded and I'll be able to take care of my physical need from time to time.

LEG. GULDI:

We all regret that at least as much as you do.

P.O. TONNA:

I know. This is what I will ask. I'll have somebody from my staff meet with you in the next couple of minutes. You will lay it out, okay, and I will see what's going on and then we'll have opportunity to speak, I guess -- I'm assuming when you say about contracts and stuff, you're talking about the County Executive's Office.

LEG. GULDI:

It seems to have gone from the Health Department to Mr. Maimoni to the Law Department and --

P.O. TONNA:

Well, we're going to find that out. We'll ask the County Executive, see where it is, see what's going on and we'll get some answers for you today. Sir, I just want you to know, I'm glad you're looking us in the eyes. And I tell you this, you know, this is America, you have a right to advocate for any position that you want. And, you know, I'm proud that your doing that. We're going to get to the bottom of this, okay? And, you know, nobody should feel they, you know, go on the record and say something, you know, that they feel heartfelt about and that there should be ramifications for that. That's just not the way, you know, it should work.

MR. MCALLISTER:

I appreciate you saying that.

P.O. TONNA:

Thank you, sir. And I will find out. Legislator Caracciolo first and Legislator Fields.

LEG. CARACCIOLO:

Mr. Chairman, just to follow-up on the request made by my colleague, Legislator Guldi, would be entirely --

P.O. TONNA:

Are you talking to me? I'm sorry, sir.

LEG. CARACCIOLO:

Just to follow-up on the inquiry made by Legislator Guldi. It would be entirely appropriate, I believe, to have the parties responsible for a contract, that would be representatives of the County Attorney's Office.

P.O. TONNA:

Right.

LEG. CARACCIOLO:

Health Department and anyone else that would be associated with seeing to it that this line item

of \$10,000 is fulfilled and in place before the end of this calendar year present today. So I am making that request, that the appropriate individuals here to resolve this matter today.

P.O. TONNA:

Absolutely. And I think that's what we're about to --

LEG. CARACCIOLO:

Well, you're talking about a member of staff.

P.O. TONNA:

No. I'm talking about finding out who's responsible. We're going to work with --

LEG. CARACCIOLO:

Well, let's have them here. Let's have them here for Legislators --

P.O. TONNA:

We're going to be here a long time, I'm sure they'll be able to get their people here. Thank you, sir. Thank you very much, sir. Oh, Ginny Fields, I'm sorry. Legislator Fields.

LEG. FIELDS:

Kevin, let me just get this straight. You're saying that when the department applied to DEC, they put down on their application that they wanted to ditch 660 linear miles.

MR. MCALLISTER:

Correct.

LEG. FIELDS:

Were you here at the Health Committee meeting when we asked them how many miles they wanted to ditch?

MR. MCALLISTER:

That would have been the previous meeting? Yes, I was.

LEG. FIELDS:

Do you remember how much -- how many miles they said?

MR. MCALLISTER:

I believe they deferred to 75 linear miles inconsistent with the 2002 plan. That was represented to the Health Committee, if I recall correctly.

LEG. FIELDS:

I would ask the Presiding Officer to ask Leslie Mitchel or Charlie Bartha to come here, because our vote is determined on the information that they gave us when we asked them on the record how many miles they wanted to ditch, and as I recall, it was certainly not 660, which would mean to me that they're not --

MR. MCALLISTER:

Legislator Fields, if I may add, in the correspondence from DEC to DPW, questioning the inconsistency with the neg dec on the 2002 work plan versus with the application that's before them, the response from DPW was, after their review, the application should be considered as submitted. So it was -- it was certainly the opportunity to rectify an inconsistent action, and again, the response was that, in fact, that's what they were, in fact, seeking is the 660 linear miles.

LEG. FIELDS:

Legislator Foley.

LEG. FOLEY:

Yes.

LEG. FIELDS:

Do you recall at the last meeting how many miles the Health Department said they were planning on ditching?

LEG. FOLEY:

There was testimony given by Leslie Mitchel from Public Works, and they mentioned two different wetland areas that they intended to use what they call -- they call it, I guess it's an imperfect term of art, but hand ditching or maintenance ditching, in two different areas, not using the machinery, but, in fact, doing it by hand, which they contend is far less disruptive of

the -- of the wetland area. And at the same time they admitted that they had not received last year any permits for the more extensive, what I would call, the machinery of ditching that was part of the -- of the things that you're concerned about. And the reason that they said they didn't receive the permit last year was the fact that they had withdrawn -- either had withdrawn or didn't move forward with that permit application to this day, and that they're awaiting us to approve this plan today --

LEG. FIELDS:

My question is that --

LEG. FOLEY:

So it was two small areas that they had testified to.

LEG. FIELDS:

Right, but according to Kevin, he said that the application before DEC is asking for 660 linear miles. When we asked them on the record, did they say to us at any point that it was 660 linear miles that they were applying for?

LEG. FOLEY:

What I recall is that, and every committee member received a copy of the backup, it showed two different wetland areas that they intended to do some hand ditching in, and there wasn't -- I don't recall any extensive discussion about this 600 and some odd miles.

LEG. FIELDS:

Henry.

LEG. FOLEY:

There may have been, but I think what they're emphasizing were these two parkland areas that they intended to do some additional ditching in.

LEG. FIELDS:

I would ask the Clerk if you could pull the minutes from the last meeting of the health Committee when on the record we did ask how many miles do you want to ditch, and I would like to see that today before we vote on this.

MR. BARTON:

Donna indicates she just finished the November meeting, and that on the record they said 75, but we'll get copies for you.

MR. MACALLISTER:

Legislator Foley.

LEG. FOLEY:

And all that's conditioned upon DEC approval, by the way.

LEG. FIELDS:

Yeah, but the numbers --

LEG. FOLEY:

They vary greatly.

MR. MCALLISTER:

For purposes of clarity, the word maintenance is a term of art. What is being represented to -- in that application is new ditching as well as maintenance activities, and the maintenance activities as described are essentially opening remnant ditches three feet wide, three feet deep. The department has taken umbrage with that statement, and they have, in fact, clarified or made it certain to DPW that, in fact, the word maintenance in their eyes would be to be removing debris out of these remnant ditches, not to reopen them as constituted. So they've made that clarity to, again, DPW.

P.O. TONNA:

Okay. Let me just get -- Legislator Fields, it looks -- you know, we're going to work with the administration to find out some answers and stuff today, but I think your request is all to have Public Works come to answer some questions with regard to this.

LEG. FISHER:

Mr. Chairman.

P.O. TONNA:

You have some questions also. Legislator Fisher.

LEG. FISHER:

Kevin, I'm just trying to get some clarification on this. The 75 mile application, during what period of time does that work cover? Is that for in one year, in the next season?

MR. MCALLISTER:

Initially the application, again going back November last year, before the DEC was seeking 660 miles over three years --

LEG. FISHER:

Over three years.

MR. MCALLISTER:

220 linear miles per year. Okay. As this process proceeded when there was obviously, I think, the recognition that there may be significant adverse impact, there was a revision made to the 2002 work plan that reduced the amount of ditching down to 75 linear miles.

LEG. FISHER:

Oh, so there is a revision to the application that's before DEC?

MR. MCALLISTER:

That's where DEC has trouble. There is inconsistency with what's being represented in the work plan, the 2002 work plan and now the 2003 work plan, that again 2002, that had been neg dec'd by this body. And the application that's before them seeking again, as submitted, 660 linear miles of ditching activity.

LEG. FISHER:

So there's been a revision to the work plan, but not a revision to the application.

MR. MCALLISTER:

That's correct. And that's what they're calling into question. It's inconsistent with SEQRA and the determination, the neg dec determination this body made.

LEG. FISHER:

And in the revision, it's 220 linear miles over the three years. So that would be consistent with the --

MR. MCALLISTER:

It's still not -- in the response to DEC correspondence calling into question he illuminating this inconsistency, DPW, Mr. Ninnivaggi responded that, in fact, after reviewing the application, it is consistent with their interests and please review the application and consider permitting as submitted, and this is recent. This is -- this is this fall, I believe, October, November correspondence. So what's being represented --

LEG. FISHER:

Is there any written representation of the -- of the revision?

MR. MCALLISTER:

Oh, I have -- I have everything on file.

LEG. FISHER:

The 220 linear miles over three years.

MR. MCALLISTER:

That's in an application. I have the application. It's reflected in a project description, the work plan.

LEG. FISHER:

Okay. So what I'm getting at is that that number then would be consistent with that 75 linear mile per year, because over three years -- I'm just trying to figure -- see where the relationship is in all these numbers. Adrienne, I see you shaking your head, but I'm trying on look at rationally where these numbers would have some kind of relationship to one another. The 75 linear miles per year that was represented in the Health Committee Meeting would be -- would represent that 220 miles over the three years?

MS. ESPOSITO:

It's 660.

LEG. FISHER:

It's still 660.

MR. MCALLISTER:

Let me -- let me say this.

LEG. FISHER:

But was he referring to the application or the work plan at the Health Committee?

MR. MCALLISTER:

There's inconsistencies with what is being represented to this body from DPW with respect to their annual work plans and what is being sought from --

LEG. FISHER:

From the DEC.

MR. MCALLISTER:

DEC. They have stood by their application seeking the ditching of 660 linear miles and the creation of new ditches. That's explicit in the application versus what is being represented to CEQ as well as this body, reducing the amount of ditching down to 75 linear miles.

LEG. FISHER:

And what's the most recent correspondence that refers to the 660 linear miles over the three years?

MR. MCALLISTER:

I'll have to look in the file. I think it was August or September, DEC to Suffolk County DPW calling into question the inconsistency and then following that was a response. I'll say --

LEG. FISHER:

And still referring to the 660?

MR. MCALLISTER:

Yes. I'll say that application, please consider the application as applied, and I believe that was probably like in October, maybe perhaps November.

LEG. FISHER:

It would be very helpful for us to see that.

MR. MCALLISTER:

Absolutely.

LEG. FISHER:

The time line there.

MR. MCALLISTER:

I understand.

LEG. FISHER:

When different representations were made to try to see where the testimony at the Health Committee Meeting comes in and where the discrepancy lies, very specifically.

MR. MCALLISTER:

Legislators, I illuminate this. There's a great deal of inconsistencies, and I ask this body, please, defer any action. Table this resolution. Do not move forward of consideration of this when there's just so much misinformation out there and inconsistencies and the need for clarification from -- on your part. I implore you to do that, please.

LEG. FISHER:

Thank you.

P.O. TONNA:

Thank you very much, sir.

LEG. GULDI:

Mr. Chairman, before you call the next speaker, I'd like to move to discharge 2240. The Chairman consents that we're waiting for the town -- a letter from the Town of East Hampton. It's the next. It's been distributed, and there are ten Legislators.

P.O. TONNA:

There's a motion and a second to discharge -- what does this have to do with?

LEG. FOLEY:

What number? What does this have to do with?

LEG. GULDI:

It's a dredging project that the permits are in place for so it needs to go forward.

P.O. TONNA:

And we're going to approve it right now, you want to?

LEG. GULDI:

No, discharge.

P.O. TONNA:

Discharge and age for an hour. A motion to discharge by Legislator Guldi, seconded by Legislator Foley. All in favor? Opposed? Fine. It's discharged now.

MR. BARTON:

Mr. Chairman.

P.O. TONNA:

It will be part of our agenda.

MR. BARTON:

Mr. Chairman, you don't have a quorum.

LEG. GULDI:

Somebody left. I'll withdraw the motion.

P.O. TONNA:

Let's go back. Okay. Withdraw the motion. Bob Wagner. All right. April Wagner. All right. Is April Wagner here?

MS. WAGNER:

Yeah, I'm here. Sorry. Good morning. I'm April Wagner.

P.O. TONNA:

Hi, April.

MS. WAGNER:

Hi. How are you? I am in support of Legislator Alden's bill, where we would ban Ephedra to children under the years of 18 years old. And I would -- I've used Ephedra now for about 12 years. I find it very helpfully and know a lot of people have gotten great benefits from it. I know we've given you a lot of scientific information. And I know you're looking for us not to take a lot of time today. We have given you many, many studies on it. And I think if you just use common sense and look in your heart and realize that if we truly were maming people, hurting people, causing heart attacks, killing them, doing whatever you might think, it certainly would be front page of any newspaper, because generally newspapers like to do that kind of stuff on front pages and second pages.

You know, I'm really for Legislator Alden's bill. I like working with kids. I'm President of PTA. I have three boys myself. So I think it's important for children, because they don't have the judgment ability, aren't able to get their hands on something like that. But as a person who has used it for 12 years, I certainly want to continue to do so. Thank you.

P.O. TONNA:

All right. Thank you ma'am. Rory Kerr.

LEG. FOLEY:

Bob Wagner's here.

P.O. TONNA:

Bob Wagner. Where is Bob Wagner?

MR. WAGNER:

Right here.

P.O. TONNA:

You want to speak. I called you. I didn't see you. Go ahead, sir.

MR. WAGNER:

Thank you.

P.O. TONNA:

Is this the same Wagner family?

MR. WAGNER:

That's my wife, yes. Am I on?

P.O. TONNA:

Yeah, you're on.

MR. WAGNER:

I appreciate what you've said this morning and not wasting your time reiterating a lot of what's already been said. But we do have 20 people here who'd be happy to speak if you did want to hear it again. Again, we just would like to support Legislator Alden's bill. We ask for your support and your vote later today when that does come to a vote. And we also ask for your vote to vote down Legislator Cooper's bill. We feel the legislation that Legislator Alden introduced, you know, is responsible legislation and does protect the minors in our community. And we just ask for your support on that.

P.O. TONNA:

Thank you. Legislator Cooper has a question,

MR. WAGNER:

Yes, sir.

P.O. TONNA:

By the way, I just want to say for 1000 different reasons, if they're not questions, I'm going to recess the meeting, okay? They've got to be questions. Thank you. Legislator Cooper.

LEG. COOPER:

I'm not going to address again the health aspects, because we've gone over that ad infinitum, I

did want to ask you about a Newsday article that appeared today, "Diet Pill Distributors Sued for Alleged Scheme, talking about your company. Are you aware there have been a number of lawsuits filed against Wellness claiming that you are an artfully disguised pyramid scheme, which has managed to succeed primarily because most unsuspecting victims are too embarrassed or broke to pursue {Ralph Oats} and his company? If so, do you have any comment?

MR. WAGNER:

What was the question?

P.O. TONNA:

The question was are you aware of the article today and the allegations, and do you have any comments about them?

MR. WAGNER:

Yes, I'm aware of the article, and no I don't have any comments. It's not my company.

P.O. TONNA:

Great. Okay. Thank you very much, sir.

MR. WAGNER:

You're welcome, sir.

P.O. TONNA:

Rory Kerr. All right. Marcello Robinson. Okay. Christopher Chesire. I don't have Legislator Postal here to help me with the pronunciation. Okay. Gene Mundie. Susan Risoli. Dr. Masle Dekel. Vincent Iaria.

Where are you, Vincent? Peter Quinn. Hi, Peter. I know that one, too.

MR. QUINN:

Good morning, members of the Legislature. My name is Pete Quinn, member of the Long Island Coalition for Democracy. I'm here to talk about the budget and the abuse of power. It seems to me that you wrestle at the front door to adopt a budget proposed by County Executive Gaffney, you rejected it, you created an omnibus budget of your own, and then find that County Executive calls for 10% across -- 10% cuts to Social Services and contract agencies, which impact adversely on the poor, the ill, and seniors. And it's -- I haven't heard anything from

County Executive Gaffney saying, well, we're going to remedy part of the budget deficit problem by imposing -- by self imposing on the Executive Branch of Government at least 10%, maybe even 15% of salaries to those earning over \$80,000, which at least would be a symbolic gesture in the right direction.

LEG. BISHOP:

That would be good, because we don't make that. So we like that.

P.O. TONNA:

Let him finish his comments, please. Let him finish his comments.

MR. QUINN:

But in terms of abuse of power, I'm bothered by the back door of government where the Real Estate Division has created a fiasco beyond budgetary constraints by arranging deals with developers, by inflating appraisals. And it seems to me there ought to be at least a moratorium on those sales or purchases within that department for a period of time. I'm bothered also by the abuse of power with 18 appointees on the health care plan where a \$50 million savings has turned into a \$34, at least, budget deficit. And I'm equally bothered by the IDA, which I've spoken to you about numerous times before, but it appears that tomorrow, the IDA plans to give a mortgage tax exemption to Computer Associates for a mortgage refinancing arrangement. And the troublesome part of that is here is a company, maybe the largest and nicest company in Suffolk County, but it's under federal investigation for fuzzy accounting practices. Last year, it laid off 1500 workers. One of the conditions for an IDA is that they create or maintain jobs. Third, there are stockholder suits against the company. But the worst part of the deal is according to legal notice, they are a company that has registered its corporate name in Delaware. Now, why does a company register -- a New York company register its corporate name in Delaware? Because they are seeking to pay less taxes to New York State. And here we are, as a County IDA, proposing to give relief to a company that's not even willing to pay its fair share of New York State taxes. So

I would --

P.O. TONNA:

Sir, your time is up.

LEG. BISHOP:

Mr. Chairman, I have a question.

P.O. TONNA:

Sure. I just have to take a phone -- my daughter is in the hospital, she split her head. So I just need to talk to my wife about it. So take your time, I'll be back in two seconds.

LEG. BISHOP:

I don't know what to -- what I want to know though is if there was a representative of the Executive Branch who could speak to the issue of the Computer Associates --

MR. QUINN:

Well, they're supposed to hold a hearing tomorrow at Islandia Town Hall at 9:00 a.m. And I would think there would be Legislators here, if there isn't a County Executive Branch representative, at least you would be making calls today to find out it be such an IDA proposal. And that's not the only one, there have been others.

LEG. BISHOP:

Was Computer Associates fined by the Securities and Exchange Commission, do you know?

MR. QUINN:

I don't know, but I know that they are under -- federal investigation for accounting practices. And here we have a company that provided its top three officers with \$1.1 billion in stock options. No wonder Wong and Kumar were able to buy the Islanders and over 25 properties in Oyster Bay. So why are we, with -- why is Suffolk County attempting to take more money from taxpayers to accommodate this company which is under a cloud?

LEG. BISHOP:

Mr. Chairman, is there a member of the administration, Economic Development or the Suffolk County IDA who can speak to this issue?

P.O. TONNA:

Well, I think this is the public portion right now. I'm sure --

LEG. BISHOP:

I'm asking for later.

P.O. TONNA:

Yes. I will ask, I'll make a request. It seems we'll have every County department down here today.

LEG. BISHOP:

Maybe you can stick around then, Peter.

MR. QUINN:

Unfortunately I can't. I've got to watch the grandkids today.

P.O. TONNA:

All right. That's a good job.

LEG. BISHOP:

They don't pay. Well, you get a living wage on this job.

P.O. TONNA:

Robert Shepherd, Esquire. I guess that means he's a lawyer. Peggy Palladino. Thomas Gallagher. Dr. Turott. William Blakley.

Dr. Alexandra Taylor. Jeff Egan. Jeff Egan? No? Jeff Egan, are you here.

MR. EGAN:

I'm here.

P.O. TONNA:

That's you?

MR. EGAN:

Yep.

P.O. TONNA:

Love your haircut. This is smoking. This is smoking.

MR. EGAN:

My wife says why are you putting a sport coat on today.

P.O. TONNA:

No. This was December 5th meeting. Yeah, we got -- we're not even close to beginning. Okay.

MR. EGAN:

First of all, kudos to whoever brought in the choir. I thought it was great start to a cold winter morning. I have so much to say, but let me just --

P.O. TONNA:

You've got two minutes and 54 seconds to say it.

MR. EGAN:

I just want to comment on the current legislation that New York just passed. And it seemed to me it was a debacle. Everything they did had really -- had too many -- too much gray area. But I read down, and I started reading about Suffolk County, and it says here the American Cancer Society currently or presently gives Suffolk County a "B" for its current legislation. And I'm saying to myself, I'm so frecked (sic) with this law, I'm going to bed every night thinking my little tavern is the cause of the demise of the western world, and we have a "B" for our current legislation. Sometimes that's the highest you can get without disseminating a business or an industry. But the diminishing return on the ramifications of trying to get an "A", you can't stop building to get that "A," you've got to settle for the "B". Quick story. I don't know if I should say it, because I only have two minutes --

P.O. TONNA:

No. You have a minute and forty-nine seconds.

MR. EGAN:

Before the last meeting in Riverhead, my wife was ready to -- was ready to go into labor, and I -- we're sitting there the night before the meeting, and she's lying there in bed, I'm lying next to her. I turn over and I say, you know, honey you can't go into labor tomorrow, I've got a real important meeting at the Legislature. She looks at me like this, what the heck are you talking about. I said I've got a very important meeting, you can't go into labor tomorrow. Well, let me give you the male Legislators a little advice. Don't tell your wife she can't go into labor because you have a very important Legislative meeting the next day. But I was taking my son to a

soccer game, his last soccer game, up in Northport. If no one knows, Northport has -- the field was Steers Field upright underneath the what we call the LILCO stacks. They're these huge stacks, and you can tell they're red, their white, and their black soot all over. I'm watching the game. I look up these stacks I said, geeze, that can't be good. You have 500 kids playing under these LILCO stacks, there's soot coming out of them. I'm no expert, but it would seem to me there are more carcinogens coming out of those stacks in five minutes than from secondhand smoke from my bar in a year. I'm saying, where is my anticarcinogen friends? Where is my public health official? And then I realized that they -- it's not something, it's not an easy political fight to go after big business, to go after LIPA for this. So let's go after the small business, let's go after the taverns and the bars and the nightclubs. They're an easy target. I felt something in the Legislature in the past couple of meetings. I felt a change with you guys, and I think the change is your starting to say, yeah, they are small businesses, but they are our small businesses.

P.O. TONNA:

Sir, time is up.

LEG. FISHER:

Mr. Chairman.

P.O. TONNA:

Thank you very much.

MR. EGAN:

Question, please.

P.O. TONNA:

Legislator Fisher.

LEG. FISHER:

I have two questions.

MR. EGAN:

Go ahead.

LEG. FISHER:

Number one, did your wife have the baby?

MR. EGAN:

Third boy.

LEG. HALEY:

Congratulations.

APPLAUSE

LEG. FISHER:

And number two, actually a couple of years ago, Newsday beat me up because I went after the smoke stacks with the C02 Bill to try to --

P.O. TONNA:

Question.

LEG. FISHER:

Okay. Did you know that I had done that?

MR. EGAN:

Could you just ask me to finish my thought I have.

P.O. TONNA:

No. There's a question.

LEG. FISHER:

The question is you were at the soccer game, and what were your thoughts then?

MR. EGAN:

Here's my bottom line. There are small business, the small business in Suffolk County and I'll tell you, as bad as the economy is in Suffolk County, there's one industry that's going to bring us

through this, and that's our hospitality and our tourist business. People come from all over the northeast of America to come to Suffolk County. They come here to go to the Hamptons, to go to the great nightclubs and the great restaurants in the Hamptons. They come here to go to the classic taverns in Huntington and the great restaurants in Port Jefferson and the great steakhouses in the Islips and the unique brew pubs in Patchogue and the other parts of the East End. That's what we live on in Suffolk County, and we can't do it alone.

We've always had cooperation, we've always compromised between the private sector, between the hospitality industry and Legislature. We compromised five years ago. Please, we can't do this alone. We need your help. We have a law that works. And a law that works well. We got "B" folks. In order to try to get an "A," I'm telling you, I think that the industry is going to be decimated. We don't have Wall Street to pay our taxes like New York City does, we have to count on our hospitality industry. Thank you for giving me that extra 30 seconds.

P.O. TONNA:

Thank you. Thank you very much, sir.

P.O. TONNA:

Okay. Ann Rose Shannon. Okay. Sharon O'Connor. Is that Sinead O'Connor. McCarthy. Debbie Grimes. Is Debbie Grimes here? Oh, is that McCarthy just McCarthy? Is that you, sir?

MR. MCCARTHY:

Yes, it is. Good morning.

P.O. TONNA:

Just your first name, is the Mc and then Carthy is your last name? What's your first name, sir?

MR. MCCARTHY:

Jack.

P.O. TONNA:

Okay. Jack. Thank you very much.

MR. MCCARTHY:

Good morning. I'm not going to reiterate everything we said in the past. I'd like to bring it to

our attention it is an uncalled for law, and I don't hope that this Legislature would follow the New York City legislation. We don't have to be number one all the time. I'd like to close by thanking all of you and having a very happy holiday season.

P.O. TONNA:

Thank you very much, sir.

LEG. TOWLE:

Thank you, Jack.

P.O. TONNA:

Debbie Grimes, I'll ask again, is she here? No. Bill Leudemann.

MR. LEUDEMANN:

Good morning, and here we are back again. There's not much more that can be said that hasn't been already said. I still believe that the stats are fabricated, exaggerated. There's one thing to think about. If the smoking people weren't of importance to our business, why would businesses invest 50 to \$150,000 to accommodate these people? That's a lot of money to put into a business just to have a couple of smokers. And I think that the business industry is well aware that these people are important to us. I don't see any employees here complaining about the way things are today. The waitresses and bartenders, they're all not working, so some of them could be here today if it was a really important issue to them.

Our industry is constantly getting beat up. We have license fee increases, we have our new website that we just got recently, the smoke initiatives, which has been constantly on our agenda for the past few years, our insurance has doubled and sometimes tripled. Our .08BAC is coming down this year, or very early next year. The economy is bad enough, I think, at this point, to be asking us to possibly lose 20 and 40% of our business.

I have here with me copies of some homework that I did. I would like to have somebody pass them out, I guess. And hopefully that you will be able to read this information and absorb some of it, hopefully. And I wish you every -- all a happy holidays and thank you for hearing me.

P.O. TONNA:

Bill, thank you so much. Thank you. John Ryerson.

LEG. BISHOP:

Come on. I mean, they're here every time.

P.O. TONNA:

But I'm not.

LEG. BISHOP:

Right.

P.O. TONNA:

Thanks, John.

MR. RYERSON:

John Ryerson, Suffolk County Restaurant and Tavern Association, Chairman of the Board of Directors and McGuires Restaurant and Comedy club. And keeping with Legislator Tonna's request for brevity, I shall do so, I'll comply.

This Legislature has been at the forefront of this kind of legislation for as long as I can remember, probably 12, 15 years, and I'd like to see it continue in that tradition. I'd like to see this Legislature not simply follow what Manhattan seems to be doing blindly, but to lead as it has always done. I'd like to see this Legislature do what's reasonable for those of us who have made the significant investments of over \$50,000, as Bill Leudemann has said to you.

From what I read in the papers, I understand that if Suffolk County is reasonable, and whatever Suffolk County does, Nassau is inclined to follow. They're more inclined to follow what you do here than they are to follow what New York City does. So I ask you to please be reasonable, please consider our economic plight, and in your deliberations, consider all of the people of Suffolk County and the compact that we had made with the people of Suffolk County and the representatives, all of you, four years ago. Thank you very much.

[TRANSCRIBED BY LUCIA BRAATEN]

P.O. TONNA:

Merry Christmas to you. Thank you very much. Virginia Connolly. Meagan Lane. Jaqueline

Levitt. Louis Medine. Angela {Asetla}. Melissa Connolly. Robert Brown. Frank Barns. Jennifer Millburn. Adam Connolly. Gregory Amato. Donald Sullivan. John {Stancuski}. Philip {Marcano}? {Marcurio}? Mar something. Peggy {Cruchell}. Mark Miller. Oh, those Millers, that's an easy one. Charlie Gardner. Charlie.

I'd ask all Legislators, please start coming to the horseshoe, considering that we have two more cards left, and then we're going to vote on the agenda.

MR. GARDNER:

Thank you, Mr. Presiding Officer. I'm here this morning as a result of some discussion at the last meeting of the Consumer Affairs Committee, which was subsequent to the Legislative meeting of November the 19th. The resolution number, 1063, Introductory Resolution Number 2038 was voted down at that time, and it became apparent as a result of the discussions at the committee meeting that there was a great deal of apprehension and some misunderstanding related to that resolution, perhaps caused by a lack of communication between the office and the Legislature. Even though we had fully discussed the items of concern at the committee meeting, I was asked by one of the Legislators who voted no on this resolution to appear again before the Legislature.

This resolution, the initial Legislative intent back in 1996 was to save the County of Suffolk money by having one individual perform both tasks of Director of the Office of Consumer Affairs, as well as Director of Weights and Measures, and to merge the functions of both offices. This resolution would have accomplished and would accomplish it past both goals. The difference is that this resolution would increase the number of potential candidates for the job of Consumer Affairs Director.

LEG. HALEY:

Excuse me.

MR. GARDNER:

What.

LEG. HALEY:

Mr. Chairman.

P.O. TONNA:

Yes.

LEG. HALEY:

Absolutely no one's paying attention to this. This is a pretty important piece -- except for Legislator Lindsay and Legislator Fisher. Could you, please, ask all Legislators to come in?

P.O. TONNA:

I've already asked that, Legislator Haley.

LEG. HALEY:

Because I'm going to ask him to repeat everything he just said when he finished.

P.O. TONNA:

Okay.

LEG. CARPENTER:

I would just like a clarification, Mr. Chairman.

P.O. TONNA:

Let him finish his statement, and then, when he finishes his statement, then we can ask questions.

LEG. CARPENTER:

Just for the record, yes, I was paying attention, and I know Legislator Fields was --

P.O. TONNA:

I'm sure Legislator Haley didn't mean to be the mind police and actually get into people's minds who was paying attention and who wasn't, but I think his point is well taken. Anyway, let's go on.

Just in case there's a P.O. vote there, you know, I have to be respectful right now, but that will end in --

LEG. HALEY:

For the moment.

P.O. TONNA:

For the moment. Anyway, let's continue. Mr. Gardner, sorry about that.

MR. GARDNER:

The difference is that this resolution would increase the number of potential candidates for the job of Consumer Affairs Director, while not precluding anyone who is currently eligible for the job. In Suffolk County, we currently have it backwards in that we have a mandate that the Director of Weights and Measures shall be the Director of the Office of Consumer Affairs. Therefore, only someone who has progressed through the Civil Service track, up the ladder so to speak, in the Weights and Measures career field can ever assume or be appointed as Director of Consumer Affairs. It should be the other way around, that anyone who was qualified to be Director of Consumer Affairs would also be qualified to be Director of Weights and Measures. It's not necessarily so the other way around.

And, also, by the way the current statute is written, there are only a very, very small -- right now, there's only two people that would ever be eligible for that job. By reversing it and having that the Director of Consumer Affairs may be the Director of Weights and Measures, you would open the pool up, you would not preclude anyone who is currently eligible, no Civil Service specs would be compromised, no one currently on staff would be affected, and the County would have the necessary flexibility to meet its needs for the future, and there would not necessarily be any budgetary impact for the County. This does not create two positions, it does not mandate two positions. We still may continue on with one person performing both tasks.

P.O. TONNA:

Sir, just a question.

MR. GARDNER:

Yes.

P.O. TONNA:

As long as you're in the position, there's no problem, right?

MR. GARDNER:

That's correct.

P.O. TONNA:

Do you have any intention of leaving?

MR. GARDNER:

No.

P.O. TONNA:

Okay.

MR. GARDNER:

I know that question was raised. I did have my papers in, but I pulled them back, and I have no --

P.O. TONNA:

No intention of leaving. So right now --

MR. GARDNER:

-- intention of leaving or changing right now.

P.O. TONNA:

So, right now -- okay.

MR. GARDNER:

When this originally was passed, I was qualified in both --

P.O. TONNA:

Right.

MR. GARDNER:

-- by virtue of Civil Service exam, both Director of Consumer Affairs and Director of Weights and Measures. So it was like a --

P.O. TONNA:

Right.

MR. GARDNER:

Just let it go and we'll address it later. Well, the time -- it's later.

P.O. TONNA:

Well, why is it later now? You're not thinking of leaving or anything, right? So how is it later now?

MR. GARDNER:

Because this is the right -- because this is the right thing to do. And it came up again as I was considering retirement.

P.O. TONNA:

Okay. But you're not considering retirement.

MR. GARDNER:

It is my opinion that if we waited and changed this law when we had to --

P.O. TONNA:

Yes.

MR. GARDNER:

-- then it could certainly appear that you were then doing it to exclude somebody who was currently eligible. I think it's fair for all the employees to know that this position is available, not only to one select career path. It changes nothing other than makes it right. I just think --

P.O. TONNA:

But you're with us right now, right?

MR. GARDNER:

Yes, I am, sir.

P.O. TONNA:

All right. So the question is now or later. Now is not later. You know, we'll have to debate

that. Thank you, sir. There's a question by Legislator Fisher.

LEG. FISHER:

Yes. Thank you for being here this morning. I had read the letter that you had sent to us subsequent to our last meeting, and I still have some questions.

MR. GARDNER:

Sure.

LEG. FISHER:

Because it would seem to me that this would protect the integrity of the professionalism of the job, having someone go through that career path, going through the weights and measures career path, so that we know that the person who is the Commissioner is someone who isn't just being given a political plum, that it's someone who is truly qualified for that job, as you are. And so how would this change, ensure that we have someone who has the kinds of professional qualifications that you have?

MR. GARDNER:

It's a very good question, and that's one of the reasons why I'm here today. Remember that in the Office of Consumer Affairs, we have the Bureau of Licensing, so that people start out as an Investigator I, may let's say a Home Improvement Investigator or an Electrical Investigator in the licensing field, and they can progress through Level I, II, III, IV, up to Investigator V. We have the Bureau of Complaints, where you have Consumer Affairs investigators in the retail section, for instance, investigating those types of complaints. They also had the same career path.

LEG. FISHER:

Charlie, may I interrupt you for just a second?

MR. GARDNER:

Sure.

LEG. FISHER:

But, if the Commissioner doesn't have to be the Director -- am I getting the titles wrong? Give

me the two titles again.

MR. GARDNER:

The Director of the Office of Consumer Affairs.

LEG. FISHER:

Yes. I'm sorry, I'm calling you Commissioner.

MR. GARDNER:

And the Director of Weights and Measures.

LEG. FISHER:

Okay.

MR. GARDNER:

Weights and Measures is a bureau within the office.

LEG. FISHER:

Okay. But, as it stands, the Director the Department of Consumer Affairs has to also be the Director of Weights and Measures, so he -- you must hold that qualification. You're saying that this would free us to have anyone who has gone through any of the other divisions --

MR. GARDNER:

Right.

LEG. FISHER:

-- to be eligible.

MR. GARDNER:

That's correct.

LEG. FISHER:

My concern is that the Director, if it weren't -- if it weren't limited to someone with that professional expertise, that could become an appointment that could conceivably be someone who doesn't have expertise in any of the divisions, who hasn't gone through any of the career

paths, just a political appointment. And I'm concerned about that, because I think that you need to have -- don't you believe --

P.O. TONNA:

Right, there you go.

LEG. FISHER:

-- that someone who is the Director of Consumer Affairs should have gone through one of the career paths and --

MR. GARDNER:

Yes.

LEG. FISHER:

-- this is why I think this resolution is lacking.

MR. GARDNER:

Well, understand that there exists, Legislator Fisher, the Civil Service job title and specifications with all the necessary requirements for the Director of Consumer Affairs. We don't have the title in the budget right now, it was removed when I became both, removed from the budget, but not Civil Service.

LEG. FISHER:

So, Charlie, is that then a competitive position and not an appointed?

MR. GARDNER:

Absolutely. I had to take that -- I passed both Civil Service exams, Director of Consumer Affairs --

LEG. FISHER:

Okay. Then that's my bottom line answer, then. I didn't -- I thought that was an appointment.

MR. GARDNER:

So that somebody from one of the other bureaus could -- in other words, I or the appointing

authority could not just say, "You are the Director of Consumer Affairs." That person has to have gone through the same career track. We are limiting that person to only like one of the -- we have four bureaus. Only somebody from one bureau is eligible. It makes no sense. The other people in those other career fields do not now have the chance of even being considered for appointment and that's not right.

LEG. FISHER:

Okay. Thank you very much.

P.O. TONNA:

Thank you.

LEG. FISHER:

You have clarified that.

P.O. TONNA:

Thank you very much. Anybody else? Legislator Lindsay has a question.

LEG. LINDSAY:

Charlie, in your department, Weights and Measures makes up how much of the workload?

MR. GARDNER:

Approximately 25%.

LEG. LINDSAY:

Twenty-five percent. So all four divisions are basically equal.

MR. GARDNER:

Yeah. Licensing is probably the most. We have four, one of which is administration. That's, you know, the smallest, maybe 10%. Licensing is probably 35%, and Complaints and Weights and Measures make up the rest.

LEG. LINDSAY:

Okay. Thank you.

P.O. TONNA:

Thank you very much, sir.

MR. GARDNER:

You're welcome

P.O. TONNA:

Okay. I just want to make an announcement. There was a watch lost, or we found one, let's say we didn't lose it, we found it, and because of its value, although I'm not a watch appraiser, I can say, unless it was a fake, it's a valuable watch, and so if anybody has lost their watch in the front office, you are going to be asked to describe it and then sign over your bank account and everything else with picture I.D. to make sure that you have it. But if you lost your watch, okay, and if you're a female, you're going to have to describe why you were wearing a men's watch. All right. Thank you very much.

Okay. Andrew Mazzio. Okay. And then Maurice Alberts. Maurice? All right. We're done with the public portion. I'd ask all Legislators, please, come to the horseshoe. We're going to now recognize Legislator Bill Lindsay. Hold it one second. Oh, sir, your name?

MR. MEYER:

I signed a card. My name is Ken Meyer.

P.O. TONNA:

Yeah, that's for -- that's for today's meeting. We're just finishing December 5th's meeting. Okay. Thank you sir. Yes.

AUDIENCE MEMBER:

I also signed yellow cards, smoking, children in cars.

P.O. TONNA:

For today?

AUDIENCE MEMBER:

Yes

P.O. TONNA:

Yes, but it's December -- we didn't start today's meeting yet. We're on December 5th's. Thank you ma'am. And we have those cards right over here, and as soon as we're done with December 5th's meeting, because of it's -- because of the snow, we will then move on to today's meeting. Okay.

All right. All Legislators, please come to the horseshoe. We're going to start voting. There's a motion to reconsider -- oh, Legislator Lindsay, I recognize you for a motion.

LEG. LINDSAY:

Thank you. Yeah. I'd like to make a motion to reconsider Introductory Resolution 2038 from the November 19th meeting. The motion was defeated and I was on the prevailing side at the November 19th meeting.

LEG. HALEY:

Second.

LEG. GULDI:

Point --

P.O. TONNA:

This is -- wait, just wait. This is motion **Number 2038**. That should be right in front of you right now.

LEG. GULDI:

Yeah, actually, what is the subject matter? That was point of parliamentary inquiry..

P.O. TONNA:

This is a motion **adopting a local law, a Charter Law to modify designation of the Director of Consumer Affairs** --

LEG. LINDSAY:

What Charlie just talked about.

P.O. TONNA:

-- **as Director of Weights and Measures.** Okay. There's a second to the motion. All in favor? Opposed? Okay. Now the motion is in front of us.

MR. BARTON:

15, 3 not present.

P.O. TONNA:

Yeah. Now there's a motion in front of us. Legislator Lindsay, you want to make a motion to approve?

LEG. LINDSAY:

Yes, I do.

P.O. TONNA:

Is there a second?

LEG. HALEY:

Second.

P.O. TONNA:

Second by Legislator Haley. Roll call.

LEG. FISHER:

Can we do all in favor, opposed?

P.O. TONNA:

No.

(Roll Called by Mr. Barton, Clerk)

LEG. COOPER:

Yes

LEG. BINDER:

Yes.

LEG. BISHOP:

Yes.

LEG. NOWICK:

Yes.

LEG. CRECCA:

Yes.

LEG. CARPENTER:

Yes.

LEG. ALDEN:

Yes.

LEG. FIELDS:

Yes.

LEG. LINDSAY:

Yes.

LEG. FOLEY:

Yes.

LEG. HALEY:

Yes.

LEG. FISHER:

Yes.

LEG. CARACAPPA:

(Not Present)

LEG. TOWLE:

(Not Present)

LEG. GULDI:

Yes.

LEG. CARACCIOLO:

(Not Present)

D.P.O. POSTAL:

(Not Present).

P.O. TONNA:

No.

MR. BARTON:

Legislator Caracappa? Legislator Caracciolo. Okay.

P.O. TONNA:

We ten, right?

MR. BARTON:

13. (Not Present: Legs. Caracappa, Caracciolo, Towle and Postal)

P.O. TONNA:

Okay. Thank you very much.

LEG. GULDI:

Mr. Chairman, motion to discharge for the purpose of aging for an hour of **2240 (Amending the 2002 Capital Budget and Program and appropriating funds in connection with emergency dredging of Napeague Harbor (CP 5200))**. This is a dredging resolution.

LEG. FOLEY:

Second.

LEG. GULDI:

Second by the Chairman of the Committee.

P.O. TONNA:

Oh, this is the one before, George?

LEG. GULDI:

Yes, same one.

P.O. TONNA:

Okay. There's a motion to discharge **2240**.

LEG. FOLEY:

Second.

LEG. FISHER:

Second.

P.O. TONNA:

Seconded by Legislator Fisher. Oh, I'm sorry, Foley, from the last time. All in favor? Opposed?
Fine. That's discharged and that will be considered for the December 17th meeting, right?

LEG. GULDI:

Whatever meeting you want to.

P.O. TONNA:

Right.

LEG. GULDI:

As long as we get to it before Cinderella gets here.

P.O. TONNA:

Okay. Just how do we discharge out of one meeting into another?

MR. SABATINO:

No, it's being discharged from committee. It's an appropriate motion. If we discharge it now and it matures the one hour, we can vote at 12:10.

P.O. TONNA:

For the December 5th meeting?

MR. SABATINO:

No, in the December 5th. If we're unable to do it at that point, we can just table it to the December 17th meeting.

P.O. TONNA:

Legislator Guldi, you understand that?

LEG. GULDI:

Whatever the Chairman wants to call it, I have no objections.

P.O. TONNA:

Right. But I'm just saying, if not, you have to make a motion to table it to the December 17th meeting; do you understand that?

MR. SABATINO:

Only if we run out of time.

P.O. TONNA:

Which who knows. Okay. Let's -- we're going to Page 4?

MR. SABATINO:

Page 4.

P.O. TONNA:

Page 4. Okay. Legislator Haley, you're making a motion on --

LEG. CRECCA:

Second.

P.O. TONNA:

Seconded by Legislator Crecca. Okay. I make a motion to table, seconded by Legislator Alden. All in favor? Opposed?

LEG. HALEY:

Opposed.

P.O. TONNA:

Opposed, Legislator Haley, and Legislator Crecca and Legislator Binder, right? Okay. We've seen that before. All right. **1050 (Authorizing retrofitting of traffic lights and LED fixtures)**. Motion by Legislator Cooper. What's your wish?

LEG. COOPER:

Motion to table.

P.O. TONNA:

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

1275 (To implement Town of Babylon Affordable Housing Plan). I'm going to make a motion to table, seconded by Legislator Carpenter. All in favor? Opposed? Tabled. **1421** was withdrawn.

1585 (Authorizing waiver of interest and penalties for property tax for Joseph Bryan and Marie Bryan). Legislator Foley?

LEG. FOLEY:

I'd like to approve it, but we've been told by Counsel that subject to recent judicial decisions, that we have to table the resolution.

MR. SABATINO:

It has to be tabled until --

P.O. TONNA:

Seconded by -- Legislator Foley, second by myself. All in favor? Opposed? Tabled. **1734**.

Legislator Caracappa?

LEG. GULDI:

He's out of the room. Motion to table.

P.O. TONNA:

Okay. You know what, let's just skip over it for a second, okay? We'll get back to it. I haven't spoken to him about it.

LEG. GULDI:

Legislator Towle also contacted my office and asked that all his sponsored resolutions be tabled.

P.O. TONNA:

Tabled? Okay.

LEG. GULDI:

So he can vote on them.

P.O. TONNA:

Okay. So **1786 (Authorizing the lease of vacant land located at Francis S. Gabreski Airport, Westhampton, new York for aircraft hangar purposes)**. There's a Motion by Legislator Guldi to table, seconded by --

LEG. GULDI:

I have to abstain on 1786.

P.O. TONNA:

Oh, okay.

LEG. FISHER:

Motion to table.

LEG. FOLEY:

Second.

P.O. TONNA:

Motion to table, Legislator Fisher, seconded by Legislator Foley. All in favor? Opposed? Tabled.

LEG. GULDI:

My abstention.

P.O. TONNA:

Right. **1903 (Adopting Local Law No. 2002, a Local Law amending the designation of an Empire Zone).**

LEG. BISHOP:

Motion to table.

P.O. TONNA:

Motion to table by Legislator Bishop, seconded by Legislator -- who's going to second the tabling motion?

LEG. GULDI:

I'll second the tabling motion.

LEG. BINDER:

I'll second that.

P.O. TONNA:

Legislator Binder. All in favor? Opposed? Tabled. **1954 (Adopting local Law No. 2002, a Local Law to ban the sale and purchase of all dietary supplements containing ephedrine alkaloids within the County of Suffolk).** Motion by Legislator --

LEG. COOPER:

Motion to table to the December 17th meeting.

P.O. TONNA:

Okay. Seconded by myself. All in favor? Opposed? Tabled to the 17th meeting.

LEG. GULDI:

Oh, no, twice in one day.

P.O. TONNA:

1990 (Appropriating funds for dredging of County waters).

LEG. FOLEY:

Motion to approve.

P.O. TONNA:

Motion to approve by Legislator Foley.

LEG. HALEY:

Second.

P.O. TONNA:

Seconded by Legislator Haley. On the motion. Just, Fred?

MR. POLLERT:

Yes.

P.O. TONNA:

Do we have money? What are we doing here?

LEG. FOLEY:

These are capital monies. These are monies that are available for this particular purpose. These are maintenance projects along the Great South Bay, a number of townships where they haven't been dredged in several years.

P.O. TONNA:

Why was it tabled in the past, Legislator Foley?

LEG. FOLEY:

We tabled it in the past to make some adjustments to the resolution to change some of the projects. Some projects were done with other monies, so --

P.O. TONNA:

Okay. There's a corrected copy?

LEG. FOLEY:

Yes, there is. And it's in the Capital Budget.

P.O. TONNA:

All right. Fred?

MR. POLLERT:

Yes.

P.O. TONNA:

Just can you speak to the resolution, sir?

MR. POLLERT:

Actually, no, I can't, because I misplaced my notes. I'm looking for the notes on it.

P.O. TONNA:

Okay. Legal Counsel, can you shed any light on it?

LEG. GULDI:

It's not budget season, is it?

LEG. FOLEY:

It's \$250,000. It's a number of small projects. If they're not done -- if we don't approve it today, the money is lost and then it's highly unlikely that they'll get to the projects before --

P.O. TONNA:

If we don't approve it today, we can approve it today. No. That's a little play on words.

LEG. FOLEY:

Well, I'd rather approve it the first part of today, as opposed to the second part. Otherwise, with the environmental windows that will close by early spring --

P.O. TONNA:

Is there anybody from the Administration here?

LEG. FOLEY:

Mr. Chairman.

P.O. TONNA:

They're in favor of the bill?

LEG. FOLEY:

They spoke in favor of the bill --

P.O. TONNA:

Okay.

LEG. FOLEY?

-- when they were at Legislator Caracappa's Public Works Committee. They're in favor of it.

P.O. TONNA:

All right. I would just ask that the County Executive's people, somebody sit here and be ready to speak about any bills that we have. It would help move the process along. Okay.

LEG. FOLEY:

Well, they're in favor of the bill as well.

P.O. TONNA:

All right. There's a motion to approve and a second.

LEG. CARACCIOLO:

Question.

P.O. TONNA:

Yes, Legislator Caracciolo.

LEG. CARACCIOLO:

Do we have the -- do we have the attachment as to what projects are included?

LEG. FOLEY:

They should be in the backup, Legislator Caracciolo. It should be --

LEG. CARACCIOLO:

Okay. Counsel should have them --

LEG. FOLEY:

It should be part of that.

LEG. CARACCIOLO:

-- as part of his cliff notes.

MR. SABATINO:

Can we just skip over it, because somehow that got detached from my book.

LEG. CARACCIOLO:

Okay.

LEG. BINDER:

Everybody lost it.

P.O. TONNA:

Okay.

LEG. GULDI:

I got it.

LEG. CARACCIOLO:

You do? What we have attached, Schedule A.

P.O. TONNA:

All right.

LEG. CARACCIOLO:

It pertains to the following locations: Mastic Beach Yacht Club, 30,000; Mud Creek, 30,000; {Howls} Creek, 15,000; the Marine Museum, I believe that's in Islip, 25,000; Timber Point East Marina, 35,000, Brick {Kline} Creek.

LEG. GULDI:

Kiln, Kiln.

LEG. CARACCIOLO:

Kill?

LEG. FOLEY:

Kiln.

LEG. CARACCIOLO:

Kilm.

LEG. FOLEY:

Kiln, K-I-L-N.

LEG. CARACCIOLO:

That's not the way it's spelled here. Thirty-five thousand, and Police Marina, 30,000, for a total of \$200,000.

LEG. GULDI:

Is that list still current, Mr. Chairman? It's the original backup.

LEG. FOLEY:

I think there were some minor changes to the list, subject to other discussion we had over the past month. That may not be the most recent list. There may be a couple of changes to it, and that could be sent over here before the end of the day. But the bottom line is, if we don't approve this today, none of these projects are going to get done.

P.O. TONNA:

Okay. All of those dredging projects, Legislator Foley?

LEG. FOLEY:

Yes, they're all dredging projects.

P.O. TONNA:

Okay.

LEG. FOLEY:

As I said, they're navigational issues.

P.O. TONNA:

There's a motion and second to approve. Roll call. All Legislators, please come to the horseshoe.

(Roll Called by Mr. Barton, Clerk)

LEG. FOLEY:

Yes.

LEG. HALEY:

Yes.

LEG. COOPER:

Yes.

LEG. BINDER:

Pass.

LEG. BISHOP:

Yes.

LEG. NOWICK:

Yes.

LEG. CRECCA:

Sure.

LEG. CARPENTER:

Yes.

LEG. ALDEN:

Yes.

LEG. FIELDS:

Yes.

LEG. LINDSAY:

Yes.

LEG. FISHER:

Yes.

LEG. CARACAPPA:

(Not Present).

LEG. GULDI:

Yes.

LEG. CARACCIOLO:

Yes.

P.O. TONNA:

Yes.

LEG. BINDER:

Yes.

MR. BARTON:

15, 3 not present. (Not Present: P.O. Postal, Legs. Towle and Caracappa)

P.O. TONNA:

Thank you very much. Same motion, same second, same vote.

LEG. FOLEY:

Thank you, Mr. Chairman.

P.O. TONNA:

All right. **2020 (Adopting Local Law No. 2002, a Local Law to strengthen smoking prohibition in indoor places)**. Is there a motion, Legislator Foley?

LEG. FOLEY:

Motion to table.

P.O. TONNA:

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

2055 (Amending the 2002 Capital Budget and Program, appropriating funds for the acquisition of Normandy Manor).

MR. BARTON:

15, 3 not present (2020). (Not Present: P.O. Postal and Legs. Towle and Caracappa)

P.O. TONNA:

Is there a motion, Legislator Cooper?

LEG. COOPER:

Motion to approve.

P.O. TONNA:

Motion to approve. Seconded by?

LEG. BINDER:

I'll second it.

P.O. TONNA:

Seconded by Legislator Binder. Roll call.

LEG. CRECCA:

On the -- no. On the motion.

P.O. TONNA:

Okay. On the motion, Legislator Crecca.

LEG. CRECCA:

Yeah, I'm sorry. How much is -- how much is this for?

P.O. TONNA:

2055, how much, Fred?

MR. POLLERT:

I don't know. I'm still trying to find my notes.

P.O. TONNA:

All right. Okay. It's so nice to see you're human.

LEG. CRECCA:

Legislator --

P.O. TONNA:

I think it's an additional \$20,000 in excess of the appraisal value of the Normandy Manor acquisition, which was authorized earlier this year. With resolution, should be -- should not be adopted unless the procedural motion is first enacted.

LEG. CRECCA:

Was a procedural motion enacted?

P.O. TONNA:

Legislator -- Legislator Sab -- I mean, Legal Counsel, who is also our lawyer. Paul. Paul.

MR. SABATINO:

Sorry.

P.O. TONNA:

We have an issue with regard to 2055.

MR. SABATINO:

Okay. 2055 is now the companion resolution to the procedural motion that you previously adopted, authorizing the additional payments for what are basically the appraisal and the soft costs on the acquisition. Now, to get that money into the budget, you have to amend the Capital Budget. This provides the \$20,000 that will be appropriated to pick up what the procedural motion that was adopted a meeting ago authorized. The offset's coming from the ADA compliance section. The total is \$20,000. This funds what you authorized in a previous vote.

P.O. TONNA:

All right. Legislator Cooper, there's a motion, and a second by Legislator Binder. All in favor? Opposed? I'm opposed.

LEG. CRECCA:

Opposed.

LEG. ALDEN:

Opposed.

LEG. CARACCILOLO:

Opposed.

P.O. TONNA:

Okay.

MR. BARTON:

12 in favor, 4 opposed, 2 not present. (Not Present: D.P.O. Postal and Leg. Towle).

P.O. TONNA:

Thank you very much. I'm going to recognize Legislator Alden for the purposes of a discharge.

LEG. ALDEN:

I'm going to make a motion to discharge 1699 for the purpose of letting it age.

LEG. GULDI:

Second.

P.O. TONNA:

Okay. I'd just ask the question. And this was in land acquisition? Where was this?

LEG. ALDEN:

Right.

P.O. TONNA:

Okay.

LEG. ALDEN:

This is in that --

P.O. TONNA:

Legislator Bishop, this is a discharge petition out of your committee.

LEG. BISHOP:

Legislator Alden?

P.O. TONNA:

Yeah.

LEG. BISHOP:

Mr. Chairman, I'm in support of this.

P.O. TONNA:

Okay.

LEG. BISHOP:

This is using -- utilizing 12(5)(E) monies, which are designated for the Town of Islip. The entire Islip delegation supports this purchase, therefore, so should we.

P.O. TONNA:

Okay. Thank you very much. All in favor? Opposed? Discharged.

MR. BARTON:

15, 3 not present. (Not Present: P.O. Postal and Legs. Towle and Caracappa)

INTRODUCTORY RESOLUTIONS FOR THE DECEMBER 5, 2002
MEETING OF THE SUFFOLK COUNTY LEGISLATURE

P.O. TONNA:

Okay. Now we go -- we go to Introductory Resolutions for December 5th. 2200. **2200 (Accepting and appropriating 75% reimbursable supplemental funds for the Title III - E New York Elder Caregiver Support Program)**. Is there a motion? I'll make a motion to approve, seconded by Legislator Lindsay. All in favor? Opposed? Approved.

2219. Legislator Lindsay?

MR. BARTON:

15, 3 not present. (Not Present: P.O. Postal and Legs. Towle and Caracappa)

P.O. TONNA:

(2219 - Accepting and appropriating 75% reimbursable supplement funds for the Expanded In-Home Services for the Elderly Program). Motion to approve, second by Legislator Crecca. All in favor? Opposed? Approved. 2221.

MR. BARTON:

15, 3 not present. (Not Present: P.O. Postal and Legs. Towle and Caracappa)

P.O. TONNA:

(2221 - Accepting and appropriating 75% reimbursable supplemental funds for the Community Services for the Elderly Program). Motion by Legislator Lindsay, seconded by?

LEG. CRECCA:

Second.

P.O. TONNA:

Legislator Crecca. All in favor? Opposed? Approved.

MR. BARTON:

15, 3 not present. (Not Present: P.O. Postal and Legs. Towle and Caracappa)

P.O. TONNA:

2222 (Accepting and appropriating additional 100% reimbursable funds for the Sate Long Term Care Ombudsman Program). Motion by Legislator Lindsay, seconded by Legislator Crecca. All in favor? Opposed?

LEG. BISHOP:

Which one are we on?

LEG. CRECCA:

Page 6.

P.O. TONNA:

And I would ask for, just in the -- I don't have a Page 5.

LEG. GULDI:

Tabled Subject to Call page.

P.O. TONNA:

These are subject to call. Okay. All in favor? Opposed? Approved. I would just ask in the future that when you have 100% reimbursable things, that you try to put them on the Consent Calendar.

LEG. ALDEN:

These are 75%, though.

P.O. TONNA:

No, the last one, the 2222 is 100%.

LEG. ALDEN:

Who are you talking to?

P.O. TONNA:

I'm talking to everybody.

LEG. ALDEN:

All right.

P.O. TONNA:

2223 (Accepting and appropriating 75% reimbursable supplemental funds for the Congregate Services Initiative Program). A motion by Legislator Lindsay, seconded by Legislator Alden. All in favor? Opposed?

LEG. LINDSAY:

Chairman.

MR. BARTON:

15, 3 not present. (Not Present: P.O. Postal and Legs. Towle and Caracappa)

LEG. LINDSAY:

I'm getting tired of accepting all this money, you know?

P.O. TONNA:

All right, I'll accept this one. **2224 (Accepting and appropriating additional 100% reimbursable funds for the IIIC-2 Program).** Make a motion to approve by myself, seconded by Legislator Alden. All in favor? Opposed? Approved.

MR. BARTON:

15, 3 not present. (Not Present: P.O. Postal and Legs. Towle and Caracappa)

CONSUMER PROTECTION AND GOVERNMENT OPERATIONS

P.O. TONNA:

Consumer Protection and Government Operations. **1949 (Adopting Local Law No. 2002, a Local Law to impose uniform occupational licensing fees and licensing terms).** There's a motion by Legislator Lindsay?

LEG. LINDSAY:

I'll make that motion.

LEG. ALDEN:

Second.

P.O. TONNA:

Second by Legislator Alden. All in favor? Opposed?

LEG. BISHOP:

Mr. Chairman, may I have an explanation --

P.O. TONNA:

Explanation.

LEG. BISHOP:

-- what the changes are?

LEG. LINDSAY:

Could I --

P.O. TONNA:

Yes. Legislator Lindsay.

LEG. LINDSAY:

Could I explain? What we did with this is we raised some fees, we lowered other fees, to make

uniformity in the department. We had an assortment of rates, so much so that the clerks over there had a hard time keeping track of them. And in this latest retirement, there's six women that work the front desk collecting like three million dollars in fees that we collect from Consumer Affairs, four of them retired, so this is going to make their life a lot easier in terms of collecting the money.

And the uniformity comes in in that there's a fee for painters, plumbers, electricians to {shell} their license. It will be the same fee, basically, to get a new license, if you lost a license. The only thing that differs, there's two or three different fees for acquiring the license, depending on what the license is. But all the other rates are predicated -- are the same across all industries.

LEG. BISHOP:

What got lowered?

LEG. LINDSAY:

I'd have to go through them. There's a whole bunch of them, but a lot of them got lowered, some of them got raised. But it's all in the --

LEG. BISHOP:

And it has no net?

LEG. LINDSAY:

No, it's neutral.

LEG. BISHOP:

So it just worked out perfectly. Good, I'm glad.

LEG. LINDSAY:

I think within reason, a couple of thousand dollars or something like that.

P.O. TONNA:

Okay. There's a motion and a second. Anybody else want to be recognized? Legislator Fisher.

LEG. FISHER:

Actually, Mr. Chair, I had asked to be recognized to ask Budget Review what the net difference would be. Would there be a gain or a loss?

MR. SPERO:

Ten thousand eight hundred and ten dollars would be lost in 2003, a net -- a net amount of \$2,810.

P.O. TONNA:

So we lose money.

MR. SPERO:

A slight reduction in revenue.

P.O. TONNA:

All right. That's exactly as Legislator Lindsay portrayed it. Okay. All in favor? Opposed? Great. Thank you.

MR. BARTON:

15, 3 not present. (Not Present: P.O. Postal, Legs. Caracappa and Towle)

P.O. TONNA:

2077 (Adopting Local Law No -- 2002, a Local Law to strengthen enforcement of gas station and motor fuel distributor laws in Suffolk County). Motion by Legislator Nowick, seconded by myself. What does this do? Legislator -- Legal Counsel? Or do you want to -- Legislator Nowick, you want to be recognized?

LEG. NOWICK:

Sure.

P.O. TONNA:

Sure.

LEG. NOWICK:

You want to know what it does? I'll tell you what it does.

P.O. TONNA:

Yes, please do.

LEG. NOWICK:

Right now, the fines are presently \$500.

LEG. FOLEY:

Henry, put me on.

LEG. LINDSAY:

Could you repeat that?

LEG. NOWICK:

Yeah, sure. Right now, when you got to a gas station, if the distributor or if the gas station itself is acting illegally in that they're selling gasoline that is not the proper octane, although it's -- the octane is listed on the screen as, whatever, 87, 93, right now, the fines are \$500. We're changing those fines to \$750 for the first fine, \$1,500 for the second fine.

Also, right now, the registration fee is a one-time \$500 registration fee. We're changing that to \$200 yearly registration. In that way, these companies have to come back to the Consumer Protection Committee, they have to re-register, and we can at that time, or Consumer Affairs can, then deny renewal. Right now, we can't even fine them.

P.O. TONNA:

If there are fines and things like that, right?

LEG. NOWICK:

Yep.

P.O. TONNA:

So it's holding them to a higher accountability.

LEG. NOWICK:

And just so you -- it's accountability, it's more fines. And, also, just so you know, the key word is "distributor" here. We must have a certificate of registration as a motor fuel distributor. This

is not the portion of the gas station that does -- that fixes the car and does service.

P.O. TONNA:

Okay.

LEG. NOWICK:

And you had your hand up.

P.O. TONNA:

Legislator -- Legislator Lindsay, then Legislator Haley. Legislator Lindsay.

LEG. LINDSAY:

Yeah. I urge my colleagues to support this legislation, because it really makes it right right now an unscrupulous gas station. It would pay them to cheat on the octane value. The \$500 fine, they make more money on the illegal gas than the fine would cause them. So this would really put some teeth in the law and it would really help the enforcement, and it would make up for the \$10,000 we just gave back in Consumer Affairs on the licensing.

P.O. TONNA:

All right. Thank you very much. Legislator Haley, then Legislator Fisher.

LEG. HALEY:

I just have a question of Legislator Nowick. Do we have a history of problems with distributors?

LEG. NOWICK:

Yes, there is a history.

LEG. HALEY:

Recent history?

LEG. NOWICK:

There is -- they are reoccurring.

LEG. HALEY:

Some kind of numbers or something?

LEG. NOWICK:

Yes, yeah. And, in fact, I wish Charlie Gardner was here, because he could tell you about it. And, unfortunately, when there's a history like that, as Legislator Lindsay says, they just continue to pay the \$500 fine. It's the cost of doing business. They can continue to sell octane that is not properly -- I lost the wording, but, anyway that's -- yeah, yeah. That's it.

P.O. TONNA:

There you go, there's a good word. Okay. Legislator Fisher?

LEG. FISHER:

Lynn, I wish Charlie was still here, too, because I was wondering, do we have enough inspectors to enforce this? How do we enforce this?

LEG. NOWICK:

It would be the same amount of inspectors we have now, but the thing is, now, if you're filling up your car with gasoline and you find -- yeah, it's the same amount of inspectors.

LEG. FISHER:

Okay.

LEG. NOWICK:

It's the same thing, it's not any additional help.

LEG. FISHER:

Have we lost a lot of them due to the retirement?

LEG. NOWICK:

I don't know how many we lost due to the retirement.

LEG. VILORIA -- FISHER:

Okay.

P.O. TONNA:

Okay. Legislator Alden, do you have something?

LEG. ALDEN:

No.

P.O. TONNA:

No? All right. Thank you very much. There's a motion to approve, seconded by myself. All in favor? Opposed? Thank you. 2133.

MR. BARTON:

16, 2 not present. (Not Present: P.O. Postal and Leg. Towle)

P.O. TONNA:

(2133-Extend the deadline for report by committee to study Common Sense Alternative Funding Mechanism for the Suffolk County Park System). Legislator Fields?

LEG. FIELDS:

Motion to approve.

P.O. TONNA:

Motion to approve, seconded by?

LEG. ALDEN:

Second.

P.O. TONNA:

Second by Legislator Alden. All in favor? Opposed?

MR. BARTON:

16, 2 not present. (Not Present: P.O. Postal and Leg. Towle)

P.O. TONNA:

Thank you very much. **2147 (Re-extending duration of Lake Ronkonkoma Advisory Board).** Motion by Legislator Crecca, seconded by Legislator Nowick. All in favor? Opposed?

MR. BARTON:

16, 2 not present. (Not Present: P.O. Postal and Leg. Towle).

P.O. TONNA:

Okay. We have a bonding resolution, **Number 2191 (Amending the 2002 Capital Budget and Program and appropriating funds in connection with improvements at Green's Creek (NYCONN) County Park (CP 7183))**. This is -- where is Green's Creek? Legislator Fields, seconded by Legislator Alden. All in favor? Opposed?

LEG. CARPENTER:

Roll call.

LEG. CARACCIOLO:

On the motion.

P.O. TONNA:

Roll call. Sorry, sorry.

MR. SABATINO:

This require --

P.O. TONNA:

Motion.

MR. SABATINO:

It's a three-quarters vote, because it's changing the method of financing.

P.O. TONNA:

Okay. It requires a three-quarters vote.

MR. SABATINO:

It's 12 for the bond, but it's going to be 14 for the appropriation.

P.O. TONNA:

Fourteen votes, okay. Legislator Caracciolo has a question.

LEG. CARACCIOLO:

Explanation on the improvements; what are they?

P.O. TONNA:

Okay. Could -- Legal Counsel, can you speak to the improvements of this bill?

MR. SABATINO:

It's going to be \$20,000 for the Green's Creek NYCONN County property, and it's just -- it's changing the method of financing. I don't know what the exact improvements are going to be, but --

LEG. FIELDS:

Do you want me to respond?

P.O. TONNA:

Legislator Fields, yes.

LEG. FIELDS:

This was a piece of property that we acquired that had buildings and asphalt on it, and the buildings were removed, and most of the asphalt was removed. We're in the process of continuing the cleanup, and then, at some point, we have the landscape architect drawing up plans to make it a native noninvasive park that can have a gravel parking area, so that people will be able to look out at the estuary, Great South Bay, and be able to go down to the beach. It's right on the beach.

LEG. CARACCIOLO:

What is the acreage involved?

LEG. FIELDS:

Seven acres, I believe it is.

P.O. TONNA:

Okay. Thank you. Roll call.

(Roll Called by Mr. Barton, Clerk).

LEG. FIELDS:

Yes.

LEG. ALDEN:

Yes.

LEG. COOPER:

Yes.

LEG. BINDER:

Yes.

D.P.O. POSTAL:

(Not Present)

LEG. BISHOP:

Yes.

LEG. NOWICK:

Yes.

LEG. CRECCA:

Yes.

LEG. CARPENTER:

Yes.

LEG. LINDSAY:

Yes.

LEG. FOLEY:

Pass

LEG. HALEY:

Pass.

LEG. FISHER:

Yes.

LEG. CARACAPPA:

Yes.

LEG. GULDI:

Yes.

LEG. CARACCIOLO:

Yes.

P.O. TONNA:

Yes.

LEG. FOLEY:

Yes. Cosponsor.

P.O. TONNA:

Same motion, same second, same vote for 2191.

MR. BARTON:

16, 2 not present. (Not Present: P.O. Postal and Leg. Towle).

P.O. TONNA:

Okay. **2214 (Appropriating funds in connection with the construction of a maintenance building at Timber Point Country Club (CP 7173)).** Is there a motion? Legislator --

LEG. FIELDS:

Motion.

P.O. TONNA:

Okay. Motion by Legislator Fields, seconded by Legislator Alden. Roll call.

(Roll Called by Mr. Barton, Clerk)

LEG. FIELDS:

Yes.

LEG. ALDEN:

Yes.

LEG. COOPER:

Yes.

LEG. BINDER:

Yes.

LEG. BISHOP:

Yes.

LEG. NOWICK:

Yes.

LEG. CRECCA:

Pass.

LEG. CARPENTER:

Yes.

LEG. LINDSAY:

Yes.

LEG. FOLEY:

Pass.

LEG. HALEY:

Yes.

LEG. FISHER:

Yes.

LEG. CARACAPPA:

Yes.

LEG. GULDI:

Yes. I should be a cosponsor.

LEG. CARACCIOLO:

Yes.

P.O. TONNA:

Yes.

MR. BARTON:

16-2 on the bond.

P.O. TONNA:

Okay. Same, motion, same --

LEG. FIELDS:

Wait, wait.

LEG. CRECCA:

I never voted.

MR. BARTON:

Oh, I'm sorry. Legislator Crecca.

LEG. CRECCA:

Abstain.

P.O. TONNA:

Okay.

MR. BARTON:

15, 1 abstention. (Not Present: P.O. Postal and Leg. Towle).

P.O. TONNA:

Same motion, same second, same vote on 2214. **2232 (Authorizing use of Bungalow No. 5 at Hubbard County park by Ducks Unlimited, Inc.)**. Motion by Legislator Fields. Is there a second?

LEG. GULDI:

Second.

P.O. TONNA:

Seconded by Legislator Guldi.

LEG. GULDI:

Cosponsor on this one, not the last one.

P.O. TONNA:

Okay. On the motion. What does this do? Legislator Fields?

LEG. FIELDS:

This allows Ducks Unlimited to inhabit one of the buildings to continue the programs that they have been holding for Youth and Family Day that they hold annually.

P.O. TONNA:

Okay.

LEG. FIELDS:

And they host the Federal Junior Duck Stamp Contest for the --

P.O. TONNA:

Great, great.

LEG. FIELDS:

-- entire State of New York. In addition, they will be giving the County \$50,000 --

P.O. TONNA:

Wow.

LEG. FIELDS:

-- worth of -- worth of wetland restoration.

P.O. TONNA:

That's wonderful

LEG. FOLEY:

Beautiful.

P.O. TONNA:

A motion and a second. All in favor? Opposed? Approved.

MR. BARTON:

16, 2 not present. (Not Present: P.O. Postal and Leg. Towle)

LEG. FOLEY:

Mr. Chairman.

P.O. TONNA:

Okay. Now we move to Public Safety.

LEG. FOLEY:

Mr. Chairman, before we move out of the Parks Committee, could I be recorded with the majority on Resolution 2133 and 2147, please?

P.O. TONNA:

How does that work?

LEG. CRECCA:

You can't do that.

P.O. TONNA:

You're going to have to reintroduce --

LEG. FOLEY:

All right.

P.O. TONNA:

-- both those resolutions.

LEG. FOLEY:

A motion to reconsider 2133.

P.O. TONNA:

There's a motion. All in favor? Opposed? Motion and a second. All in favor? Opposed? Approved. Thank you. Now, there's a motion by Legislator Fields, seconded by Legislator Alden, to approve 2133. All in favor? Opposed? Approved. Okay. Now, **2147**. There's a motion by Legislator --

LEG. FOLEY:

Motion to reconsider 2147.

P.O. TONNA:

-- Foley to reconsider, second by Legislator Crecca. All in favor? Opposed? Approved. Now, there's a motion by Legislator Crecca, seconded by Legislator Nowick, to approve **Number 2147**. All in favor? Opposed? Okay.

LEG. FOLEY:

Thank you, Mr. Chairman.

P.O. TONNA:

Thank you, sir.

LEG. CRECCA:

Mr. Chairman, before you go on --

P.O. TONNA:

Yes.

LEG. CRECCA:

-- I just have a -- I'm sorry, go ahead.

LEG. FOLEY:

Could you list me as a cosponsor on that, Henry, 2147, please?

P.O. TONNA:

Great.

LEG. FOLEY:

Thank you, Mr. Chair.

P.O. TONNA:

Legislator Crecca.

LEG. CRECCA:

Yeah. It was on the last bond that we did. I have a very -- and I apologize, but I think it's just -- it will take a -- it's a two-second question.

P.O. TONNA:

We've already voted on it?

LEG. CRECCA:

Yes.

P.O. TONNA:

And this is pending whether you're going to reconsider now.

LEG. CRECCA:

No, I just --

P.O. TONNA:

Yes, yes, that's why you need the information now --

LEG. CRECCA:

Sure, yes.

P.O. TONNA:

-- even after we voted. Okay, go ahead.

LEG. CRECCA:

Budget Review, on the last bond that we did on Timber Park --

P.O. TONNA:

Which is 2214 and 2214A.

LEG. CRECCA:

Yeah. The interest rate was 4.77%. Is that -- that seems -- isn't that high for a bond in today's market for what we're borrowing for?

MR. SPERO:

That's about it.

LEG. CRECCA:

That's about the norm?

MR. SPERO:

Yeah. Long-term rates are in that range. Short-term rates are extremely low, but the long-term rates are on the 4 1/2 to 5% range.

LEG. CRECCA:

Okay.

P.O. TONNA:

You said 14% or 4%?

LEG. CRECCA:

No, 4.77%. It's almost 5%.

P.O. TONNA:

So they're not that high. I even know that.

LEG. CRECCA:

No, no, no, but I know we were borrowing at like 2 to 3% --

P.O. TONNA:

Yeah.

LEG. CRECCA:

-- on a lot of stuff, but that's on the short term?

MR. SPERO:

Yes.

P.O. TONNA:

Yeah.

LEG. CRECCA:

Okay.

P.O. TONNA:

Okay. Thank you very much, Legislator Crecca.

PUBLIC SAFETY AND PUBLIC INFORMATION

Okay. Now we move to Public Safety **1972A (Amending the 2002 Capital Budget and Program and appropriating funds in connection with the Jail/New replacement facility at Yaphank (CP 3008))**. There's a bonding resolution. Motion by Legislator Carpenter, seconded by Legislator Bishop. All in -- roll call.

(Roll Called by Mr. Barton, Clerk)

LEG. CARPENTER:

Yes.

LEG. BISHOP:

Yes.

LEG. COOPER:

Yes.

LEG. BINDER:

Yes.

LEG. NOWICK:

Yes.

LEG. CRECCA:

Yes.

LEG. ALDEN:

Yes.

LEG. FIELDS:

Yes.

LEG. LINDSAY:

Yes.

LEG. FOLEY:

Yes.

LEG. HALEY:

Yes.

LEG. FISHER:

Yes.

LEG. CARACAPPA:

Yes.

LEG. GULDI:

Yes.

LEG. CARACCIOLO:

Yes.

P.O. TONNA:

Yes.

MR. BARTON:

16, 2 not present. (Not Present: P.O. Postal and Leg. Towle)

P.O. TONNA:

Same motion, same second, same vote for 1972. **2049 (Adopting Local Law No. 2002, a Local Law to require truth-in-selling statement for motorized scooters).** Motion by Legislator Carpenter, seconded by myself. All in favor? Opposed?

MR. BARTON:

16, 2 not present. (Not Present: P.O. Postal and Leg. Towle)

P.O. TONNA:

Thank you. **2098 (Amending the 2002 Capital Budget and Program and appropriating funds in connection with the purchase of a Mobile Command Post-Suffolk County**

Department of Fire, Rescue & Emergency Services (CP 3412). A bonding resolution.
Motion by Legislator Carpenter seconded by Legislator Bishop. Roll call.

(Roll Called by Mr. Barton, Clerk)

LEG. CARPENTER:

Yes.

LEG. BISHOP:

Yes.

LEG. COOPER:

Yes.

LEG. BINDER:

Yes.

LEG. NOWICK:

Yes.

LEG. CRECCA:

Yes.

LEG. ALDEN:

Yes.

LEG. FIELDS:

Yes

LEG. LINDSAY:

Yes.

LEG. FOLEY:

Yes.

LEG. HALEY:

Yes.

LEG. FISHER:

Yes.

LEG. CARACAPPA:

Yes.

LEG. GULDI:

Yes.

LEG. CARACCIOLO:

Yes.

P.O. TONNA:

Yes.

MR. BARTON:

16, 2 not present on the bond. (Not Present: P.O. Postal and Leg. Towle).

P.O. TONNA:

Same motion, same second, same vote. **2145 (Renaming a portion of Montauk Highway in the Town of Islip as "Glen Pettit Way")**. Motion by Legislator Fields, seconded by?

LEG. CARPENTER:

Can I second?

P.O. TONNA:

Legislator Carpenter. All in favor? Opposed?

MR. BARTON:

16, 2 not present. (Not Present: P.O. Postal and Leg. Towle)

P.O. TONNA:

2189 (Accepting the donation of a John Deere Gator Medibed for the Suffolk County Police Department). Motion by Legislator Carpenter, seconded by Legislator Fields. All in favor? Opposed?

MR. BARTON:

16, 2 not present. (Not Present: P.O. Postal and Leg. Towle)

P.O. TONNA:

2194 (Accepting and appropriating \$71,140 made available by the New York State Division of Criminal Justice Services for the William Floyd Union Free School District Anti-Violence II Program with 75% support & authorizing the County Executive to execute grant related agreements). Legislator Caracciolo?

LEG. CARACCIOLO:

No.

P.O. TONNA:

Oh, okay. 2194, motion by Legislator Carpenter, seconded by Legislator --

LEG. FOLEY:

Motion -- second.

P.O. TONNA:

-- Foley. All in favor? Opposed?

MR. BARTON:

15, 3 not present. (Not Present: P.O. Postal, Legs. Towle and Caracciolo).

P.O. TONNA:

2196 (Accepting and appropriating a grant in the amount of \$86,410 from the State of New York Governor's Traffic Safety Committee, to enforce motor vehicle passenger restraint regulations with 94.55% support). Motion by Legislator Carpenter, seconded by Legislator Foley. All in favor? Opposed?

MR. BARTON:

15, 3 not present. (Not Present: P.O. Postal, Legs. Towle and Caracciolo)

P.O. TONNA:

Okay. Where's Legislator Caracciolo? All right. **2197 (Accepting and appropriating a grant in the amount of \$25,00 from the State of New York Governor's Traffic Safety Committee, to locate and apprehend certain habitual vehicle and traffic law offenders with 92.36%).** Motion by --

LEG. FOLEY:

Motion.

P.O. TONNA:

-- Legislator Foley, second by Legislator Carpenter. All flavor opposed?

LEG. CARACCIOLO:

I'm here, Henry.

P.O. TONNA:

Okay.

MR. BARTON:

16, 2 not present. (Not Present: P.O. Postal and Leg. Towle)

P.O. TONNA:

2198 (Accepting and appropriating a grant in the amount of \$116,900 from the State of New York Governor's Traffic Safety Committee, to fund and Impaired Driving Enforcement Program with 93.29% support). Motion by Legislator Carpenter, seconded by Legislator Nowick. All in favor? Opposed?

MR. BARTON:

16, 2 not present. (Not Present: P.O. Postal and Leg. Towle).

P.O. TONNA:

Okay. **2199 (Accepting and appropriating a grant in the amount of \$115,000 from the State of New York Governor's Traffic Safety Committee, for the Suffolk County Police Department to fund a Pedestrian Crash Analysis and Plan with 90.61% support).**

Motion by Legislator Carpenter, second by Legislator Foley. All in favor? Opposed?

MR. BARTON:

16, 2 not present. (Not Present: P.O. Postal and Leg. Towle)

P.O. TONNA:

Okay. **2201 (Accepting and appropriating a grant in the amount of \$30,000 from the New York State Division of Criminal Justice Services for the Suffolk County Police Department to continue the Sexual Assault Nurse Examiner (SANE) Program and 75% support).** Motion by Legislator Carpenter, seconded by Legislator Fisher.

P.O. TONNA:

All in favor. Opposed? Oh, Bishop?

LEG. VILORIA-FISHER:

Fisher.

P.O. TONNA:

Fisher? Bishop. Bishop? Bishop. All in favor? Opposed.

MR. BARTON:

16, 2 not present. (Not Present: P.O. Postal and Leg. Towle)

PUBLIC WORKS & TRANSPORTATION

P.O. TONNA:

Now we're in Public Works. **2188 (Amending the 2002 Capital Budget and Program and authorizing the purchase of up to seventeen (17) paratransit vans, accepting and appropriating County, State, and Federal Funds for this acquisition (Capital Program No. 5658).** Motion by Legislator Caracappa, seconded by Legislator Foley.

LEG. CRECCA:

On the motion. On the motion.

P.O. TONNA:

On the motion. There's a roll call motion.

LEG. CRECCA:

Yeah. Jim, again, on this, we're paying -- again, I just want to check. We're paying 4.1% interest on it for a five-year note. And isn't that high for such a short-term note?

MR. SPERO:

No. The really low rates are on the, like the one-year notes. On those notes, we get less than 2% right now. But anything five years and over would be higher. And the longer the time line is, the greater -- the higher the interest rate would be.

LEG. CRECCA:

Okay.

P.O. TONNA:

Thank you very much. Legislator Alden.

LEG. ALDEN:

I have a quick question, and possibly the Chairman of the Committee could answer this. These are conventional motors in this these?

LEG. CARACAPPA:

Yes.

LEG. ALDEN:

Was any consideration given to, you know, alternative type of fuel sources or power?

LEG. GULDI:

This is funded by --

LEG. CARACAPPA:

No, this is funded by a grant from the Federal and State government, that's why we're pretty

much accepting it and working in conjunction with that -- the grant to make these available.

LEG. ALDEN:

Do they have a restriction on fuel?

LEG. CARACAPPA:

No.

LEG. ALDEN:

No? Okay.

P.O. TONNA:

Okay. There's a motion and a second. All in favor? Opposed? Oh, no, roll call. Sorry.

(Roll Called by Mr. Barton, Clerk)

LEG. CARACAPPA:

Yes.

LEG. FOLEY:

Yes.

LEG. COOPER:

Yes.

LEG. BINDER:

Yes.

LEG. BISHOP:

Yes.

P.O. TONNA:

There you go, Henry.

LEG. NOWICK:

Yes.

P.O. TONNA:

That's the way to go.

LEG. GULDI:

There you go, Henry.

LEG. CRECCA:

Yes.

LEG. CARPENTER:

Yes.

LEG. ALDEN:

Yes.

LEG. FIELDS:

Yes.

LEG. LINDSAY:

Yes.

LEG. HALEY:

Yes.

LEG. FISHER:

Yes.

LEG. GULDI:

Yes.

LEG. CARACCIOLO:

Yes.

P.O. TONNA:

Yeah.

MR. BARTON:

16-2 on the bond. (Not Present: P.O. Postal and Leg. Towle)

P.O. TONNA:

Thank you. 2188, same motion, same second, same vote. We're now in bonding resolution, **Number 2190 (Appropriating funds in connection with the construction of shoulders on CR 67, Motor Parkway, Town of Islip (CP 5533))**. Motion by Legislator Crecca, second by Legislator Caracappa.

LEG. CARACCIOLO:

On the motion.

P.O. TONNA:

On the motion, Legislator Caracciolo.

LEG. CARACCIOLO:

Do we have someone here from DPW?

LEG. FISHER:

No.

P.O. TONNA:

Do we have somebody from the County Executive's Office, maybe can --

LEG. FOLEY:

Question.

P.O. TONNA:

-- answer a question? And if not --

MR. JOHNSON:

I'm sorry.

P.O. TONNA:

Okay.

MR. JOHNSON:

Which item is this on?

P.O. TONNA:

This is on 2190, sir.

LEG. CARACCIOLO:

2190, appropriating funds in connects with the construction of shoulders on County Road 67, Motor Parkway. Is this a new project, or is this an ongoing road improvement project? Because I know I've seen resolutions --

MR. JOHNSON:

Yeah.

LEG. CARACCIOLO:

-- before for a County Road 67.

MR. JOHNSON:

Yeah. We've submitted several resolution on County Road 67. I can find out, you know, what status --

P.O. TONNA:

I think we know that answer.

LEG. CARACCIOLO:

I'd like to know the size and scope of this project, because if it's piecemeal, I'd like to know what the cumulative financial implications are.

MR. JOHNSON:

Okay. I'll try to get some information for you.

P.O. TONNA:

Legislators, I ask, please, there's a Legislator asking questions.

LEG. CRECCA:

Maybe I can answer. Legislator Caracciolo, there's a --

LEG. CARACCIOLO:

I know this is for shoulders, but I know there are other aspects of this road reconstruction work, so I'd just like to know the full size and scope.

MR. JOHNSON:

I don't have the resolution in front of me, but it may indicate the size of the total project in the resolution.

LEG. CARACCIOLO:

Yeah.

MR. JOHNSON:

In 2192.

LEG. FOLEY:

Yeah, but I --

LEG. CARACCIOLO:

Does BRO or Counsel have that information?

MR. SABATINO:

I don't have it in my backup.

LEG. CRECCA:

For this specific -- are you talking about the total scope of the project or for this specific bond?

LEG. CARACCIOLO:

Total scope and size for this project.

LEG. CRECCA:

It's really big.

LEG. CARACCIOLO:

Yeah, I know.

P.O. TONNA:

That's about as scientific as it gets.

LEG. FOLEY: