

**SUFFOLK COUNTY LEGISLATURE
GENERAL MEETING
THIRTEENTH DAY
AUGUST 5, 2003**

**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 ALISON MAHONEY, COURT REPORTERS**

[THE MEETING WAS CALLED TO ORDER AT 10:50 A.M.]

D.P.O. CARACAPPA:

All Legislators, please come to the horseshoe. We're going to start the meeting. Henry, please call the roll.

MR. BARTON:

Good morning, Mr. Chairman.

(Roll Called by Mr. Barton, Clerk)

LEG. CARACCIOLO:

Here.

LEG. GULDI:

Here.

LEG. VILORIA-FISHER:

Here.

LEG. HALEY:

(Not Present)

LEG. FOLEY:

Present.

LEG. LINDSAY:

Here.

LEG. FIELDS:

Here.

LEG. ALDEN:

Here.

LEG. CARPENTER:

Here.

LEG. CRECCA:

Present.

LEG. NOWICK:

Here.

LEG. BISHOP:

(Not Present)

LEG. BINDER:

(Not Present)

LEG. TONNA:

Here.

LEG. COOPER:

Here.

D.P.O. CARACAPPA:

Here.

P.O. POSTAL:

(Not Present)

MR. BARTON:

Thirteen Legislators present.

D.P.O. CARACAPPA:

Thank you, Mr. Clerk. Everyone, please rise for a salute to the flag, led by Legislator Alden.

(Salutation)

Everyone, please remain standing. I'd like to have a moment of silence for those American Servicemen and Women who have been killed in the country of Iraq, and please pray for those who still are in Iraq occupying that nation.

(Moment of Silence)

Thank you. Legislator Carpenter.

LEG. CARPENTER:

I would just like to put on the record the name of a very brave young man who was buried yesterday, a constituent of mine, his mom, Rahseen Heighter, who was killed in Iraq.

D.P.O. CARACAPPA:

Thank you. Okay. At this point, I'd like to introduce Legislator Lindsay for the purposes of a proclamation. Or no?

LEG. LINDSAY:

No.

D.P.O. CARACAPPA:

That's to sing the Star Spangled Banner, right?

LEG. LINDSAY:

Not me, not me, not me. I'm not singing the Star Spangled Banner. It's my pleasure this morning to have with us a wonderful young lady by the name of Devin Gruner, who is a Sachus South High School student. Come on forward, Devin. She has a beautiful voice, and it just proves what I've been saying right along, the nicest voices in Suffolk County are in the Eighth Legislative District.

D.P.O. CARACAPPA:

Then why don't you sing?

[STAR SPANGLED BANNER WAS PERFORMED BY DEVIN GRUNER]

(Applause)

D.P.O. CARACAPPA:

Thank you very much. That was wonderful. Okay. We have do have -- we have no proclamations, so, right now, we're going to go to report from the County Executive. Todd Johnson is going to speak a little later, he's asked for that. And, right now, we're going to have Michael Hollander, the Chairman of Suffolk County Community College. Good morning, Michael.

MR. HOLLANDER:

Good Morning. Thanks for staying. Good morning. I want to thank you for letting me speak this morning. My wife has directed me that today I will leave at 2 o'clock with my son to go to Great Adventure on vacation, so, therefore, I can't make the 3 o'clock on the College budget.

On behalf of the Board of Directors of the College, I would just like to address the three resolutions that are going to be before you today. One is a resolution that I don't have a number on it, but it's Foley, Binder, Fisher and Presiding Officer Postal, and I'm sure Fred will know which one I'm talking about. It's a resolution that he worked out with Chuck Stein that has increased revenues of 453 and increased expenditures of 453. And I would just like to say that on behalf of the Trustees, that we support that resolution.

LEG. VILORIA-FISHER:

Michael, I think it's Number 1.

MR. HOLLANDER:

Number 1? Thank you. Suffolk County Resolution Number 1, and that we support that resolution, and we don't see any problem with following the resolves that you ask us to follow in that resolution.

In the matter of Resolution, I guess, Number 2, which talks about amending the recommended Operating Budget for tighter fiscal controls of expenditures, this is the one that talks about transferring from the Community College fund \$773,000 and putting it in the reserve.

And, as you know, you know, there's a budget that's done by the College, Chuck Stein does that for the College, and then the County Executive's Office also does a budget, as well as Fred. And so we have three budgets that we're usually playing with when we're starting out on the process, and by the end of the year, either all three of them are right, all three of them are wrong, or there's a mix of in between, because everybody's making our best guess possible. So we do the best job we can to figure it out.

If you guys decide -- and let me just say that we understand that the Budget gets set by you, and whatever budget you pass is the budget we'll live by and stay within, but if you decide to transfer the 773, 436 from the reserve, from the fund to the reserve, you need to know that it's the College's belief that we will not be able to hire additional full-time teachers; that in the budget, we have put in money to hire 16 new teachers. In fact, there might even be a possibility, based on my conversations with Chuck, that we might have to lay off one person.

I had understood that one of the reasons for moving the money from the fund to the reserve was to ensure bringing money down and putting it to the reserve, but what I'd like to do is point out to you that for the last four years that the College has been in the black, that for the last four years the College has increased revenues and decreased expenses, and the additional money that has been brought to the bottom has either offset College expenses or gone to the reserve by resolution.

So I think that the College has shown a good history of saving money and being able to put it to the reserve, and that history of doing that for the past four years is what's allowing you to move a 1,779,000 this year as a part of the budget. So we would suggest to you that we don't need tighter fiscal controls, that with the process as we have in our place in our contingency budgets, we are able to do that and have a history of being able to do that.

In the last one, that's the one that talks about moving money out for the course books, and I think what we'd like to just say on that is, is that we know there was a bunch of discussion on this about a year-and-a-half ago, and before we proceeded, because we did produce a catalog, a course catalog this year, we did meet with Vivian and her committee and discussed it and explained to her what we were up to before we did anything, but we find at the present time that producing the course book is a good move. Number one, it goes to all the residents of the County and allows people to have a glimpse of the things that the College offers, and sometimes spurs them on to be able to say, "Hey, why don't I go take a class, why don't I go do something at the College?"

It's also been very good, and I believe you heard some testimony about this about a year-and-a-half ago, where kids that are at home that aren't sure what they're going to do with their college plans see the catalogs, and Suffolk Community College becomes a part of their mentality and they think about going to the College.

So I just want to let you know that we do produce the course catalog. It does cost approximately a hundred and -- oh, what was that number? A hundred and eighty-seven thousand to print. I don't think the postage is as much as the 135,000, because we do do a bulk mailing on it. And the advertising has nothing to do with the catalogs, it's totally separate, so I'm not sure that even should be there in that instance. But let me just say that, you know, at the present time, the President of the College and the Board feel that the catalogs are a good idea, but we continue to look at it. So it doesn't mean that it will or will not happen this year, but, certainly, it's something that we think has been working. And, clearly, over the past several years, we've had a winning formula in that we've been able to increase revenues, we've been able to increase

enrollment, and we've been able to decrease expenses.

I'd also like to point out to you that we have a new President coming on board, and while she's been here a couple of times to do some various visioning statements and some strategic planning with the College, she'll be coming on board September 1st, and as she comes on board and starts to work with a lot of these things, she's going to have some of her own ideas. So what I'd like to suggest to you is, is that you allow her the ability to look at whether the catalog idea is a good idea or not. And, certainly, on the \$773,000 transfer of the fund, you know, allow the Board to keep that money in its eleven hundred operating statement.

As I said to the Education Committee, we will promise you that we will not spend money that goes to salaries on something else. So you can rest assured that if we don't hire those 16 people, the value of those 16 people will still be there. Okay? So you have my word on that and the word of the Trustees.

And with that, I thank you for your time.

LEG. VILORIA-FISHER:

Thank you, Mike.

LEG. FOLEY:

Thank you, Mike.

D.P.O. CARACAPPA:

Thank you, Mike.

MR. HOLLANDER:

Thank you.

D.P.O. CARACAPPA:

Have a good time, by the way. At this point, I'm going to make a motion to approve the Consent Calendar. Motion by myself, second by Legislator Foley. All in favor? Opposed? Abstentions?

LEG. CRECCA:

Henry, I'm here.

D.P.O. CARACAPPA:

It's approved. We're going to go to the cards at this point. First speaker is Sonia Wagner.

MS. WAGNER:

Good morning.

D.P.O. CARACAPPA:

Good morning.

MS. WAGNER:

I'm the Executive Director of Response of Suffolk County. I'm very pleased to be here. And I'm going to start with an invitation. In front of each of you, there should be a sheet that's blue in color and a little card on the bottom of that sheet. It's Response Hotline's business card. I invite you to remove that card and place it in your wallet, and give that card to the next person you

meet who needs it, and that could be someone you know who's taking care of an ailing parent and is desperate to find resources for them, someone who's lost their job and needs vocational training. Perhaps you know someone who wants to quit smoking and they don't know where to do go for that, or they're worried about their brother's drinking and how can they get help for him. Maybe you know someone who is diagnosed with a serious illness and is having sleepless nights and needs someone to talk to, or perhaps an adolescent who seems troubled and feeling alone, but doesn't feel safe enough to tell people around them what's going on. There's a long list of people I could think of who could make use of our hotline hotline, but we are available 24 hours a day.

I'm not here to give a commercial, but I am here to ask for your help. We took a hit at the beginning of this year, as did many of our fellow agencies who provide social services. We took a hit of about \$10,000. It doesn't seem like a lot of money, but for a small program like this, it was a big hit, followed by federal cuts through Project Liberty, also that we -- which we shared with other agencies, but for us it was enormous. And through various cost-saving measures, we have been able to hold ourselves together and keep our lines open this year.

My fear is next year. I know that we will start with a new budget, which will incorporate last year's cut, so we will start with \$10,000 less, and there's discussion of further cuts. Now, we are at a \$17,000 shortfall for overnight coverage. By that, I mean we pay people a very modest amount just to cover the lines overnight. During the day, they're volunteers. They're skilled, they're trained volunteers. That saves us about, \$56,000 a year, at a very modest rate of, \$9 an hour, I should add. The remainder is about \$33,000 a year, which we need for overnight coverage, and we have a \$17,000 shortfall.

So what I'm asking is that our funding, somehow with your wisdom and determination, be restored, and that we be safe from future cuts. The paper that I left you does indicate ways that we are trying to get money from other sources. Obviously, we cannot count on the County exclusively to save us, but we are here for the County. We are the backup agency for the Mental Health Association. If you call them in the middle of the night, we're the backup for runaway youth programs, for many, many private therapists. We get regular calls from people saying, "I know it's two in the morning, but my therapist's voicemail said to call you, and so I am." We are the backup for a lot of people and --

D.P.O. CARACAPPA:

Miss Wagner.

MS. WAGNER:

-- we're asking that you help us help others. Thank you for your time.

D.P.O. CARACAPPA:

Perfect timing.

(Applause)

Next speaker is -- before I call the next speaker, keep in mind, colleagues, that we have over 50 cards at this point in time, a whole host of different issues, so I'd ask everyone to pay attention, so that we, hopefully, can get to the public in a quick and expedient fashion.

Next speaker is Paul Aniboli.

MR. ANIBOLI:

Good morning, members of the Legislature. My name is Paul Aniboli, and I'm appearing on behalf of Bluepoint Venture Group to address Resolution 1592, which was introduced by Legislator Fields. As I'm sure you're all aware, 1592 is a resolution asking the Legislature to take the unprecedented step of condemning private property from an unwilling seller for the purpose of creating a marine research facility. There are many items that this resolution does not address and I would like to address some of them.

Bluepoint Venture Group is in contract to purchase this property that this resolution seeks to condemn. Obviously, those contractual rights will be compromised by any effort to condemn, and will result in, unfortunately, costly litigation.

The property in question is known as the Bluepoints Company, and it's located at the end of Atlantic Avenue in West Sayville. When we entered into contract to purchase the property, we considered a number of possible uses. The present zoning of industrial and retail was clearly inappropriate in the area. Keeping this in mind, we proposed a change of zone to the Town of the Islip, and the Planning Board heard the application on July 23rd. This resolution impacts that application, and it is important that you understand why.

Our primary objective was to create the least impactful use possible, while still earning a profit on the project. We chose senior citizen condominiums for that reason. Our other priority, of course, was to build something that was consistent with the surrounding community, and that building is a replica of the Old Harbor House at Block Island, which is on the cover of the booklets that have been distributed, at least I hope they have.

I met with Legislator Fields and members of the West Sayville Civic Association, because a movement developed for the purchase requesting Suffolk County Legislature to voluntarily purchase the property. Ultimately, First Republic, which is the real estate company that owns Bluepoint, notified both Legislator Fields and the West Sayville Civic Association that they had absolutely no intention of selling the property to Suffolk County, and letters to that effect are in your packet.

Once the County was no longer dealing with a willing seller, the option of a voluntary purchase, of course, was foreclosed. I then met with the West Sayville Civic Association again to discuss a possible compromise in which we would donate half the property to Suffolk County for that purpose. I was subsequently informed by Legislator Fields that the County had no interest in accepting the donated property, and that she would, instead, seek condemnation. Our offer to donate the very property they sought to acquire was rejected in favor of this unprecedented resolution for condemnation.

We then reached out for another partner, and, thankfully, at this point, found Stony Brook University and the State of New York. However, Stony Brook did an inspection of the property, which revealed what our engineers had already told us, the buildings themselves could not be used. As is stated in our engineer's report, the buildings are absolutely useless.

D.P.O. CARACAPPA:

Paul.

MR. ANIBOLI:

Yes.

D.P.O. CARACAPPA:

Your time is up. Do you have copies, Paul?

MR. ANIBOLI:

Yeah, there are copies of the statement.

LEG. TONNA:

Where are they? Are you going to submit them?

MR. ANIBOLI:

Yes, they've been submitted.

LEG. TONNA:

Yes.

MR. BARTON:

You want us to?

D.P.O. CARACAPPA:

Henry, please. Thank you. Next speaker is David Canover.

MR. CANOVER:

Canover.

D.P.O. CARACAPPA:

Canover? Sorry.

MR CANOVER:

Good morning. My name is David Canover. I am the Dean and Director of the Marine Sciences Research Center at Stony Brook University, and I'm here to provide information relative to Resolution 1592, and to describe the interest of Stony Brook in a maritime research and education facility at the Precinct site of the Blue Points Oyster Company.

First, let me tell you a little bit about our institution. The marine Sciences Research Center is the SUNY-wide center of expertise in marine science for the State of New York, with about 42 faculty, and 180 graduate students. We are one of the leading marine science institutes in the country, it ranked among the top ten. And, of course, we reside on one of the top -- on the campus of one of the top research universities in the country.

Now, there are several reasons why we are interested in a marine facility at Blue Points.

First is we are searching for a new home for our research and educational activities that involve aquaculture, as well as a site to dock and launch some of our vessels on the South Shore. Our current facility, the {Flaxpond} Marine Lab in Oldfield, New York, needs major renovation and will not meet our needs even then.

Second, the naturally sand filled seawater supply drawn from wells at the Blue Points site make in an excellent and unique proven location for experimental research.

Third, MSRC wants to expand it research on the causes of decline in shellfish productivity in Great

South Bay and other South Shore bays.

Fourth, the donation of the Blue Points bottom lands in Great South Bay to the Nature Conservancy represents an excellent opportunity to conduct cooperative research on the restoration of the shellfish industry, and we are already working closely with the Nature Conservancy in developing management and research plans for the bottom lands property.

Finally, we would like to develop an education outreach program dedicated to increasing public's awareness of the fragile ecology of the Great South Bay.

Now, a few months ago, the West Sayville Civic Association approached us in our interest using the existing facility, and about the same time, Mr. Aniboli also approached us about his offer to build a marine lab on about 1.5 acres of the site. We inspected the site and reached the conclusions that the present wooden buildings are not adequate for housing the expensive types of scientific instrumentation and equipment that we would expect to install, and they would need serious renovation to reach code compliance as a public facility.

We are willing to discuss alternatives, but we view Mr. Aniboli's plan as the one most likely to meet our needs, and the one with the financial resources to actually deliver it. Of course, we recognize that there are many issues to be considered concerning the future of this property. I'm here today only to describe our specific interest in marine research and an educational facility at that site.

There's lots of details in Mr. Aniboli's plan that remains to be resolved, but if the issues regarding the design and the size of the facility can be worked out, and the legal issues regarding transfer of the property and the building to the University, and if the Town of Islip and the County so desires, then we would be very interested in operating a marine research and education center at the Blue Points site. Thank you.

D.P.O. CARACAPPA:

Perfect. Next speaker is Peter Quinn.

MR. QUINN:

Good morning, my name is Peter Quinn, Energy Analyst with the Long Island Coalition for Democracy. Today I am calling upon the Legislature to put in its Operating Budget some funds to create an Energy Efficiency Manager for the County, apart from the Department of Public Works. This person would be a consultant who would analyze the buildings throughout Suffolk County, and the south -- the various sewer districts and the water pumping stations at the Suffolk Water Authority. The goal is to introduce a plan to create a determination in a priority fashion of what needs to be done by this County to become more energy efficient and start using renewables and alternate energy.

The fact of the matter is this County was given information by Fred Pollert from the Budget Review Office.

There are various conversations going on. I thought that I would be given some undivided attention, but evidently not. I hope that doesn't take up some of my time.

And the fact of the matter is this County spent a million-and-a-half more dollars given to LIPA as a result of their having increased bills. This person would pay for himself by presenting a report

to this Legislative committee, making recommendations for energy efficiency. The energy efficiency would include solar port legislation that I had proposed to this -- to Maxine Postal over a year-and-a-half ago, and the Department of Public Works did not do any analysis.

That legislation was flawed to begin with, because it called for NYSERTA to do a study. NYSERTA has control over only those utilities areas that are system -- have a systems benefits charge, but Long Island Power Authority, LIPA, is not under that aegis, therefore, NYSERTA directed Suffolk County's Department of Public Works to go through LIPA. Well, that's like inviting the fox to the hen house. They're not going to provide us with an energy efficient solar port plan to provide electric vehicles. And I would urge that you go through the Department of Energy. Wait a month or two until LIPA has issued its report, but you'll get funding from the DOE. If somebody had asked me from the very beginning, over a year-and-a-half ago, I would have told them that. I didn't realize it was going to go in this pig-headed wrong direction.

So I urge that that legislation, 505, that was passed by this Legislature a year ago, be revised and you go through the Department of Energy. Thank you very much.

(Applause)

LEG. VILORIA-FISHER:

Thank you, Peter.

D.P.O. CARACAPPA:

Thank you, Peter. Next speaker is Jessica Ottney. Just before you start, Jessica, just on deck is -- oh, great. I'll just say Jack Lofaro.

LEG. FIELDS:

Jacqui.

D.P.O. CARACAPPA:

Oh, it's Jacqui, okay. So you're up next, Jacqui. Go ahead.

MS. OTTNEY:

My name is Jessica Ottney and I represent Citizens Campaign for the Environment. We're an 80,000 member state-wide not-for-profit nonpartisan advocacy organization working in New York State and Long Island to protect the natural environment and the public health. And I'm pleased to be here speaking to you today about the Blue Points property.

The area known as the Bluepoints Company property, which includes the upland portion within the Town of Islip, about which there's a proposal before you today, lies within the New York State designated South Shore Estuary Reserve. CCE has actively worked to protect the South Shore Estuary Reserve since 1993, when State legislation designated it as such. CCE believes the preservation of the Blue Points property as an important opportunity to implement a variety of recommendations made in the South Shore Estuary Reserve Comprehensive Management Plan.

D.P.O. CARACAPPA:

Jessica, just hold on one second. I'm going to stop the time. I'd ask Legislators, please report to the horseshoe, we lack a quorum. Go ahead.

MS. OTTNEY:

The plan, which was adopted in 2001 and signed by the South Shore Estuary Reserve Council.

The Council was created to represent local governments, including Suffolk County, baymen, fishers, water dependent businesses, community groups, conservationists and marine research interests in the development of that plan. CCE has actively participated in the development of that plan from its inception, and the recommendations contained in that plan are the result of a consensus based process in which the public and local governments were actively involved throughout.

CCE suggests Suffolk County continue the process to acquire the upland portion of the Blue Points property. Through County acquisition, the Blue Points property may be preserved, which will greatly assist in the successful implementation of the plan by providing increased public access to the estuary, providing new and important opportunities for research into increased harvest levels of shellfish, protecting and sustaining water dependent economic activities, such as commercial fishing and aquaculture, increasing opportunities for public education, and the development of interpretive centers, and also protecting cultural and historic resources to preserve and maintain maritime character while supporting tourism.

CCE strongly supports the aggressive implementation of the South Shore Estuary Reserve Comprehensive Management Plan, and urges this body to actively work to preserve the Blue Points property in the spirit of participation and collaboration in the process of protecting and restoring the South Shore Estuary Reserve as an irreplaceable natural, cultural and economic asset to the people of Suffolk County. Thank you very much for your time.

D.P.O. CARACAPPA:

Thank you.

(Applause)

Jacqui Lofaro, followed by Katherine Hoak.

MS. LOFARO:

Good morning, and thank you. My name is Jacqui Lofaro, and I'm President of the Suffolk County League of Women Voters.

Let me set the scene for you. It's January, it's 1921, 82 years ago. We're in Albany at the New York State League Convention. The keynote speaker is a newly elected Republican Governor, Nathan Miller. In his speech, he declares that the League, as a nonpartisan organization seeking to assert political power, was a menace to representative government. Carrie Chapman Catt, the National League President took the floor to respond. This is what she said, that, "The League aspired to be not only within one of the majorities that influence government, but also one of the minorities which agitates, and educates, and shapes ideas today, which the majority will adopt tomorrow.

In this very body a few months ago, when Legislator Vivian Vilorio-Fisher proposed that the League of Women Voters, a nonpartisan group, have representation on a future Reapportionment Commission, comments were made that we were not nonpartisan, and that we were nothing more than a political action committee. Our Legislator Chair -- Legislative Chair, Katherine Hoak, reported back on these criticisms. And I am here before this Legislature today as President of the Suffolk County League to rebut the myths and the misconceptions held about the League, and to clarify the guiding principle of our organization nonpartisanship.

The League is political, yet nonpartisan. We're political, because we work with politicians and

elected officials to help change laws or put new laws on the books. We're nonpartisan, because we do not support or oppose political parties or candidates. We lobby for legislation after our members have studied and debated the issue and reach consensus. The League understands that change occurs when laws are changed. Legislative bodies like this one write the laws.

You'll hear the League give testimony before you on positions from our Legislative agenda, among them affordable housing, redistricting, open government, access to health care, campaign finance reform. The League's pro choice position supports a woman's right to choose, and this is affirmed by the Constitution of the United States.

The League of Women Voters, since its inception in 1920, is committed to educate voters, to empower voters, to keep government open, and put laws on the books, and keep democracy strong. Thousands of members in 60 chapters throughout New York State represent dedicated and committed people who work on this nonpartisan agenda. Other League leaders are here today to detail aspects of our organization and how we operate.

I thank you very much for your time, and I'd be happy to answer any questions you may have. Thank you.

D.P.O. CARACAPPA:

Thank you.

(Applause)

D.P.O. CARACAPPA:

Katherine Hoak is up, followed by Barbara Jordan.

MS. HOAK:

Good morning. I am Katherine Hoak, a member of the League of Women Voters. I am on the League's County Board, and am Chair of its Legislative Committee, the reason I attend your meetings. After each General Meeting, I report back to the Board on issues of particular interest to it, such as propositions regarding voting, affordable housing, campaign finance reform, nonpartisan reapportionment, etcetera. We are now in the process of setting up a column on our website to report on these issues to our general membership. Local Leagues and individual members then utilize that information according to their areas of involvement. Members of the Legislative Committee also develop talking points, which are used in our Legislative lobby visits. I've put together a booklet, "Know your Legislator", to inform members and to encourage their participation.

I am speaking today in response to the discussion that followed Vivian Vilorio-Fisher's legislation at the last General Meeting. I was not too happy with some of the comments made, because they misrepresented the League.

The first meeting I attended here was the one at which you voted to increase the living wage of County workers. That was a remarkable to the Legislature for me because of its dynamism, and because it was apparent to me then and since that you genuinely care about the welfare of your constituents. Your debates are generally based on the merits of issues, not so much on party lines. You, therefore, instill in me hope for the welfare of our democracy.

In closing, studies indicate that younger citizens tend not to vote. I wonder if the wonderful occasions when you honor students from your districts might be opportunities to nurture their participation. Perhaps suggestions could be made to their teachers beforehand to investigate with the students some local issue being dealt with here to develop their awareness of the importance to their towns and to them of what happens here, and also encourage them to stay at least a little while to hear part of the public portion, so that they see this Legislature as their forum as well. Thank you.

(Applause)

LEG. VILORIA-FISHER:

Thank you.

D.P.O. CARACAPPA:

Thank you. Barbara Jordan, followed by Janalyn Travis-Messer.

MS. JORDAN:

Good morning. My name is Barbara Jordan and I am Co-President of the League of Women voters of the Hamptons. I am here today in response to the expressed concern of some Legislators regarding the ability of League members to participate on governmental committees and/or commissions and remain nonpartisan.

Every League from the national to the local level has a policy of nonpartisanship, and as such, Leagues do not support or oppose any political party or their candidates for public office. The League may, however, after members study an agreement, take action on governmental measures and policies deemed to be in the public interest. The League's support of such measures and policies, however, should not be construed as support for any party or candidate who may be in agreement with the League.

While the League encourages its members to be active politically, it specifically prohibits its elected officers and the members of the Board of Directors from running for or holding elective office, or participating in any way in any political campaign. This includes fund-raising, making financial contributions, attending or chairing campaign events, and working or contributing in any significant way in a campaign for a political candidate or a political party. Any elected officer or board member who violates the nonpartisan policy of the League must resign from the Board. The League's nonpartisanship is at our very core, so this is a policy every League takes very seriously, and reviews and updates annually.

The League of the Hamptons, unfortunately, had to accept recently the resignation of an elected Director and our Public Relations Chair because of their decision to be involved in the campaign of a potential Presidential candidate. While we respect their right to participate in the democratic process, they can no longer speak for the League, as they are, obviously, partisan.

Hoping that you now better understand the League's nonpartisan policy, I urge you to always consider League members for membership on committees or commissions where our nonpartisan interests or expertise can be an asset. Thank you.

(Applause)

D.P.O. CARACAPPA:

Thank you. Janalyn Travis-Messer, followed by Joyce Rosenthal.

MS. MESSER:

Good morning. My name is Janalyn Travis-Messer, and I'm the President of the Shelter Island League of Women Voters, the first Vice President of the Suffolk County League, and the Secretary Treasurer of the League of Women Voters of New York State.

Membership in the League is open to every U.S. citizen of voting age, and our membership is all-inclusive, comprised of individuals, men, women, students, young, old, who may or may not be a member of all the various political parties. But the League is a nonpartisan organization, a phrase that has been expressed and described by my colleagues several times. This means that the League does not support or endorse any candidate for office, as you've heard. As a national organization, members are drawn from all regions in the United States. Ethnic, political, economic, social, racial, and educational differences abound.

The name may be misleading to those who are unfamiliar with the mission of the League, but our primary objective is to encourage and assist in many ways all those who are eligible to vote, to vote, but to vote is not enough. Just as you want to be knowledgeable of the bills and the budgets that are before you, a voter must be informed. To choose the candidate who will best serve their needs, as well as the needs of their community, and to understand the issues.

On a personal note, I would like to thank The Honorable Michael Caracciolo. You honored my husband, Town Councilman James Messer from Shelter Island as Volunteer of the Year, and I wanted to thank you very much for that. He's a registered Democrat. Talk about nonpartisan.

(Applause)

LEG. FIELDS:

We don't have a quorum. Could Legislators come into the auditorium? We don't have a quorum.

LEG. ALDEN:

We need Legislators.

LEG. VILORIA-FISHER:

Well, we have the Nineteenth Legislator here.

LEG. FIELDS:

The next speaker is going to be Joyce Rosenthal, followed by Nancy Marr, but we're not going to ask you to begin until we have a quorum of ten.

LEG. VILORIA-FISHER:

Yes, we have one now, George Guldi is here. We have a quorum now.

MS. ROSENTHAL:

Good morning.

LEG. FIELDS:

Okay, you can go.

MS. ROSENTHAL:

Good morning. I'm Joyce Rosenthal, I'm Second Vice President of the League of Women Voters of Suffolk County, First Vice President of the League of Women Voters of Smithtown, and serve as

Chairperson for both organizations.

The League of Women Voters is a multifaceted organization whose membership is drawn from a broad spectrum of individuals. The only requirements for membership are that you are a citizen of the United States of at least 18 years of age. In addition to encouraging all eligible citizens to vote in all elections, the League of Women Voters studies issues and gives all members the opportunity to participate in consensus. Only after reaching a consensus of the membership do we begin to lobby our elected officials to support or initiate legislation on a given issue.

There are times when legislation is opposed that our consensus does not support. At those times, the League of Women Voters will actively lobby elected officials to vote against the said legislation. Often, the ballot will include propositions for the voters to accept or reject. When these occasions arise, the League of Women Voters will publish a guide for voters that will give the pros and cons of the proposition. If the League of Women Voters has a position on the proposition in question, our guide will state that the League of Women Voters either supports or does not support the proposition.

It is our belief that voters should be exposed to reasons for accepting or rejecting a proposition. In order to achieve our objectives, it is necessary to engage in educational activities that promote informed voter participation. Citizens must be given the information necessary to understand how the government works and how to make their voices heard. We encourage working with others to resolve the problems to ensure -- to ensure the common good, to ensure healthy communities and a strong nation.

In an optimum situation, informed voters would participate in every election, ensuring a diversity among office-holders and policy-makers to ensure the strength and vitality of our political system. Is the goal of the League of Women Voters to have an informed electorate that understands the basic principles of the democratic system. Everyone who has the right to vote should vote. Only then will we be able to say that we have a system in which those who are governed choose those who will govern.

In addition, I would like to make a statement about our education through advocacy. The League of Women Voters of the United States is a nonpartisan community-based political organization that encourages the informed and active participation of citizens in government, and influences public policy through education and advocacy.

D.P.O. CARACAPPA:

Thank you.

LEG. VILORIA-FISHER:

Thank you, Joyce.

D.P.O. CARACAPPA:

Next speaker is Nancy Marr, followed by Deborah Weiner.

MS. MARR:

I'm Nancy Marr and I'm President of the Brookhaven League of Women Voters, and I appreciate the opportunity to say yet another word about the League.

People have mentioned consensus, they've mentioned taking a stand, and what I wanted to

describe briefly is how we do take a stand. And my example is when Brookhaven Town League looked at the Brookhaven Town organization last year, looking to see whether councilmatic districts or the at-large system of voting would better serve the interests of the League, which, as we have said, has been to encourage people to be active participants in the democratic process, to be voters, to be informed. We wanted to know whether, if we made a change to councilmatic districts, could such a change restore voter confidence the electoral system to increase civic participation.

We formed a committee to study council districts, and they began with fact gathering. They read governmental documents regulating New York town governance, they contacted the ten other towns in New York State that have council districts to see how they had worked. They talked with experts at Stony Brook and other places. They also met with other community groups that had all kinds of views on the subject.

After the committee had informed itself of the pros and cons of the issue, they presented this information to meetings of the general League membership, presenting background material, the benefits, the drawbacks, and seeking a variety of opinions and opinions from the League members to make sure that all views were being aired.

At the culmination of the process, there was a general agreement or consensus among the members to support council district form of town government for Brookhaven, concluding that it would bring voters or could bring voters closer to their local officials. Each council person could better represent the voters, because council districts had smaller populations than the town at large. This would allow the council members to focus on the particular needs of their own areas, as well as the needs of the town at large. There need not be any additional expense to the taxpayers.

At this point, the study item became an action item, and League members were authorized to speak in the name of the League about this, because the members had agreed. This process takes place at the local level, the town, the national, and the state, so that when League members speak, they are speaking in behalf of other members that have heard all the facts, have heard the pros and cons and have reached consensus. At that point, the Brookhaven League worked in coalition with other groups, supporting councilmatic districts. We've stated our position publicly. And before the election or before the referendum, we held a public debate. We had a panel of informed experts on both sides speaking and responding to audience questions. Our aim was to encourage the public to reach their own conclusions. And as we have said, we are seeking to inform voters, to be informed ourselves, and to speak only about things that we have decided and know about. Thank you.

LEG. VILORIA-FISHER:

Thank you very much.

LEG. FOLEY:

Thank you, Nancy.

(Applause)

D.P.O. CARACAPPA:

Thank you. Deborah Weiner, followed by Nancy Marr.

MS. WEINER:

I'd like to give the members a copy.

D.P.O. CARACAPPA:

Just give it to the Clerk.

MS. WEINER:

Good morning, Deputy Presiding Officer Caracappa and Ladies and Gentlemen of the Legislature. Thank you for giving me this opportunity to address you this morning. And I am not speaking to a resolution, because, so far, there has not yet been one to restore RSVP's reduced funding.

I want to thank you, though, for supporting RSVP with a memorializing resolution when we filed an application with the Federal Government to become an independent self-sponsored grantee of the Corporation for National Community Service. Big mouthful. RSVP was awarded that status and is now a completely independent organization. I think you did that because you all agree that RSVP is valuable to Suffolk County. RSVP is not only valuable, but cost effective, because all of our programs are volunteer driven. Yes, RSVP is cost effective, but volunteers are not free. It takes an organization to recruit, train and place them. In today's economic climate, more and more agencies are turning to RSVP to provide volunteers in order for the agencies to continue their services. Volunteers never take the place of staff, but can relieve staff of critical duties.

Last year, the monetary value of RSVP volunteers to Suffolk County was more than 2 million dollars. This is based on the Washington-based independent sector's value of \$16.54 per hour for volunteer service, far above the living wage. This value is only the tip of the iceberg. Elementary school children's reading scores have improved because of RSVP's reading program in 11 schools. Participants at nutrition centers have improved their health through exercises, walking programs, and osteoporosis prevention programs, which RSVP developed and volunteers lead.

RSVP volunteers assist thousands of older adults with their health insurance problems. Volunteers call frail home-bound daily, and each year, at least 30 to 50 lives are saved because of early intervention. How do you put a price on a life that's saved?

I could continue for another ten pages, but in the interest of time, I will just say that in addition to all of the above, RSVP volunteers are assisting first responders and are being trained to help in disasters. There can be no monetary value put on everything that the RSVP volunteers do to make Suffolk County a good place to live. But, and here's my pitch, RSVP must have funds to operate.

I believe that you are more than well aware of the hit RSVP took this year. In three contracts, we lost \$13,971. Everything else is written down on this page, and so if you would just look at it, you'll see our pseudo codes, how much we lost in three contracts. And I just want to tell you we're not part of the problem, our volunteers are part of the solution in Suffolk County. Thank you very much.

(Applause)

D.P.O. CARACAPPA:

Thank you, Deborah. Nancy Marr, followed by Robert Heppenheimer.

MS. MARR:

I spoke already.

D.P.O. CARACAPPA:

Oh, Nancy spoke? Okay. I suppose you filled out two?

MS. MARR:

Yes.

D.P.O. CARACAPPA:

Okay. Robert Heppenheimer. No, you can't -- you can't come up a second time, ma'am.

MS. MARR:

Not ever?

D.P.O. CARACAPPA:

No, unless you're speaking on the public hearings this afternoon.

Mr. Heppenheimer.

MR. HEPPENHEIMER:

Good morning. My name is Robert Heppenheimer. I am President of Intercounty Health Facilities Association, the nursing home trade association for Suffolk and Nassau County. We represent 30 member homes in Suffolk County, serving approximately, six thousand out of the eighty-five hundred nursing home residents in Suffolk County. All of our homes are certified to accept Medicare and Medicaid for the provision of long-term and short-term services to the oldest and sickest members of our community.

The vast majority of income for nursing facilities comes from Medicaid, a jointly funded program between federal, state and local governments. We are here today in support of I.R. 1713 regarding funding for DSS Chronic Care Workers.

In order to obtain Medicaid coverage for a patient, each resident and/or family must complete a full application, with all financial data going back at least 36 months, as well as attending a face-to-face meeting with a representative of DSS. This review process is labor intensive, as each resident has several streams of revenue and resources that must be investigated to ensure that they are truly eligible under state and federal guidelines. According to New York State, an application must be approved or denied within 30, and an additional 30 days, a 60 day time window.

As a result of recent buy-outs for DSS workers, the backlog of new cases awaiting approval in DSS has gone from 200 to 588 in the last two years. The backlog cases of conversions is over 200. Families who submit an application today will not have a face-to-face interview until October or November of this year at earliest. These applications will not be reviewed until after that appointment, at which time the full investigation is commenced. DSS is no now processing January of '03 applications.

After the face-to-face meetings, families are often waiting six to twelve months for their application to finally be approved. This leaves facilities and families in a very difficult position. Months after applying they may find out the resident was not eligible, and then there are no resources to cover that period that is not covered by Medicaid.

A recent survey of Suffolk County nursing facilities put the amount past due to facilities at 12.5

million dollars. Half of these monies are due from the federal government. As a result of the County's lack of ability to comply with Federal and State regulations, short-term residents are often forced to stay in nursing facilities longer than they would necessarily need to stay. Other residents are not able to obtain medical services, because they do not have active Medicaid. Residents and families are often embarrassed to come into the facilities simply because they know that their bill is not being paid and they're just not sure that it will be paid.

And, finally, while nursing facilities continue to care for these residents, we are unable to remain current in our bills and other financial obligations. We request your support of 1713. Thank you.

(Applause)

D.P.O. CARACAPPA:

Thank you. The next speaker is Lee Lutz, followed by Carole Campolo.

MR. LUTZ:

Good morning. During discussion following my presentation to this Legislature on June 24th, a Legislator asked that I define the goals of public financing of election campaigns, and another asked me to prove that they work.

I have prepared and distributed to the Legislators a report, both delineating the goals of such programs and providing evidence of their success. I urge you find the time between now and when you may vote on the bills in front of you today to read and consider that report.

I believe the report supports the claim of many over the past ten years that a viably funded program here in Suffolk County will improve the County's political and governing process.

There are several other speakers today who will be addressing this issue, many you will have heard before. I ask you to carefully consider what each has to say. There is one, however, that I would like to introduce to you prior to her remarks. She is Carole Campolo, Deputy Executive Director of New York City's Campaign Finance Board. You may recall that Suffolk's program was originally modeled after the very successful program the City implemented over a decade ago. Carole is here today to add her expertise to the issue of public financing success. Although I am sure she would not say, so she was also sacrificing well earned and long-awaited vacation time to be here today. Let me say publicly how grateful I am that she is taking out personal time to be here to support Suffolk's Campaign Finance Reform Program.

One more note. The Legislature today is being asked not to approve legislation, but simply to permit the voters of Suffolk County to do so, democracy in its most direct form, a referendum. In 1998, these voters overwhelmingly approved this program. As I have said to this body previously, it is my opinion that those voters thought the program was funded when they voted for it. A second referendum the following year that would have provided that funding was defeated. That defeated referendum was poorly worded, and the public was poorly informed about it, the fault of both opponents and supporters. The intent of each bill before you today is clear, and I ask that you give the voters of Suffolk an opportunity to express their preference, and to finally provide the missing link in Suffolk's program. Thank you.

(Applause)

D.P.O. CARACAPPA:

Thank you, Mr. Lutz. Carole Campolo, followed by Anne Riordan.

MS. CAMPOLO:

Good morning. My name is Carole Campolo. I'm the Deputy Executive Director of the New York City Campaign Finance Board. I'm here to tell you that campaign finance reform works.

The Campaign Finance Program in New York City has been in effect for the last 15 years. The legislation came about largely due to the municipal scandals of the 1980's; I'm sure you all remember those. The program is a voluntary program, it reduces the influence of private money on City campaigns, offers qualified candidates a fair chance to run for office by providing public matching funds for small contributions, and makes available detailed information --

("No Quorum" Said in Unison by Audience Members)

D.P.O. CARACAPPA:

Okay, gotcha.

LEG. CARPENTER:

Quorum monitors.

D.P.O. CARACAPPA:

Yes, it was just brought to my attention you are the quorum monitors. All Legislators, please report to the horseshoe.

MS. CAMPOLO:

I thought New York City was exciting.

D.P.O. CARACAPPA:

You ain't seen nothing yet. All Legislators, please report back to the horseshoe, we are lacking a quorum.

LEG. CARPENTER:

Or report to the horseshoe for the first time.

D.P.O. CARACAPPA:

Or report to the horseshoe for the first time, that's right. Legislator Crecca, a joke maybe?

LEG. CRECCA:

George Guldi.

LEG. COOPER:

Careful, Andrew.

LEG. CRECCA:

I'll be happy to sing, but that would clear the whole room.

D.P.O. CARACAPPA:

Five minute recess.

[THE MEETING WAS RECESSED AT 10:41 A.M. AND RESUMED AT 10:47 A.M.]

D.P.O. CARACAPPA:

Henry, please call the roll.

MR. BARTON:

Yes.

(Roll Called by Mr. Barton, Clerk).

LEG. CARACCILOLO:

Here.

LEG. GULDI:

Here.

LEG. VILORIA-FISHER:

(Not Present)

LEG. HALEY:

Here.

LEG. FOLEY:

Present.

LEG. LINDSAY:

Here.

LEG. FIELDS:

Here.

LEG. ALDEN:

Here.

LEG. CARPENTER:

Here.

LEG. CRECCA:

Here.

LEG. NOWICK:

Here.

LEG. BISHOP:

Here.

LEG. BINDER:

Here.

LEG. TONNA:

Here.

LEG. COOPER:

Here.

D.P.O. CARACAPPA:

Here.

P.O. POSTAL:

(Not Present)

MR. BARTON:

15 present.

D.P.O. CARACAPPA:

How about that? Miss Campolo, please resume your statement.

MS. CAMPOLO:

Hi. Thank you. Again, let me introduce myself for those that weren't here before. My name is Carole Campolo. I'm the Deputy Executive Director of the New York City Campaign Finance Board, and I am here to tell you that campaign finance reform works.

The New York City Campaign Finance Program has been in effect for the last 15 years, and the Campaign Finance legislation came about largely because of the municipal scandals that took place in the City in the 1980's. The voluntary program reduces the influence of private money on City campaigns, offers qualified candidates a fair chance to run for office by providing public matching funds for small contributions, and makes available detailed information on candidate's campaign finances.

The New York City Campaign Finance Board has administered many elections over the last 15 years. We administered four city-wide elections that include the positions of Mayor, Public Advocate, Controller, five Borough Presidents, and 51 City Council seats. We have also done two City Council elections. We are currently doing one for this year as a result of the census data and redistricting in New York City.

The practical results of the program have been gratifying and successful. New York City's program is the acknowledged leader in the nation among operating local reforms, and is recognized by such -- as such by editorial boards and practitioners in the field around the country. The comprehensive approach of the program has resulted in had effective limits on contributions, particularly as compared with State law limits, meaningful restraints on spending, contributing to level playing fields and competitive races, unprecedented accurate and computerized disclosure of campaign finance information, and opportunity for candidates who are not wealthy, who do not have wealthy contributors, and who might otherwise not have an opportunity to run meaningful campaigns.

Let me outline specific successes of the program since it first went into effect. Since 1988, New York City has seen its first black Mayor, first black Comptroller, first black female Borough President of Queens, it's first Dominican, Caribbean-American and Asian-American City Council, two incumbent Mayors, who were unseated by challengers, where both the Mayors and the challengers were program participants, and in a city that is made up of a large majority of registered voters who are registered as Democrats, the first Republican Mayor who was elected twice as a participant in the program.

In 2001, the last city-wide election we administered, 353 candidates joined the program to run for office, and the number of contributors to campaigns, a proxy that we believe for voters, doubled in those elections.

In closing, let me say that I believe there are a couple of reasons why this reform measure has been successful in New York City. First and foremost, we have been -- scrupulously maintained an independent and nonpartisan culture. And second, the program has always been fully funded. These protections have ensured the public and candidates who agree to all of the Act's provisions, that public matching funding and all facets of the program will be available when needed. For the candidates, the insurance is obvious, but a successful fully funded Campaign Finance Program will assure your voters in Suffolk County that the influence of money and politics, whether actual or perceived, has been substantially reduced. Thank you very much.

D.P.O. CARACAPPA:

Thank you.

(Applause)

Anne Riordan, followed by Laura McKenna. Anne Riordan.

MS. RIORDAN:

Good morning, I'm Anne Riordan, Chair of Suffolk County Campaign Finance Board. And, first of all, I'd like to thank Carole Campolo for coming, taking time out of her vacation to give us that very good report on how things are working in New York City. As a matter of fact, wherever in the United States public funding of campaigns has been tried, a super-majority of voters, challengers, and incumbents have liked the results.

When Suffolk passed its Public Funding Bill in 1998, it was in the vanguard of states, municipalities, and counties in doing so. However, since we neglected to fund the law, others who did fund their programs has moved ahead with universally happy results; Suffolk lags behind.

The Campaign Finance Board has spent the last four years preparing to administer partial public funding of campaigns. It's time for the Legislature to ask the voters the simple question on public funding, are you willing to spend fifty cents a year, that's a penny a week, to publicly fund campaigns? It's impossible to believe they would say no. Thank you very much.

(Applause)

D.P.O. CARACAPPA:

Thank you. Laura McKenna, followed by Donna Kass.

MS. MC KENNA:

Good morning. I'd like to address the issue of the Living Wage Law. I'm the owner of a day-care center located in Bay Shore. We provide a useful quality service for working parents, the very people that this law is designed to aid, and we do it at a reasonable cost. Unfortunately, if the law is passed, it will force me to increase my expenses, and I'll have no choice but to pass those expenses along to my working parents, most of whom are not able to afford and increase. As for the many families at my facility whose children are placed through the Department of Social Services, the cost is going to be passed right back along to the County. Excuse me, I'm nervous.

The law makes no sense, because it makes no distinction between full-time and part-time employees, it makes no distinction between skilled and unskilled employees, it makes no distinction between highly educated and minimally educated employees, it makes no distinction between experienced and inexperienced workers. I have teachers at my facility with Bachelor's degrees, some higher. I also have aides with high school diplomas, and understand this law, both will be paid the same wage. This is a disincentive for me to get people who are willing to get additional education, additional skills, and it also provides poor morale for my workers. What teacher is going to be happy making the same salary as a high school graduate when she's got more responsibility?

I understand that there's an exemption in the law, also, for nonprofit providers, so, apparently, the living wage law doesn't apply to these people. It doesn't make sense. Although I believe the legislation was well intentioned, it's ultimately going to hurt and not help the working parents, and I urge you to consider these ramifications that the living wage law is going to cost. Thank you.

LEG. FOLEY:

Thank you.

D.P.O. CARACAPPA:

Thank you. Donna Kass, followed by Patricia Gyscek.

MS. KASS:

Good morning. There have been some new developments since I last addressed you on behalf of Resolution 1143, which deals with informing the public about charity care at area hospitals.

First of all, the resolution has been revised, so that it no longer requires hospitals to track charity care applicants. That was the provision that the hospitals said was difficult for them to do.

Secondly, last month, the American Hospital Association sent an alert to 4,800 hospitals across this nation in which they urged them to stop using harsh bill collection tactics, and to post signs informing the public about the existence of charity care. This alert received prominent coverage in the Wall Street Journal and on the web in the Kaiser Family Foundation's Daily Health Policy Report. The articles quoted a Senior Vice President of the Hospital Association as saying, "If hospitals are hounding people who have no resources and are not informing them about available resources in charity care, that is inappropriate and they should stop." Ten days later, on July 17th, again, the Wall Street Journal, and again, the Kaiser Foundation reported that the House Committee on Energy and Commerce has initiated an investigation into hospital billing practices that charge uninsured patients their highest rates. The Subcommittee on Investigations is requesting information from the hospitals on their charity care practices and the methods used by them to identify patients who receive charity care. That makes Resolution 1143 a cutting edge resolution. Its adoption would put this County in the forefront nationally by being one of the first places where hospitals must inform the public of the existence of charity care. I urge you to vote yes on the resolution. Thank you.

(Applause)

D.P.O. CARACAPPA:

Thank you. Patricia Gyscek, followed by Janet Walerstein.

MS. GYSCEK:

Good morning. My name is Patricia Gyscek. I commend the members of the Ways and Means Committee on passing Resolution 52, the GFA Affordable Housing Bill, and urge the full Legislature to follow their lead. I also apologize to the Committee to repeating myself to the full Legislature, but you'll already know the punchline of my presentation.

I'm the Outreach Coordinator at Saint Sylvester's Church in Medford. The most difficult need that comes to us on a daily basis is the lack of affordable housing on Long Island, but I speak to you today from a much more personal perspective. I'm a lifelong resident of Long Island, and my husband and I have raised our three now adult children in Farmingville.

I live in Farmingville. To be more precise, my husband and I live in our garage in our house in Farmingville. Why are we living in our garage? Well, when I mentioned Farmingville, and considering I've testified before many of you about the need for tolerance in our community, you might think that we're harboring undocumented day-laborers in our house, but you'd be wrong. Our oldest daughter, her husband, and their two children came back to live with us and our youngest son last year, so they could save up enough money to buy a house in Suffolk County.

The time came about two months ago to start an active search for the house of their dreams. They even applied to and received a \$7,000 matching funds grant from Suffolk County for first-time home buyers. While that money could be helpful, they found out when house hunting that \$7,000 is a small drop in the bucket when you're talking about affordable on Long Island. Considering their income and their savings, the outside limit that they could afford was \$250,000. They looked and they looked. They even brought me to look at a couple of houses. Any of the homes that they saw within their price range were either in serious need of renovation and repair, or lacking the space or needs that they felt were bare minimums. Even at \$250,000, they were going to have to both work full-time, and perhaps even another part-time job for my son-in-law.

Two weekends ago, they finally found a house. It had all of the things they were looking for, plus some, three bedrooms, two baths, two decks, a lovely four season room, a fire place, a garage, a third of an acre, in a community with a pool, tennis courts, and a golf course and recreation center, all this for only \$145,000. The only catch is this house is three hours away from a grandma who will miss them beyond their -- beyond your imagination, Pennsylvania. Not only will their family miss them, but the community will no longer have the benefit of a beautiful and honorable young family.

My son-in-law is an elevator mechanic, and my daughter is a psychiatric case manager. In fact, before the birth of her youngest child, my daughter worked for Suffolk County Adult Protective Services as a case manager, and is currently working in a group home with mentally impaired adults. My eleven year old granddaughter cried all the way home from Pennsylvania, because she doesn't want to move, but she's starting to get used to the idea, I'm not. It's a shame that Suffolk County can't offer homeownership to young working class families, and I urge you to support the GFA Affordable Housing Bill as a beginning attempt and a creative way to begin to address this crisis. Thank you.

(Applause)

D.P.O. CARACAPPA:

Thank you. Janet Walerstein, followed by Kathy Ayers-Lanzillotta.

MS. WALERSTEIN:

Good morning. My name is Janet Walerstein, and I am the Executive Director of the Child Care Council of Suffolk, a not-for-profit agency that helps parents find child care and educates providers of care to develop a high quality environment for children. It is in that vein that I'm here today to ask you to override County Executive Gaffney's veto of Proposition 518, which is an amendment to the Living Wage Law. It allows transition for compliance with the law that gives a more realistic method for implementation for this low paid industry of child care. These are the people who care for children, who are from low income families that are subsidized by Federal, State and local dollars.

Suffolk County DSS, as other departments in the State, contract with providers who will serve working families in need of child care. Parents make selections from those who have a contract with the County, and it is their choice where they wish their children to go. In our work at the Child Care Council of Suffolk, we support parent choice and making sure that they have found the best possible care for their situation. There are some centers that cannot comply with the Living Wage Law as it stands without the amendment and, therefore, cannot contract. This just places children from those facilities that parents have selected and enable them to go to work. Incidentally, that's about 200 children. They have or will receive a letter asking that they select another center as the one in which their children are enrolled is no longer eligible for a contract. I might add that after seeing a copy of the letter, the department is doing everything to help parents overcome this situation.

The amendment allows an easier transition and opens up more accessibility for centers to comply, and it gives newly enrolled parents more options from which to choose. Being supportive to working parents, particularly those of low income, is a high priority for this County, and not even taking into consideration the obvious of displacing children and having them adjust to new surroundings.

We support the spirit and concept of the Living Wage Law, especially for those not being paid a wage anywhere near other agencies. Please override the veto of Resolution 518, to allow families to continue with their child care arrangements. I thank you for your kind attention, and I thank you for your former support always around child care issues.

(Applause)

D.P.O. CARACAPPA:

Thank you. Ms. Lanzillotta, followed by Judy Pannullo.

MS. AYERS-LANZILLOTTA:

Hi. My name is Kathy Ayers-Lanzillotta. I'm here representing the Quality Consortium, 24 member agencies drug and alcohol service providers, nonprofit in Suffolk County. We're here again before the Legislature to request a restoration of funding in 2003.

The testimony that you're getting, is handing around, has a spread sheet attached to it that outlines the specifics of our request. Basically, in a nutshell, there are six agencies that are 50-50 match agencies. If we restore \$109,000 to those programs, we prevent the loss of 109,000 in State funding. The other others are substance abuse providers. Those eight agencies, if we restore \$299,000 to those programs, it would correct an inequity that was made.

The total budgets were inadvertently cut, rather than just the County portion of program funding.

The County share of the total funding for those eight agencies was cut by about 50% from 2002 to 2003. We implore you to correct the inequities of this apparent accounting error.

According to the State Office of Alcoholism and Substance Abuse statistics, your Quality Consortium Agencies are doing a very good job. We're judged on how well we do. We have a 72% success rate when matched against other providers in the state, with a 50% success rate. We served over 7,000 people and over 5,000 of them successfully completed treatment, meaning they discontinued their use of substances, they improved their employment status.

Please help us to continue to maintain our high quality of services for Suffolk County residents by restoring a total of \$408,385. For every dollar spent in drug and alcohol treatment, you save \$7 in the Criminal Justice System. It makes perfect sense. It's economically sensible to maintain adequate funding for our service delivery system. I ask for your consideration to have a resolution to restore that funding. Thank you.

LEG. FOLEY:

Thank you.

(Applause)

D.P.O. CARACAPPA:

Thank you. Judy, you're up, followed by Sally Garrett.

MS. PANNULLO:

Good morning. My name is Judy Pannullo. I'm the Executive Director of the Suffolk Community Council. Suffolk Community Council is an umbrella agency of health and human service agencies, and so I'm here again this morning to speak about the loss of funding experienced by the agencies, by our member agencies that have been contracted with Suffolk County. The cuts experienced by these agencies is a huge devastation to the agencies and to those whom they serve. You've heard from quite a few agencies already, and I'm representing the rest of the agencies that are contracted and serve Suffolk County.

On June 30th, the Attorney General announced a 22 million dollar payoff to New York State and its local government. Suffolk County's share of that was \$593,110.13. And I know the County has been getting some nice income from the restored sales tax on clothing and footwear, estimated at well over 30 million dollars.

I've already met with the Suffolk County Executive, and so I'm here this morning on behalf of the contract agencies to request that the money cut to them in Fiscal Year 2003 be restored. There isn't -- it seems that there is money available, and so I'm hoping that you will restore the funding to the agencies that do so much for Suffolk County -- for Suffolk County's most vulnerable.

I offer you my time, and any way that I can work with all of you to help make that happen. This is a really crucial time, and I hope that you will consider restoring them. Thank you.

(Applause)

D.P.O. CARACAPPA:

Thank you. Sally Garrett, followed by Dr. Ruth Braun.

LEG. GULDI:

She left, she had to leave.

D.P.O. CARACAPPA:

Dr. Braun left? And Richard Koubek will be next.

MR. GARRETT:

Good morning. My name is Sally Garrett. I represent West Sayville Civic Association, but not in formality. I'm going to leave that to John Whitbread and the members of the Association. I wish to speak about 1592 in support of the development of the Consortium for Environmental and Estuarine Sciences. I'm rather appalled that we have to go to condemnation. I've been a resident of Suffolk County since 1937. I've been a librarian for 39 years. I'm a member of historical and environmental associations.

I'm kind of appalled at what will happen at the end of Atlantic Avenue, if condominiums are put in there. That is up to Islip Town in the change of zoning, and that will be brought out, I think, by Mr. Whitbred and the other speakers for the Association.

And I would just like to support the development of the Consortium for Environmental and Estuarine Sciences. And I say I think Stony Brook is forgetting about the history that goes with the Blue Points venture, not the condominium venture. Thank you.

(Applause)

D.P.O. CARACAPPA:

Thank you. Mr. Koubek, you're up, followed by Rosemarie Guercia.

MR. KOUBEK:

Good morning. My name is Richard Koubek. I'm coordinator of the Diocesan Public Policy Education Network at Catholic Charities. I'm also a member of the Steering Committee of the Long Island Campaign for Affordable Rental Housing, We're known as LICAR, and the Huntington Housing Coalition. I speak today for Catholic Charities in support of Sense Resolution 52, creating the Suffolk Government Facilities Agency.

I know that each of you is sensitive to the Island's housing crisis. Rather than dwell on the need for affordable housing, let's talk about the politics of affordable housing.

Too often, local opposition to affordable housing is rooted in myths, stereotypes, misconceptions, and, unfortunately, class and racial prejudices. The struggle to expand affordable housing is going to be waged in countless zoning and planning decisions made by elected officials in each of the ten townships in Suffolk County. These are tough decisions and you know they can make or break a political career, and that's why Catholic Charities, the Long Island Council of Churches and LICAR have launched an Island-wide campaign for advertising and education, to help form affordable housing coalitions. We've got seven formed and there are more in formation, but public education and town organizing alone are not going to succeed, and this is important, without a regional approach to our housing crisis. I'd like to talk about my own community, Half Hollow Hills to illustrate what I mean.

The current elected leaders of my school district have emerged as a powerful voice in opposition to affordable housing, despite the fact that Half Hollow Hills has the space for such housing. I've challenged their opposition many times. We're an interesting community. I know this as a

parent and I know it as a taxpayer. Half Hollow Hills is one of the Island's wealthiest and highest performing school districts. Less well-known about us is that we are relatively racially integrated. About 15% of our students are African-American or Hispanic. And I'm proud of the fact that three times in the last 20 years Half Hollow Hills has redistricted in order to incorporate our minority students throughout the school system.

I know from staff and parents in the district that some of the leaders are resentful of the fact that only four of the eight school districts in the Town of Huntington have significant numbers of minority students, or for that matter, significant numbers -- units of affordable housing. Like it or not, for good or for bad, the leaders of my district are asking this question: Why is Half Hollow Hills doing its part to be inclusive when so many other school districts in the town, and for that matter in the County, are not? While I don't support them, I kind of understand them. This is why Catholic Charities supports GFA, which will break through and balkanized approach to affordable housing. GFA dares to provide mechanisms for overriding local opposition, and overrides with regional expectations that every school district, every village, every township in Suffolk County will be part of the solution. I urge your support of Sense Resolution 52.

(Applause)

D.P.O. CARACAPPA:

Thank you. Rosemarie Guercia, followed by Kerner.

MS. GUERCIA:

Good morning.

D.P.O. CARACAPPA:

Good morning.

MS. GUERCIA:

Thank you for the opportunity to speak in support of Resolution 1143. Not only are the American Hospital Association and the House Energy and Commerce Committee concerned about hospital billing practices, but the media nationwide in recent months has reported on a number of uninsured low income patients billed full charges for hospital services with horrendous results, including liens on homes and raiding of bank accounts. We now are collecting information on such problems on Long Island. While HMO's, Medicare and Medicaid, as well as private insurers negotiate discounted bills, the uninsured, the population least able to afford it, get full nondiscounted charges. As a result of the reporting of these cases, some hospitals elsewhere in the country are beginning to address the issue.

Tenet Health System has developed a compact which applies to all Tenet hospitals. One of the stipulations is that the uninsured, and I quote, "Will be offered discounted pricing for the services provided at rates equivalent to the hospital's current managed care rate."

In Chicago, the Advocate Illinois Masonic Hospital, in response to criticism, that it consistently charged uninsured patients at a higher rate than the insured, announced last month that it will lower all patient charges effective September 1st. The hospital spokesman stated, "Sometimes people can't pay their bills and we don't know they can't pay their bills." I think this statement makes it very clear why information for the public and the availability -- on the availability of free and reduced care is essential, and why you should vote for Resolution 1143. Thank you.

(Applause)

LEG. CARACAPPA:

Thank you. Charles Kerner, followed by Cesar Malaga.

MR. KERNER:

Sense Resolution 52, which memorializes the State to permit the institution of a General Facilities Agency is the answer to a grave problem. In the seven years that I've been an affordable housing advocate, I have seen a problem growing because of these factors:

One, with about 80% of residences owned individually on Long Island, it is very difficult to propose multi-family affordable housing.

Two, owners have their biggest and most profitable investment in their homes. They want to protect that investment. That is understandable. What is lamentable is that fear and stereotypes are used to organize opposition to almost any development, but single family homes. This has been labeled NIMBY, Not In My Backyard.

Three, due to management efficiency, school districts do not have unused capacity. Both taxpayers and their elected school board members oppose new students in their districts. That means new taxes. And, in particular, they oppose children from affordable homes. Now, what is what is the problem?

A) The problem is that there is a tremendous need for rental and equity affordable housing. Eleven thousand applications were requested from the Long Island Housing Partnership for 44 affordable housing family units at the Millennium Hills in Huntington. There were eighteen hundred applications for 17 affordable homes in Riverhead. Island-wide, the Kamer Study shows that we need 95,000 affordable units to meet the need.

B) Both Nassau and Suffolk County Executives and the LIA have warned what would happen without affordables. Long Island businessmen can find career professionals, but many will not come, because both rental and equity housing is just too expensive. To compensate, businesses must pay higher salaries than elsewhere. That is not -- that is unsustainable for the bottom line. Businesses will relocate and Prospective businesses will settle elsewhere. That is a prescription for disaster within our decade.

C) Long Islanders have spent what it takes to provide excellent education for our children. High percentages of graduates go to college. They do not come back, because they can't afford to live here. We have created a brain drain.

The answer: Affordable housing is the answer and NIMBY has prevented the solution. Town Boards are captive to the local opposition and cannot serve the common good. Our forefathers wisely restricted sovereignty to the federal government and the states. It is a devastating precedent to allow organized neighborhoods to thwart the common good. The solution is a regional approach to building the necessary family housing. That is what the General Facilities Agencies can do. Thank you.

(Applause)

D.P.O. CARACAPPA:

Thank you. All Legislators, please report to the horseshoe. We need -- Mr. Malaga, just hold on

one second, we'll get you a quorum. Okay. Mr. Malaga, you're up. After you, Clarice Murphy.

MR. MALAGA:

Cesar Malaga, Hispanic-American Association. Affordable housing, since we're talking about affordable housing, affordable housing should not discriminate against everyone, all those people, all of our children who make over \$70,000, affordable housing should be for everyone, everyone, regardless what income they make. Our children are -- the gentleman previous to me said our children are leaving Long Island, because they cannot afford homes. So, as a matter of fact, I would like see that all of you received probably from last week's meeting concerning affordable housing, you should have that minutes of that meeting in a way that you can understand what many of us have expressed about affordable housing.

So as I say once again now, on Page 5 of the Consent Calendar, you have about one, two, three, four, five six, seven, seven items from 1552 to 1559 that you are selling, lots you are selling. You should not be selling any property here in Suffolk County to developers who build a house and they run from Long Island. The only purpose for them is to make profits. We should be holding all those lots to study a very concise study to make affordable housing for all those who need affordable housing here on Long Island.

And the only other thing I'd like to address is cable T.V. I know you had a hearing; I do not know the results of it. Cable T.V. rates have increased over 500% since 1987 to 2002. Now, I have many times provided study about cable T.V. rates here at this -- you know, in this county here, but, of course, so far, we haven't done anything. Today we have the technology in a way that we can pay as you use it. So basic rates, as I say, increased 500%. We should be able to decrease that by at least 60%, because we are paying for channels we don't use. We're subsidizing channels that other people are using it, and we are subsidizing, and cable T.V. should be able to provide us with the data that what it costs to provide this service or that service. So basic family channels should be reduced by 60%.

I commend, you know, the Town of Southamptton, who so far has not signed the lease, the franchise lease to provide cable T.V. out there, but I think we should be looking into that, reducing the rates for cable T.V.

The other thing is that myself and many, many -- concerning, you know, the LIPA/LILCO deal. I think all of you have forgot that in Nassau, they were overcharged, overassessed value in Nassau of the power plants and many items that LILCO used to own -- LILCO used to own, but everybody forgot about those. But here, because of Shoreham, we are paying extra for the rates of electricity. And I think you lost the case with the Supreme Court, or something. Now, if, you know, Nassau was able to get away with, I mean, we should be able to do something here in Suffolk County. Nassau should, you know, paying for those overcharged rates that -- overassessed values that benefit from it. And the other thing I'd like to see is that you know something should be looked into it. We should not be, you know, used to paying and paying and paying for things that we already, you know, paid for.

For Shoreham, we paid, as, Mr. Quinn, earlier was here -- we attended many meetings prior to takeover of LIPA. We presented studies and paid more than twice for the cost of Shoreham, but now we pay one more time. I mean, that's ridiculous. I don't know how our study will provide to you, but my Legislator Bishop was given some papers concerning the, you know, LIPA study, which we have still paid for the Shoreham plant.

So I would like to ask you to revisit that. And the Newsday had made that concise study

concerning the overassessment of LILCO assessments in Nassau. We should not be penalized here in Suffolk County by paying higher rates. Thank you.

D.P.O. CARACAPPA:

Thank you.

D.P.O. CARACAPPA:

Okay. After Miss Murphy will be Bruce Garber. Go ahead.

MS. MURPHY:

Hi. Good morning. I'm Clarice Murphy. I'm the Associate Director of Victims Information Bureau of Suffolk, Suffolk County's only rape crisis agency and only nonresidential domestic violence agency.

Last week, I was grateful to have the opportunity to speak before the Human Services Committee about the impact that funding losses have had on VIBS services to victims of domestic violence or rape and sexual assault. Today I am here to request that the County revenue from the reinstatement of the sales tax on clothing be used to restore to VIBS \$50,301 in lost Department of Social Services funding, and \$4,650 lost from our contact with the Department of Health. Funding losses from the County, State agencies, United Way and private agencies have resulted in layoffs of 15% of our staff in the last two months, which is a total of nine positions from counseling, advocacy and prevention education services. The reduction in services solely as a result of decreased Department of Social Services and Department of Health funding is as follows:

We've eliminated a police project, which is the loss of outreach calls and advocacy information to over 3,000 victims of domestic violence named in police reports. We've eliminated walk-in services, and reduction of available emergency crisis appointments in individual counseling to survivors of rape and sexual violence. We have a reduction in and increase wait for counseling services for children who have been sexually assaulted and those who that have witnessed abuse from their fathers to their mothers. We have an increase in waiting time for group counseling services to battered women from two to three weeks to three to six months. We have decreased availability of advocates to accompany victims of domestic violence to Suffolk County courts to request orders of protection. And, finally, community education services designed to help prevent the intergenerational cycle of violence, and reduce teens' vulnerability to sexual victimization has decreased dramatically. In 2002, over 12,000 teens and children participated in workshops in schools across Suffolk County. In 2003, we anticipate being able to reach less than a third of that number, and have eliminated presentations to elementary school children altogether.

Last year, we helped over 2,000 people in counseling, over forty-five hundred people with advocacy services. Requests for services continue to rise, requests for counseling have gone up 15% this year, request for court advocacy 10.5%, request for services to children, over 23%.

Suffolk County, you may not know, Suffolk County has the dubious distinction of leading suburban areas in domestic homicide rates. Further reduction of services for victims of violence will further endanger these victims.

If it weren't for the urgent needs of the County, I would not be asking for restoration of funding at this time. Finally, I'd just like you to know that the cost of restoring these funds is minimal --

LEG. CARPENTER:

Excuse me.

MS. MURPHY:

-- to the County, as federal reimbursement rates --

LEG. CARPENTER:

Thank you.

MS. MURPHY:

-- are between 60 to 100%. Thank you.

(Applause)

LEG. CARPENTER:

Next speaker, Bruce { Grabin}

MR. GARBON:

Garbon.

LEG. CARPENTER:

Garbon.

MR. GARBON:

Hi. I'm Bruce Garbon. I'm not a very good writer anymore. I've lived in Islip over 72 years. I represent myself and my family, probably many others. I hope you do the authorizing the public hearings of Article II, because then you'll hear the whole story, and then you'll know what happens when new things change your area. Thank you.

(Applause)

LEG. CARPENTER:

Thank you, sir. Louis Febrizio. Louis Febrizio. Louis Febrizio.

AUDIENCE MEMBER:

He had to go back to work, unfortunately.

LEG. CARPENTER:

Okay. Sorry about that. Dr. John Whitbread.

DR. WHITBRED:

Good morning, members of the Legislature, and interested citizens of Long Island. My name is John Whitbred. I am the Vice President of the West Sayville Civic Association, and a Board Member of the CEES, which is an acronym for the Center for Estuarine and Environmental Sciences. This is an organization, a collaborative of local universities throughout Long Island, from Brooklyn out to Southampton, as well as a number of environmental groups, and political action, and environmental groups.

What I'd like to talk to you and share with you are a few points, really going to some of the

unique qualities of this property, of the Blue Points property, which you may well be aware of. Certainly those members on the ELAP Committee that heard this discussion last week are well aware of some of the unique historical, as well as environmental and hydrogeological aspects of the Blue Points property.

First, what I'd like to state is that the Blue Points property has been a site since the mid 1800's for one of the largest commercial oyster farming and seed operations in the United States. As many of you know, the Blue Point oyster is regarded worldwide for its tasty quality and for really being a superlative oyster, and, clearly, a nice example of Long Island aquaculture throughout the world.

This picture you see here was actually from the early 1900's, showing the inside of the Blue Points operation, as well as some sense of the oysters and the number of oysters that they had collected over a day. They were actually shipping over a million oysters a day into New York City during sort of the high time of the Blue Points operation.

As you can see, the Blue Points facility, located in West Sayville, is really -- has a wonderful location in that it's really center to the Long Island environment, being located right in here, and so that when one thinks about a marine science center that can really serve Long Island's maritime sciences and environmental culture, that it really does have quite a nice location from within the Island.

One of the clearly -- one of the most important parts of the Blue Points property are the presence of a very unique hydrogeological aspect, which are underground wells. These are wells which are located to 110 feet directly below the facility. These wells hold a pristine salt water that turns out to be absolutely ideal for the harvest and cultivation of shellfish, as well as other marine organisms, and this is something that you don't find anywhere else on the Island.

Just in -- quickly in closing, I'd just like to, again, urge my support for the condemnation of the Blue Points property, so that this unique historical and environmental specimen can be preserved. Thank you.

(Applause)

D.P.O. CARACAPPA:

Mr. Whitbred, did you speak, Dr. Whitbred?

DR. WHITBRED:

Yes.

D.P.O. CARACAPPA:

Okay. Mr. Febrizio spoke. William Fitzgerald.

MR. FITZGERALD:

Thank you. Ladies and Gentlemen of the Legislature, my name is William Fitzgerald, and I'm the attorney for the West Sayville Civic Association, as well as a resident of West Sayville. I'm here to -- I was asked by the Civic Association to address the complications with Mr. Aniboli's proposal for three main reasons: One, to show the infeasibility of his proposal; two, to show how long the property may remain in jeopardy for demolition and disrepair, as well as to show how condemnation may alleviate a number of these problems.

First and foremost, Mr. Aniboli's application will be a Type I action under SEQRA, and as many of you know, that is a -- that can be a very long process that would involve public hearings and scoping. We believe it will be a positive declaration, because there's a significant number of impacts on the environment, and then we will have the draft and then the final environmental impact statements done. That process will take a long time.

Likewise, there are a number of problems with Mr. Aniboli's application in itself. First and foremost, the application actually intends to eliminate a right-of-way or frustrate it, which is right there. This right-of-way happens to be access for the County, the County has the right-of-way for the County's beach, as well as to the Clyde Street Property Owners. It's extremely important to the Clyde Street Property Owners, because the only other access route is a very narrow road right here, which happens to be inaccessible for emergency vehicles. So the elimination or the frustration of the right-of-way is extremely important.

Likewise, Mr. Aniboli's application plans on eliminating and relocating a public road. This would be the first time that a town has ever actually given a developer a parcel of a road so that he may merge previously subdivided lots, and we're not sure whether it really can be done.

Mr. Aniboli's applications also is going to require a number of variances. He asked for three-and-a-half story building when Residential C allows for two-story buildings. He asks for a 65% floor area ratio when residents will see it calls for 40%. He's asking for a 20-foot setback when Residential C calls for a 75 foot setback.

And, likewise, he is also going to be asking for use variances, which have a very high standard, so that he can put in a commercial marina and boat slips in this section of his property.

Likewise, his project is not appropriate for Residential C. This project here actually will be higher priced than any house in West Sayville, so it does not take into the economic constraints on senior citizens. Likewise, it will be almost two miles before any shopping center or public transportation, so it's not convenient to shopping and public transportation for the seniors.

Mr. Aniboli's offer for public donation and a promise to build a small single entity research center also flies in the face of contract zoning. His quid pro quo exchange, "You give me what I want, I'll give you what you want," flies in the face of contract zoning and is highly objectionable in an Article 78 proceeding. His development also will be {swat} zoning.

And last thing I'll say is, as you can see here, it's all surrounded by low density residential and marine industry. His development does not fit, and it will take a long time before anything can be done with it.

(Applause)

D.P.O. CARACAPPA:

Thank you. Martin Schreiberman, followed by Maria Brown.

MR. SCHREIBMAN:

Good morning. My name is Martin Schreiberman. I am a distinguished Professor and founding Director of the Aquatic Research and the Environmental Assessment Center at Brooklyn College, a 2 1/2 million dollar facility. I'm hereto present our visions about the Consortium for Estuarine and Environmental Sciences, abbreviated CEES, and I'd like to emphasize the word "Consortium". It's truly a collaborative effort on the basis of a number of individuals.

The new CEES Center at Brooklyn -- at Blue Points, Incorporated will provide an essential cohesive link among the educational, research, economic, and regulatory entities of Long Island. In this way, a more comprehensive and understanding and utilization of the natural, social and cultural estuarine and ecosystem system on Long Island will be established, with Blue Points serving as the focal point for most activities. Truly, Blue Points in West Sayville is geographically located in the center of Long Island.

The Blue Points facility already has a long history of serving as an education facility for visiting and working biology classes inserted innocuously into a major aquacultural industry. CEES at Blue Points, Incorporated will provide a mechanism for expanding these and other initiatives immediately and long into the future. It will establish a new infrastructure by centralizing a network of academic institutions, city College -- City University, State University, private universities, and educational entities, everything from pre-K to postgraduate training. These will be collaborative efforts with institutions with similar interests and funding to CEES, Incorporation, and will dove-tail with the commercial, industrial aspects of Blue Points, thus making it a focal point for estuarine aquaculture experimentation, exploration, education, community outreach and research. Some of the immediate programs that we can start are having courses, workshops, field studies, lecture series, oyster farming, all kinds of aquacultural activities. We have, you have a unique opportunity to create a true center of excellence for collaborative, again, collaborative efforts in marine and environmental issues. Thank you.

(Applause)

D.P.O. CARACAPPA:

Thank you. Before we have the next speaker, I'd like to welcome the Montessori School in Huntington that's here today on a trip, visiting the Legislature. Welcome.

(Applause)

Maria Brown, followed by Brendan McCurdy.

MS. BROWN:

Good morning. My name is Maria Brown. I'm here to speak about Resolution 1592, and a proponent to contend the former Blue Points property. I was a full-time environmental scientist for 12 years, but have been working as a high school science teacher for the past five years at Sayville High School. Sayville High School falls within the Green Creek watershed area, where the Blue Points property is situated at the mouth of Green Creek.

Three years ago, the AP Environmental Science Program, under my direction at Sayville High School, adopted Green Creek as part of the Dowling College South Shore Estuary Reserve Stewardship Program. Students at Sayville High School act as stewards of the creek, conducting cleanups within the watershed, and educating local residents on issues related to protection of valuable wetland resources and values. The students have also conducted research within the watershed related to the significance of sustainable development, and how improper land use management adversely impacts our surface and valuable groundwater resources.

I submit to you three volumes that the students prepared for Suffolk County Department of Parks and Recreation on the work that they have done. The students have learned how improper land uses can adversely impact not only the aesthetic and cultural resources of their community, but

the impacts to local economic dependent on the Great South Bay Estuary. They have also learned that at the present, benthic and vertebrate communities are stressed, and continued improper land use could lead to a decrease in biodiversity and contamination of those irreplaceable salt water aquifer that lays below the Blue Points property.

CEES to me represents smart growth for the community and affords tremendous opportunity for community outreach and public use of this property. Student clubs and organizations, not only in Sayville district, but adjacent districts, including Bayport, Oakdale and Patchogue, for children of all ages can become involved in cleanup programs and become involved in the general maintenance and upkeep of the property. CEES also represents an opportunity for adult and teacher education for all of Suffolk County.

I have not heard of any public outreach program from the proposed Stony Brook University facility in Mr. Aniboli's plan. There is a great need for public outreach and community service in every community and CEES would afford that opportunity at the Blue Points property.

I thank you for your time and your consideration of what could be a monumental environmental and public outreach program with the passage of this resolution. Thank you.

(Applause)

D.P.O. CARACAPPA:

Thank you. Before we go on, I'd like to introduce someone who is interning here in the P.O.'s Office. He's a Political Science major at Stony Brook University, he's a senior there, and I'd just like to welcome Michael Barone. Michael, why don't you just stand and say hello.

(Applause)

D.P.O. CARACAPPA:

Brendan McCurdy, followed by Oliver Hull.

MR. MC CURDY:

And if I could point out to the Chairman that Louis Febrizio has come back from his job, if he has come back from his job, if you would enable him the opportunity to speak before you.

D.P.O. CARACAPPA:

Sure.

MR. MC CURDY:

My name is Brendan McCurdy. I'm the President of the West Sayville Civic Association, and a resident of West Sayville. I'd like to ask first if all of the Legislators had a chance to take a look at the pamphlet, which we prepared in connection with our alternate idea. Please make it a part of the public record now.

I'd like to say many things in a short period of time. First off, condemnation is not unprecedented, the County condemns property all the time. What perhaps is unusual is using the quarter percent pay-as-you-go fund to purchase condemned property. But at the ELAP meeting last week, we heard Tom Isles tell us that condemnation is a tool in the toolbox for the acquisition of land for open space preservation.

And on this, the anniversary of the first federal income tax, I point out that the residents of

Suffolk County have time and again voted to tax themselves a quarter percent, so that funds would be available to make acquisitions of this sort. We're proposing an adaptive reuse of the property. Unlike the developers plan, which would call for razing this historic structure, our plan calls for reusing it.

And I'd like to include and make part of the record a letter we received from the New York State Office of Parks, Recreation and Historic Preservation, which states in part that it would be a tremendous loss to Long Island's history if this premier facility were to be demolished, and that this facility meets National Register Criteria A and C, and is eligible for inclusion in the State and National Registers of Historic Places.

The developer indicated that Stony Brook suggested that the existing facility is not appropriate for marine science research, but I would state for the record that we have talked and worked closely with Cornell Cooperative Extension. They are intimately familiar with the property and they could start tomorrow there, as well as Professor Tanacredi from Dowling College, and you just heard Professor Schreibman from Brooklyn College state that that facility is ready to go.

And I would include for the public record a letter that was prepared by the engineer hired by the parent corp., the owner of the property in connection with their application for a Certificate of Compliance with the Town of Islip. And just briefly, the Town of Islip has required a statement from a licensed professional as to the layout, size and general condition of the structure, and I'll quote, "Considering the age of the construction, the general condition of the structure is presently considered sound," so I'd like to make that part of the record as well.

The CEES project is -- will be self-funding. Though we're looking for the County to acquire it, we anticipate the ability to generate the revenues that will be needed to run it. Our search has indicated the current annual budget is about \$90,000 a year. If we have ten members of the Consortium kick in \$750 a month, that would cover the budget.

Finally, I would just like to close by saying you have a unique opportunity here. You can vote not to start this process and let it go back to the Civic Association of the Town of Islip, where we're prepared to slug it out, while this building lies fallow, or you could show leadership, you can move ahead to fulfill the vision of the South Shore Comprehension Management Plan for the South Shore Estuary and vote to condemn this property. Thank you very much.

(Applause)

D.P.O. CARACAPPA:

Thank you. We'll go back and have Mr. Febrizio speak, followed by Mr. Hull.

MR. FEBRIZIO:

Thank you all. I'm not a member of the CEES Consortium that you've heard be today, but I am a resident of Suffolk County who's been actively listening to this entire issue since it first started over a year ago regarding the Bluepoints Company and I am concerned about it.

Suffolk County has a great track record in preserving open space, and being an island, the water surrounding us is perhaps the most significant open space that we have. So I'm just urging you to continue on with your track record and take a lead in preserving this space through the preservation of the Blue Points facility, which can only help to clean up and do better things for our surrounding waterways and estuaries.

The alternative plan of condominiums and a perhaps small facility would yield more damage than good, if that is what goes through, if that facility that they've talked about even ever comes to be. The Consortium, as I've read about it and learned about it, I believe is the best choice, having multiple organizations from different angles coming at the whole position. So I would just really urge you to consider this and do something brave and bold and good for the benefit of all the people of Suffolk County. Thank you very much. I appreciate the fact that you're all sitting and listening.

(Applause).

D.P.O. CARACAPPA:

Oliver Hull, followed by Leonard Seastone.

MR. HULL:

Yeah. My name is Oliver Hull, I'm also one of the Officers and Directors at the West Sayville Civic Association. Just a few short points.

One, to follow up on Mr. Fitzgerald, there's one further reason that the change of zone is inappropriate. This variance he's seeking, it is not in conformance with the Town of Islip comprehensive plan.

Number one, the comprehensive plan calls for low density housing south of Montauk Highway; this is as high density as it gets.

Secondly, the plan calls for encouraging the fishing industry to locate in this area. This will slowly eliminate the fishing industry at the foot of West Sayville.

And, finally, the comprehensive management plan calls for protecting the Greens Creek Watershed. This could be the demise of the Greens Creek Watershed.

Another point I'd like to raise is the fact that Mr. Aniboli pointed out that this is an unprecedented move. This is not unprecedented. In fact, almost 30 years ago, the County of Suffolk had the vision to condemn property in Southold, which is now home to Cedar Beach County Park, as well as the Cornell Cooperative Extension Marine Research Facility. If any of you have seen that facility, it's a gem, and that is the vision we have for the Blue Points property.

Finally, I'd like to address the issue of Mr. Aniboli's proposal for a Marine Science collaborative from Stony Brook. Mr. Aniboli's is not -- this is not his first development in the Town of Islip. And in which each of his developments he's gone to the community, and he's met with the community and has made meetings and he's made promises to the community, and he has signed covenants and restrictions on the development he's putting in, and time and time again, he has breached his trust with the community, he has violated the restrictions and covenants that he's entered into, and I don't think this Legislature should give him any credence when he says he's going to, through his altruism, create a marine science research facility. He's only doing that to placate people. The only viable alternative is the CEES that we are proposing, and I encourage you all to support Resolution 1592. Thank you.

(Applause)

D.P.O. CARACAPPA:

Thank you. Mr. -- is it Seastone?

MR. SEASTONE:

Yes, my name is Leonard Seastone, I'm a resident of West Sayville on Brook Street. I'd like to remind the Legislature that the South Shore Estuary Reserve Comprehensive Management Plan that was signed by Governor Pataki, and also endorsed and signed by this Legislative body in 2002, that this particular plan has very close coordination with the condemnation. And I am speaking on behalf of the condemnation and acquisition of the Blue Points Oyster Company. That the plan by Mr. Aniboli, in fact, flies in the face of that reserve and its plan.

The 40 -- 39 people on my four block area that I went to and met with, of those 39 people, 37 of them on Brook Street said that they do not want this. That is 94.8% of the people signed a petition against this that was handed before the County -- before the Town.

I'd also like to point out that Mr. Aniboli promised that if the people do not want this plan, he will not do it. I asked him straight to his face at the Planning Board of Islip Town two weeks ago that he rescind his application, he would not.

I recently returned from a trip to my ancestral homeland of Sweden, that is my father's and grandparents' homeland. There is a law called Allemansratt. This is not an ancient law, it was enacted in the 20th Century to give everyone the right to have access to everywhere in the Country of Sweden. That if you're driving down the road, you may stop and have a picnic. That they accept this as their right is a wonderful thing. It enables them to, in fact, have responsibility for it. Ninety-four-point-eight percent of the people on the four-block radius, at least one mile from this, want to have this property for theirs. We would like to embrace it.

Now, I think that it's wonderful that within this country I can stand before you and voice myself, but I do appreciate that you are considering this plan. And I ask you to, please, give us the right to not only just live within Sayville, where when I first was living there, there were on no fences between backyards. Children played between their yards. There was the freedom of open space that has now in consequent years been denied us. Give us, please, the right to not only live in our area, but to embrace it. Thank you very much.

(Applause)

D.P.O. CARACAPPA:

Thank you. Luis Montes. Luis Montes? Mr. Montes? Julio Hernandez. Mr. Hernandez. I'll do my best. Gladis Rivera. Miss Rivera? Barbara Whitbred, followed by Mr. Febrizio. Didn't you speak already? Yes.

MR. FEBRIZIO:

I think it's my wife.

D.P.O. CARACAPPA:

Oh, Louise.

MS. WHITBRED:

My name is Barbara Whitbred, I'm here for the West Sayville Civic Association, and I thank you for the opportunity to address you today. Can you hear me?

D.P.O. CARACAPPA:

Yes.

MS. WHITBREAD:

Okay. I urge you to consider what the CEES and West Sayville Civic Association presenters have told you about the public benefits of a condemnation of the historic Blue Points Property, Resolution 1592. The unique opportunities that the saline aquifers beneath it present are significant, and the CEES booklet that we have prepared for you will more fully illustrate the value of the unique wells and outline the vast range of programs and economic benefits that can be deployed through our Marine Science Consortium operating in these historic buildings, benefits that serve the community, far better than high density residential development on a delicate estuary system that would alter historic shoreline views significantly. This is a unique property. Please review our booklet and support the condemnation. Thank you.

(Applause)

D.P.O. CARACAPPA:

Thank you. Louise Febrizio, followed by Edward Hernandez.

MS. FEBRIZIO:

Hi. I, too, am here to speak on behalf of the Blue Points property and the condemnation.

I was here last week for the ELAP meeting, and one of the Legislators had spoken and was asking the question, "How important is it to preserve the building," and Ginny Fields had basically a list of things, why it was important to preserve this property.

When I went home, I started thinking about it a little bit, and there is some confusion about how important the building is. Well, I'm here today to tell you that this building is a symbol of what we are desiring to preserve in West Sayville on Long Island. And that list that Ginny gave, that list that includes the history of West Sayville, the Dutch history, and the maritime history of Long Island, the environmental resource that has been spoken about before, but that is extremely important. We cannot say enough about these saltwater wells. Every other hatchery on Long Island uses raw bay water and has to treat it to great expense. This is the only place that has these saltwater wells and needs to be preserved.

Thirdly is the water dependent businesses. To encourage residential development on the bay is to discourage companies who may not be making as much as a developer would in putting condos on the bay. This is a big mistake.

And fourth, the access to the bay that was just mentioned by.

Mr. Seastone, that that is important to everyone. And if the County condemns this, this would have opportunities for people to interact with the bay, to appreciate it, and this is something that we cannot lose. This building, even in the future, if we cannot preserve the building, now it is essential. This building is a symbol, a symbol of what we are trying to preserve on Long Island. And if that building is ripped down, if we twiddle our thumbs, if we waste time, if we do not act on this measure immediately, that building could be torn down, and then people will so, "Oh, the building's gone, what's left to preserve?" Well, that building is a symbol right now. Maybe it's not the only thing that needs to be preserved, but it shows us what we need to work on, what we need to hang onto here on Long Island.

So I really urge you to vote for the condemnation. This is a very important issue, not just for the residents of West Sayville, but it's an important issue on Long Island. And, as I said before, the

people of Long Island have made it crystal clear with their voices and, ultimately, with their votes, voting themselves tax increases, so that they can preserve land like this one. So please listen to the people. Thank you.

(Applause)

D.P.O. CARACAPPA:

Thank you. Edward Hernandez, followed by Lisa Tyson.

MR. HERNANDEZ:

Good morning. My name's Ed Hernandez, I'm from Farmingville, New York. I'm not here to talk about Farmingville, but just to have you reflect for a minute what you think of when you hear the town being mentioned.

I'm here, rather, as Co-Chair of the Long Island Campaign for Affordable Rental Housing. And, again, to once again point out that we're using -- we're losing our young professionals and our future. We're paying well over \$100,000 to educate students, only to have that brain power benefit other areas. We need, 83,000 units of affordable housing, according to several studies. The two bedroom fair market next year will be over thirteen hundred dollars a month. This year, you have to earn \$51,000 a year to be able to afford it.

As recently as Monday, Newsday, talking about the wonderful new Grumman contract and the jobs it's bringing to Long Island, but it did neglect the fact that they may have trouble finding workers, because the engineers necessary cannot find affordable housing on Long Island.

Why continue the status quo when it's only made the situation worse? It's time to be daring and bold. Sense 52, creating Government Financing Agency, is daring, bold, and innovative in its concept. While it may not be a perfect solution and all the details haven't been worked out, why dismiss it now before it ever gets off the ground, before it ever has an opportunity to see the light of day and display a closed-mindedness?

Suffolk County has led before in innovations in many areas, been first in the nation with several pieces of legislation. What I'm saying is, you know, this is something the Legislature has never shied away from. So, please, pass Sense 52. Let it go work its course. There's plenty of details that can be worked out. Give it the time, don't dismiss it right away; it's our future, it's us, it's our children, it's our parents. We need to do something now. Thank you.

(Applause)

D.P.O. CARACAPPA:

Thank you, Ed. Lisa Tyson.

MS. TYSON:

Good morning. I'm Lisa Tyson, Director of the Long Island Progressive Coalition, and we are part of a statewide organization, Citizen Action of New York, and one of the issues we have worked on in the past is campaign finance reform, and clean money, clean elections reform.

I come today to speak about the current bills that are on the table, Resolution Number 1534, as well as resolution 1423. We do support the idea of both pieces of legislation. The idea is to fund the existing campaign finance resolution -- referendum that was passed by the people several

times, and in -- actually, several years ago, we released a report on Tom Gulotta from Nassau County, and that report showed that within days of a campaign contribution, a contract was given out to that Legislator -- to the County Executive, actually, and within days -- it was like a constant thing; Tuesday, a five hundred dollar contribution, and on Thursday, there was a contract given out.

What happened here in Suffolk, we just so with Towle and with what happened in Brookhaven, there is major corruption happening. The people need some solutions. They need to know that you are acting on this right now. And by supporting this, by putting this on the upcoming referendum, you are reacting, you are making a change, and you are making a difference.

There was some questions to other areas and is it successful. Areas like Maine and Arizona, they have this law, it's working. There's a lot of new people that are running and it's great. You know, all of a sudden, there are new faces. People who were never able to run before are able to run.

We're talking about 50 cents per person per year, one cent per week. I'm willing to pay that. I know the other people of this County are, so we are asking for you to put it on the ballot and to act on this, and to tell the people that politicians are not corrupted. By you putting this on the ballot, you are proving that, because you're saying we want to be honest, we want to be out there, and we want to let the people decide. We decided several years ago, it didn't happen. Let us decide again. Thank you.

(Applause)

D.P.O. CARACAPPA:

Thank you. Assemblyman Steve Levy. Now, Steve, you know the drill. You're getting three minutes exactly, to the second.

ASSEMBLYMAN LEVY:

I know, Joe, there's new rules. And when I was going on come by, I figured I'd get into a nice healthy debate.

LEG. COOPER:

That's 30 seconds.

ASSEMBLYMAN LEVY:

I know.

D.P.O. CARACAPPA:

The time is going.

ASSEMBLYMAN LEVY:

With Allan Binder, you know, and then they said, "You guys can't even speak back to us." So, all right, I'll make it short and sweet, but thank you.

D.P.O. CARACAPPA:

Well, I didn't start the timer, yet.

ASSEMBLYMAN LEVY:

Oh.

D.P.O. CARACAPPA:

Go.

ASSEMBLYMAN LEVY:

Thank you for the courtesy. Well, as you -- and he's serious about it, he's going to take it to the second, and that's fine. I'll be very quick.

As you know, I've been a strong supporter of this concept for quite sometime. And I'm really here to support either of the two pieces of legislation here. My first priority has always been to be -- to have it passed through the public, so that it's publicly funded, but that's always been rather difficult to pass. And if that doesn't go through, then Vivian's legislation is a great alternative, so that we can still get money into the pool, that we, as officials, and candidates can tap, so that you don't have to get on your hands and needs to party leadership and special interests just to get your message out.

And I've never felt stronger about this legislation than since running county-wide, because I'm telling you folks, to raise a million dollars, you have to be on the phone for 50 phone calls a day, several hours a day. Five thousand dollars a day is what you have to raise to come to a million dollars. That's not the way this government was supposed to work.

And when we talk about the price that the public is going to pay, the public is paying a price right now, because their candidates and their elected officials have to spend so much time dialing for dollars, spending time on the phone looking for contributions, rather than doing the job that they were supposed to be doing, put into office to work on the deficit and work on constituent matters. This isn't to say that we, as elected officials, don't do the job we're supposed to do, of course we do, but it should be spent a hundred percent toward working with the people's problems and not being diverted toward chasing that almighty dollar.

So, Joe, and members of the Legislature, I do indeed hope that you pass this legislation for all future candidates, so that they can get their message out without having to get on their hands and knees to all of these party leaders and special interests. Give everyone one a fair chance.

And I'll say one final thing. It would be brave for you to do this, because it's not in your self interest. As incumbents we get reelected at a clip of 95%. It takes a great deal of bravery to say, "You know what, I'm going to put forth a system that's going to give my potential challenger a fairer," but it's the right thing to do, and I hope you indeed follow your conscience in that regard. Thank you very much.

LEG. VILORIA-FISHER:

Thank you, Steve.

(Applause)

LEG. BINDER:

Motion to waive the rules and debate Legislator Levy.

ASSEMBLYMAN LEVY:

You want to waive the rules? I'll go for that. Okay. Thanks a lot. I hope it was in the three minutes, Joe.

D.P.O. CARACAPPA:

You did good, two-and-a-half. That's the first time. Victoria White.

MS. WHITE:

Good morning. I'm Victoria White. I am the Project Coordinator for the Coalition to Eliminate Racial and Ethnic Disparities in Health Care. I have come to you today to support Resolution 1143. I've been here before. This is a resolution that will provide notification to the public about charity health care.

We came to you before to let you know that some segments of patients were being billed differently from, say, managed care. We told you about that. And now there's a House Committee investigating that. The Wall Street Journal has published a report on it. The American Hospital Council has sent out an alert to their hospitals. And we want to urge you today to vote for this resolution to put it into law, because it's a good law. We know that it will increase access to good health care, to quality health care for people. We know that this is a beginning step to reduce health disparities. We're working on that, and you can work on it with us.

We ask that you also look at some of the cuts you've made to health and human services, to look at restoring funds to those agencies. These agencies have provided needed services to the community. We ask that you go back and review their records to look at what they're doing, how well they're doing it, what the services are they provide, where the need is, and how you can address this need by providing and restoring the funding.

So, again, I urge you to vote for Resolution 1143, and to go back, look at the funding allocations and restore funding to those health and human services that have provided what your constituents need, what the residents of Suffolk County need, what we all need. Thank you.

D.P.O. CARACAPPA:

Thank you.

LEG. FOLEY:

Thank you.

(Applause)

D.P.O. CARACAPPA:

Robert Ralph, followed by Tim Ryan.

MR. RALPH:

Good morning. My name is Robert Ralph, I live in Huntington, and I'm here to speak in support of sense resolution 52.

In thirty-eight years of advocacy for fair affordable housing, there have been few windows of hope for making a dent the extraordinary shortage of affordable housing, a shortage that threatens the economic viability of Suffolk County. A new hope is before you, Sense Resolution 52, to create a Suffolk County Government Facilities Agency. I urge your support. Thank you.

D.P.O. CARACAPPA:

Thank you. Tim Ryan, followed by Kathleen O'Connor.

MR. RYAN:

Good morning. Thank you for allowing me to speak this morning. I'm here as a representative of the Independent Ambulette Owners Association. It's a very small organization. It's a mom and pop organization of individuals who own an ambulette service, other than the large conglomerates, AMR, etcetera, etcetera, etcetera, etcetera.

In the past two months, we've become completely tied up in red tape and problems with the Social Services Transportation Department. They took a new computer system, which I don't know where they got it from, nor do I care, and they put it into service. This system takes the work that has been proven that we've done and feeds it into the State system that allows the State to pay the ambulettes for the transportation of the handicapped and dialysis patients. Well, from what I'm understanding, and nobody can give me a true answer, it doesn't work. If I had that computer, I'd throw it out the window and go back to the old system, but, evidently, they can't.

I had a discussion with the supervisor over there five days ago, and my question was, "When will we get a resolution to this?" The answer was, "We're working on it." Well, we've been working on it for five weeks. The money owed to the Ambulette Associations and the independent owners is getting way out of hand. I know and you know that once it's fixed, it will start right back to the day and the State will never give us the money that they still owe us.

I, as an independent owner, right now, I'm owed \$75,000 in back money from Medicaid. It doesn't sound like a lot of money to you, it is to me. I can't pay my bills, I can't pay my employees, more important, I can't pay the insurance. And I can tell you this, when my insurance lapses on September 14th, I will not put a vehicle on the road without it. At that point, 444 people from my company service area will be without transportation. These are people needing dialysis three times a week, these are people who have nobody else to transport them in wheel chairs, with the assistance of mobility services to the doctors' offices. At that point, maybe somebody will pay attention. Do we have to get there? No, I don't think so.

Why am I here? I'm here to ask you as Legislators to get a committee moving quickly to find out what the problem is, solve the problem, work with us to get the monies that was owed us and already approved by Suffolk County Social Services, which is now tied up in the bureaucratic system of the State of New York, which you, as well as I, know, once it goeth in, it never cometh out. Get that money released to these companies before we have a serious problem in this County. Let's be proactive instead of reactive once, please. Thank you, Joe.

D.P.O. CARACAPPA:

Thank you.

LEG. FOLEY:

Thank you.

D.P.O. CARACAPPA:

Thank you very much. Kathleen O'Connor, followed by Douglas Martin.

MS. O'CONNOR:

Good afternoon. Kathleen O'Connor, with Great South Bay Audubon Society, and I'm here on speak on Resolution 1592. I'm also Director of Brookside County Park, which was purchased by the County in 1999, and is situated along Greens Creek, which is the subject property that we're

talking about. Suffolk County and the Town of Islip have all bought parcels along the Creek to preserve it for comprehensive plans to protect the water. And to have a building of this magnitude emptying out onto the mouth of the Creek when it's intended for marine research would be tragic. It would be nice to preserve this historic building, and to let the public have a chance for access to it also. And, therefore, our organization is in favor of the condemnation. Thank you.

(Applause)

D.P.O. CARACAPPA:

Thank you. Mr. Martin, Doug Martin, followed by Terry Scofield.

MR. MARTIN:

Hi. I'm Douglas Martin. I'm here about West Sayville. I'm with the West Sayville Civic Association about Bluepoints Company.

You've been hearing a lot about Bluepoints Company. I'm one of the decedents of the Dutch settlers. I am the fifth generation. We still have our property on Atlantic Avenue where Blue Points is. And the Dutch people, when they came here from Holland, they came with Godly values, they came with values of being hard workers, and also with protecting our neighborhood and our environment. West Sayville, people come there because of the values that were instilled from years ago.

A lady that was up here before, Louise Febrizio, when she spoke, she talked about it's a symbol of West Sayville. It is a symbol of West Sayville.

I was at the Sayville Fest this past weekend. People were looking at artwork on Main Street, which was closed for people to go, going through town, and there was Bluepoints Company and all this artwork. People would say, "Oh, there's Blue Points, West Sayville. Isn't it a beautiful community?"

I had my 30th high school reunion this past weekend. All the guys that moved out of town came back, they're talking about Sayville, West Sayville, the beauty, the mystique of the area and how they want to move back. There's something special about Sayville and West Sayville, and especially Bluepoints Company. By tearing it down and putting up condos, you're just taking a community that had something special to show to now just another development.

So I'm just here to let you know that as a fifth generation, being a Sayville person myself, now I even moved away, I was away for seven years, we had a child and we wanted to raise him back in the Sayville, West Sayville area because of the environment, because of the neighborhood, because of our neighbors, just because of the beauty of the area. By putting up this condominium is going to be taking away from it. Thank you.

(Applause)

D.P.O. CARACAPPA:

Thank you. Terry Scofield.

MS. SCOFIELD:

Good morning. My name is Terry Scofield. I'm domiciled in Southold, although I've lived here since I'm three years old, and I've lived in seven of the ten towns in Suffolk since I've been a Suffolk County resident.

In support of the sense resolution asking the State to allow us to create a Government Facilities Agency, I'm coming to you today with three hats on, as a very concerned board member of the National Coalition for the Homeless, as the National Vice-Chair of the Universal Living Wage Campaign, and as a Board Member until mid September, when I'll be an employee of the Hunger Action Network of New York State.

Currently, the National Coalition for the Homeless pays our employees a universal living wage index to the cost of housing in D.C., and the position I'm saying taking in Hunger Action Network in September will enable us within two years to pay our employees a universal living wage index to the cost of housing in New York City and in Albany, where we currently have staff.

Today, I'm really going to address Legislators Caracciolo, Haley, Alden, Carpenter, Crecca, Nowick, Binder, and Caracappa, since you're the ones that voted against the Government Facilities Agency back in June. Now, this is a plan that really addresses every legitimate opposition to affordable rental housing in Suffolk County.

So I sat down and I tried to think really hard about what I know of each of you, of your histories, what you've sponsored, what you voted yes or no on, and what could have possibly motivate each of you against the measure that is morally and fiscally responsible, benefits a wide range of constituents in each of your districts, and will prove to be a terrific economic stimulus program for the County as a whole. I looked around, I found no evidence that any of you are mentally ill or mentally defective. I can't say for certain that any of you are blatantly racist or classist, so, you know, we banged that out. And then I wondered, is it possible that you were pandering to some of the racist or classist elements in your district, simply because you were ill equipped to educate them as to why you have a responsibility to support this resolution. So, to that end, I've popped two handouts attached to my testimony. I'd like for you to take a look at them. And I understand that since you didn't have this information back in June, it was not possible for you to really make a well informed, rational, logical decision about this, so I want to make sure you have that today.

The first page is a reprint of the National Low Income Housing Coalition's annual report entitled "Out of Reach," which, starting last year in 2002, they started titling it, "More Out of Reach Than Ever". In the third table from the top, you'll note that the fair market rents for a studio, one-bed, two-bedroom, etcetera, apartments in Suffolk County. And then, on the last table, you'll note the number of hours a minimum wage worker would have to work in order to be able to afford each size apartment. Please, bear in mind that each of those numbers is going to increase substantially when HUD updates them come October.

The second page is a reprint of the universal living wage formula, and I've very conveniently done the numbers for you.

You guys two years ago passed what I called a fake living wage. I believe Legislator Guldi referred to it as living wage lite, approximately half of what it would cost to rent a studio apartment here in Suffolk.

D.P.O. CARACAPPA:

Terry, I'm going to have to ask you to sum up, please.

MS. SCOFIELD:

Please, before you vote today, I want you to study both of those pieces of information. I'll be

around for most of the day. If you have any questions or concerns, please grab me, I'll be happy to work with you.

D.P.O. CARACAPPA:

Thank you. That was the last card. Is there anybody else who wishes to address the Legislature? Hearing none, motion by myself, second by Legislator Haley, to close the public portion. All in favor? Opposed? Public portion is now closed.

We are going to go to resolutions tabled. I'd ask all Legislators to return to the horseshoe. Resolution -- before we give the Legislators a few seconds to get here, I just want to thank the public. Usually, when we have this many cards, we're here until late in the evening. And I would like to thank the public for being concise and to the point on the issues that they came before the Legislature to speak about.

1585 (Authorizing waiver of interest and penalties for property tax for Joseph Bryan and Marie Brian), under resolutions tabled, Page 7.

LEG. FOLEY:

Motion to table.

D.P.O. CARACAPPA:

Motion to table by Legislator Foley.

LEG. HALEY:

Second.

LEG. VILORIA-FISHER:

Second.

D.P.O. CARACAPPA:

Second by Legislator Haley. All in favor? Opposed? Abstentions? Tabled. (Vote: 15 yes, 2 not present-P.O. Postal and Leg. Guldi).

2252 (To authorize and empower the audit of the Suffolk County Pharmacy Benefits Manager). Legislator Bishop, what's your pleasure?

MR. BARTON:

15.

LEG. BISHOP:

Table.

D.P.O. CARACAPPA:

Motion to table on 2252 by Legislator Bishop, second by myself. All in favor? Opposed? Abstentions? 2252 is tabled. (Vote: 15 yes, 2 not present-P.O. Postal and Leg. Guldi).

1143 (Adopting local Law No -- 2003, a Local Law to establish hospital Reporting Policy for indigent care in Suffolk County).

LEG. FOLEY:

Motion to approve.

LEG. VILORIA-FISHER:

Second.

MR. BARTON:

15.

D.P.O. CARACAPPA:

Motion to approve by Legislator Foley, second by Legislator Vioria-Fisher.

LEG. BINDER:

On the motion.

D.P.O. CARACAPPA:

On the motion, Legislator Binder.

LEG. BINDER:

If Legislator Foley could discuss the differences between the old version and the new vision, and what he's worked at, and the position of the Nassau-Suffolk Hospital Council.

LEG. FOLEY:

Thank you, Legislator Binder. The primary objection that the Hospital Council articulated for the original legislation has been amended out of the resolution. Originally, we had both reporting as well as notification requirements working with the advocates in this field, some of whom we've heard today. We have all come to an agreement, if you will, to eliminate, at this point, the reporting requirements and focus solely on the notification requirements.

The Hospital Association has stated that they understand the fact that a number of hospitals in the County, there's an inconsistent approach in how the hospitals inform the public about indigent care and charity care. So they realize that there needs to be a more consistent approach in that by amending this resolution, as we have done, the hospitals will now be able to have a consistent approach in notification, and would not have to bear the onerous burden of the original reporting requirements of the original legislation. That's been amended out of the resolution.

LEG. BISHOP:

So they support it.

LEG. FOLEY:

And they no longer oppose the bill and support the changes that we made to the bill, that's correct.

D.P.O. CARACAPPA:

Legislator Vioria-Fisher.

LEG. VILORIA-FISHER:

Thank you, Mr. Chair. As Legislator Foley knows, I was -- I had originally been a cosponsor of this bill, but I withdrew my name as sponsor when it carried such an onerous demand on the hospitals, which are struggling economically. And since it has been changed now to only include the policies of notification, I would like to put my name back on as a cosponsor. And I thank you for making those changes.

LEG. FOLEY:

Thank you.

D.P.O. CARACAPPA:

There's a motion to approve and a second. All in favor? Opposed? Abstentions?

MR. BARTON:

17.

LEG. FOLEY:

Thank you very much.

D.P.O. CARACAPPA:

1204- Authorizing land acquisition under pay-as-you-go 1/4% Taxpayer Protection Program (land of Peat Hole Pond property, Town of Brookhaven, Suffolk County Tax Map No. 202-011.00-0300-009.000). I'll make a motion to table.

LEG. ALDEN:

Second.

D.P.O. CARACAPPA:

Second by Legislator Alden. All in favor? Opposed? Abstain?

LEG. FOLEY:

On the motion. I'm sorry.

D.P.O. CARACAPPA:

Do not call the vote, Henry. Legislator Foley.

LEG. FOLEY:

There's a motion to approve. Thank you.

LEG. BISHOP:

No, to table.

D.P.O. CARACAPPA:

Motion to table.

LEG. FOLEY:

Well, I'm making a motion to approve.

D.P.O. CARACAPPA:

Very good.

LEG. FIELDS:

I will second the motion.

LEG. FOLEY:

Okay. On the motion to table, I would ask --

D.P.O. CARACAPPA:

I withdraw my motion to table.

LEG. FOLEY:

Thank you, Mr. Chairman.

D.P.O. CARACAPPA:

There's a motion to approve by Legislator Foley, second by --

LEG. FOLEY:

1204.

D.P.O. CARACAPPA:

-- Legislator Fields. All in favor? Opposed? Abstentions?

MR. BARTON:

17.

D.P.O. CARACAPPA:

It's approved.

LEG. FOLEY:

Thank you, Legislator Fields.

D.P.O. CARACAPPA:

1294 is withdrawn.

LEG. VILORIA-FISHER:

No, that's been withdrawn.

D.P.O. CARACAPPA:

1357 - Directing the Office of Legislative Budget Review Office to audit Legislative vehicles.

LEG. CARACCILO:

Motion to approve.

LEG. ALDEN:

Second.

D.P.O. CARACAPPA:

A motion to approve by Legislator Caracciolo.

LEG. ALDEN:

Second.

LEG. FOLEY:

Just on the motion.

D.P.O. CARACAPPA:

On the motion, Legislator Foley.

LEG. FOLEY:

Did we not have a discussion, Legislator Caracciolo, at the last meeting about the ways in which you could receive the information that you needed without the requirement of legislation? And I think one of the points that Counsel had raised was the fact that under the -- that the major concern in the past was how there are a number of County employees who had, let's say, spent more mileage or produced more mileage going from their home to their office than from their office to other offices, and that as far as the Legislators are concerned, I don't think there's one where there was that kind of an imbalance between the amount of mileage that they drove from home to work than from work to other County residences.

LEG. CARACCIOLO:

Legislator Foley, may I respond?

LEG. FOLEY:

Sure.

LEG. CARACCIOLO:

Okay. This matter, as I understand it, came before the -- or went before the Budget Screening Committee. It was denied consideration, because it was deemed to be too time consuming.

LEG. CRECCA:

Too what?

LEG. CARACCIOLO:

I find that --

D.P.O. CARACAPPA:

Time consuming.

LEG. CARACCIOLO:

Time consuming. I find that ironic, given all of the technological advances and equipment that we have in that office, that it would take an inordinate amount of time for our budget office, which cracks through a multi-billion dollar budget with it's entire staff, granted, over the course of several weeks. We're talking about a much narrower audit, we're talking about Legislative vehicles, those assigned to this Legislative body.

I find it also ironic that we had former Legislator, now State Assemblyman Steve Levy, and former County Legislator Ed Romaine are both in today's newspaper talking about County cars and how they are, as candidates for County Executive, proponents of reducing the County fleet. And as Mr. Levy points out in the article, and he's quoted, that a law was passed, and I was here, in 1991, that requires department heads to certify, make a determination as to which employees a County vehicle is justified for use, and to basically require employees that use the vehicle -- that don't meet the criteria, to, essentially, not be assigned a County vehicle.

Now, just a few months ago, we heard all kinds of hewn cries about the County budget deficit for '04. It was going to be more than 140,000 million dollars. Well, guess what, that's all been evaporated. But you don't read about that in the newspaper, because, you know, it's not news anymore. But, we have two candidates for County Executive who are supporting efforts to

reduce the County fleet, and I would embrace their specific plan when I see it. In the meantime, I think, as we heard speaker after speaker speak today about this Legislature's abilities over the years to lead by example, to do so today. And I urge my colleagues to support this.

Don't run for the hills on something that's going to affect you individually, because I suspect there are a good number of Legislative vehicles assigned that cannot be justified based on the criteria our own Budget Review Office came up with in their fleet analysis study of 1999. If I'm wrong, then no one has anything to worry about.

D.P.O. CARACAPPA:

Presiding Officer Postal.

P.O. POSTAL:

Yeah. This whole issue of cars is one that pops up periodically, because it's so easy for people to relate to, they can understand it. It's certainly a lot easier than most of the budgetary issues we deal with.

But, at the beginning of this year, I remembered the bill that Assemblyman Steve Levy sponsored that would have County employees who were driving cars keep a travel log, a mileage log, of where they drove, and how many miles it was, and how long it took them, and so on and so forth, and that law required that that information be provided to, I think it was the Ways and Means Committee of the Legislature. There was supposed to be two reports a year given to the Ways and Means Committee of the Legislature, and so I thought, well, that would be really interesting and I asked to see those, and I found that the Department of Public Works had never made a report to the Ways and Means committee of the Legislature.

So I think that the first thing that should concern us is that there is -- there was legislation, existing legislation sponsored by Assemblyman Steve Levy still on the books that would give us some interesting information and documentation.

I asked Charlie Bartha what happens to that information, because right after I discovered this, I encountered Charlie in the lobby and I asked him, and he said the reports stay in the department. Well, I thought that that was a terrible waste of time and energy to have all these County employees, which are -- who are legitimately driving cars, like Child Protective Service workers, the Neighborhood Aides for our Health Department, keeping these voluminous logs, which I can only imagine take hours and hours and hours.

And, by the way, I don't know of any of you except me remember that -- I think it was this year, by accident, we got those logs to fill out.

I think it was kind of horrifying to think that we have to do that, and I called about that, and they said, "Oh, it was a mistake." Well, after I stopped being relieved I didn't have to fill out that horrible log, I thought, you know, it probably would have been best if we had to fill out the logs to see how many hours it took to compile that information.

The point I'm making is there's no question that it takes a lot of time to compile the information. And then what happens with it? Charlie Bartha told me, it stays in the department.

So my only point is that I don't think we're going to accomplish anything at all with this anymore than we did with the original legislation that was sponsored by Assemblyman Levy.

D.P.O. CARACAPPA:

Okay. We have a list here, and I'm not going to break for lunch until this is voted on, so that we don't have to deal with it when we come back. So, Legislator Lindsay.

LEG. LINDSAY:

Yeah. My question is really to Budget Review, as this resolution has to do with Budget Review. I'd like Budget Review's opinion on the record keeping that it would involve Fred's department to compile.

MR. POLLERT:

The resolution was originally laid on the table in April and gave us a deadline of September 1st. It's now August. We're going out on the Operating Budget, and the deadline hasn't been changed. We could do this. We brought the request to the Budget Review Office Steering Committee. The recommendation of the Budget Review Office Steering Committee was to look at all cars, not just Legislative cars, because, as Legislator Postal said, there were concerns with the assignment of the County fleet as a whole. Rather than just picking on the County Legislature, they had wanted us to do an overall type of review. I was under the impression that they were going to speak with the sponsor with respect to changing what he had requested in the resolution. At this point in time, we could do it, but we certainly can't do it with a, you know, four-week deadline to be able to do a Legislative review, so I would like to have that changed, that the Legislature is going to be approving the resolution.

LEG. FOLEY:

Motion to table.

LEG. GULDI:

Second.

D.P.O. CARACAPPA:

Motion to table by Legislator Foley, second by Legislator Guldi.

LEG. CARACCIOLO:

On the motion.

D.P.O. CARACAPPA:

On the motion, Legislator Caracciolo.

LEG. CARACCIOLO:

Nothing more than typical stalling tactics when it comes to the members, elected officials, to stand up and justify the vehicles they're assigned. If you can't justify them, then give them back to the public. But having said that, so Legislator Lindsay and others who perhaps were not certain how far this resolution went, Bill, this doesn't speak to the entire County fleet of two or twenty-five hundred vehicles, it speaks to the fleet assigned to this Legislative body. Mr. Pollert, how many vehicles are we talking about?

MR. POLLERT:

Frankly, I believe probably in the neighborhood of about 22, 23.

LEG. CARACCIOLO:

So what we've just heard is the Director of the Budget Review Office tell us that to audit for one

or two calendar years, the mileage records of 22 or 23 vehicles is going to take that staff more than one month. That's absurd.

D.P.O. CARACAPPA:

There's a motion to table.

LEG. CARACCIOLO:

I oppose the motion to table.

D.P.O. CARACAPPA:

There's a motion to table and a second. All in favor?

LEG. BINDER:

Roll call.

D.P.O. CARACAPPA:

There's a roll call that's been requested. Roll call.

(Roll Called by Mr. Barton, Clerk)

LEG. GULDI:

Yes.

LEG. FOLEY:

Yes.

LEG. COOPER:

Yes.

LEG. TONNA:

(Not Present)

LEG. BINDER:

No.

LEG. BISHOP:

No.

LEG. NOWICK:

Yes.

LEG. CRECCA:

Yes.

LEG. CARPENTER:

Yes.

LEG. ALDEN:

Nope.

LEG. FIELDS:

Yes.

LEG. LINDSAY:

No.

LEG. HALEY:

Yes.

LEG. VILORIA-FISHER:

Yes.

LEG. CARACCILO:

No.

D.P.O. CARACAPPA:

Yes.

P.O. POSTAL:

Yes.

MR. BARTON:

Legislator Tonna (not present). 11.

D.P.O. CARACAPPA:

It's tabled. It's now 12:35. We're breaking for lunch. Be back at 2:30 for public hearings. I

[THE MEETING WAS RECESSED AT 12:34 P.M. AND RESUMED AT 2:35 P.M.]

D.P.O. CARACAPPA:

Mr. Barton, the affidavits of publication, have they been filed and are in proper order?

MR. BARTON:

Yes, they are, Mr. Chairman.

D.P.O. CARACAPPA:

Thank you. First public hearing before us today is **1207-Authorization of rates for Sayville Ferry Service, Inc., for cross bay service between Sayville, New York, and the Fire Island communities of Fire Island Pines, Cherry Grove, and Water Island.** We have no cards. Are there any public speakers? Is there anybody who wishes to speak on this issue? Seeing and hearing none, a motion by myself to close, second by Legislator Cooper. All in favor? Opposed? Abstentions? Public hearing 1207 is closed.

Moving on to Public Hearing 1547-Adopting Local Law Number -- we don't have a number yet. Okay. **1547-Charter Law to Change the County Tax Stabilization Reserve Fund Policy.** We have no cards. Is there anyone wishing to be heard on this matter?

LEG. CARACCILO:

Motion to close.

D.P.O. CARACAPPA:

Hearing none, there's a motion to close by Legislator Caracciolo, second by myself. All in favor? Opposed? Abstain? Public hearing 1547 is closed.

We'd like to -- now motion to set the date for August 26th, 2003, at 2:30 p.m., in Riverhead, New York, for the following public hearing: Public hearing regarding Intro Resolution 1615 - A local law to amend Process Servers Licensing Law in Suffolk County. All in favor -- motion by myself, second by Legislator Caracciolo. All in favor? Opposed? Abstention? Those dates are set.

We are currently waiting for Legislators to come -- that concludes the Public Hearing portion of today's meeting. Thank you. We're going to take a brief recess until Legislators return from Legislator Haley's going away luncheon, which will be momentarily, so I'll ask for a ten-minute recess.

[THE MEETING WAS RECESSED AT 2:37 P.M. AND RESUMED AT 2:43 P.M.]

D.P.O. CARACAPPA:

All Legislators, please report to the horseshoe. Roll call, Henry.

(Roll Called by Mr. Barton, Clerk)

LEG. CARACCIOLO:

Here.

LEG. GULDI:

Here.

LEG. VILORIA-FISHER:

Here.

LEG. HALEY:

Here.

LEG. FOLEY:

(Not Present)

LEG. LINDSAY:

Here.

LEG. FIELDS:

Here.

LEG. ALDEN:

Here.

LEG. CARPENTER:

Here.

LEG. CRECCA:

Here.

LEG. NOWICK:

Here.

LEG. BISHOP:

Here.

LEG. BINDER:

Here.

LEG. TONNA:

Here.

LEG. COOPER:

Here.

D.P.O. CARACAPPA:

Here.

P.O. POSTAL:

(Not Present)

LEG. BISHOP:

All right. Let's set a record.

MR. BARTON:

15 present. (Not Present: P.O. Postal and Leg. Foley)

D.P.O. CARACAPPA:

Thank you, Mr. Clerk. Before we go on, I'd like to make a motion to reconsider **Public Hearing 1207 - Authorization of rates for Sayville Ferry Service**. It had originally been closed, but there was some information brought to us by Budget Review. Information is still pending with relation to the report done by them --

LEG. BISHOP:

Second.

D.P.O. CARACAPPA:

Being done by them. Second by Legislator Bishop. All in favor? Opposed?

LEG. BISHOP:

To recess.

D.P.O. CARACAPPA:

Well, it's before us. And then motion to recess. You got that vote, Henry? It is now before us again?

MR. BARTON:

Yes.

D.P.O. CARACAPPA:

Now there's a motion to recess by Legislator Bishop, second by myself. All in favor? Opposed?

Abstentions? Public Hearing Number 1207 is recessed.

We are now going to go to Suffolk Community College budget. I'd ask all Legislators to report to the horseshoe.

LEG. BISHOP:

Is there a motion to approve? Let's go.

D.P.O. CARACAPPA:

Okay.

LEG. VILORIA-FISHER:

Was there a motion to approve, Dave?

LEG. BISHOP:

Motion to approve, right?

LEG. VILORIA-FISHER:

Second.

D.P.O. CARACAPPA:

Well, we've got to wait for Budget Review.

LEG. VILORIA-FISHER:

Okay.

LEG. BISHOP:

Why?

LEG. VILORIA-FISHER:

Oh, I already saw them.

D.P.O. CARACAPPA:

You know, actually --

LEG. GULDI:

Can't we do the public hearing on 1547 while we wait?

D.P.O. CARACAPPA:

They're all done.

LEG. BISHOP:

They're all done.

D.P.O. CARACAPPA:

They're all done.

LEG. BISHOP:

Let's go.

LEG. VILORIA-FISHER:

We did all the public hearings?

D.P.O. CARACAPPA:

Yes.

MR. BARTON:

We're on 1391, tabled page.

LEG. VILORIA-FISHER:

Oh, so we did all of them at once, oh, I see.

D.P.O. CARACAPPA:

I'll do -- while we wait for other Legislators, because I know many of them do not want to miss the College budget vote and we need Budget Review, who is here as well, we'll go back to tabled resolutions for now until everyone settles back in.

LEG. BISHOP:

Environmental Health Lab.

LEG. VILORIA-FISHER:

Good plan, Joe.

LEG. BISHOP:

It requires 14 votes, right?

D.P.O. CARACAPPA:

Yes. We are currently on Resolution 1391. It's Amending the 2003 Capital Budget and Program and appropriating funds in connection with the purchase of --

LEG. GULDI:

Motion to approve.

LEG. BISHOP:

Motion to --

D.P.O. CARACAPPA:

-- Environmental Health (Laboratory Equipment).

LEG. BISHOP:

Mr. Chairman, motion to table. I know myself and at least three others are going to vote against this.

D.P.O. CARACAPPA:

Motion to table by Legislator Bishop.

LEG. BISHOP:

And for this thing to pass, it's going to need the additional Legislator to have a chance.

D.P.O. CARACAPPA:

Legislator Bishop made a motion to table, I will second.

LEG. VILORIA-FISHER:

Is that a motion to table to a later hour or --

LEG. BISHOP:

No, no. You're going to need the seat filled.

LEG. VILORIA-FISHER:

Oh, okay.

D.P.O. CARACAPPA:

Two weeks. Motion to table by Legislator Bishop, second by myself. All in favor? Opposed? Abstain? 1391 is tabled.

LEG. BISHOP:

Two weeks.

D.P.O. CARACAPPA:

Right, two weeks. **Resolution 1405B (A resolution authorizing the issuance of \$515,000 Serial Bonds of the County of Suffolk, New York, to pay the cost of the construction of sidewalks for CR 85, Montauk Highway and CR 65, Middle Road, Sayville, Town of Islip (CP 5497.326)).** Just so you know, this was approved already and we need to do the bond. So motion by Legislator Lindsay.

LEG. VILORIA-FISHER:

Second.

LEG. FOLEY:

Second.

D.P.O. CARACAPPA:

Second by Legislator Foley. Roll call on the bond.

LEG. LINDSAY:

Could I -- before you go to the bond, just an explanation here. Both 1405B and C have been approved in the past, but bond counsel wanted them separated instead of in one resolution.

D.P.O. CARACAPPA:

Understood. Roll call.

MR. BARTON:

Can you give me the motion and second?

D.P.O. CARACAPPA:

Motion by Legislator Lindsay, second by Legislator Foley.

MR. BARTON:

Thank you.

(Roll Called by Mr. Barton, Clerk)

LEG. LINDSAY:

Yes.

LEG. FOLEY:

Yes.

LEG. COOPER:

Yes.

LEG. TONNA:

(Not Present).

LEG. BINDER:

Yes.

LEG. BISHOP:

Yes.

LEG. NOWICK:

Yes.

LEG. CRECCA:

Yep.

LEG. CARPENTER:

Yes.

LEG. ALDEN:

Yes.

LEG. FIELDS:

Yes.

LEG. HALEY:

Yes.

LEG. VILORIA-FISHER:

Yes.

LEG. GULDI:

Yes.

LEG. CARACCILO:

Yes.

D.P.O. CARACAPPA:

Yes.

P.O. POSTAL:

(Not Present)

MR. BARTON:

15 on the bond. (Not Present: P.O. Postal and Leg. Tonna)

D.P.O. CARACAPPA:

Thank you. **1405C (A resolution authorizing the issuance of \$300,000 Serial Bonds of the County of Suffolk, New York, to cover the cost of the improvements to Raynor Beach County park (CP 7175)).** Same motion, same second. Roll call.

(Roll Called by Mr. Barton, Clerk)

LEG. LINDSAY:

Yes.

LEG. FOLEY:

Yes. Cosponsor.

LEG. COOPER:

Yes.

LEG. TONNA:

(Not Present)

LEG. BINDER:

Yes.

LEG. BISHOP:

Yes.

LEG. NOWICK:

Yes.

LEG. CRECCA:

Yes.

LEG. CARPENTER:

Yes.

LEG. ALDEN:

Yes.

LEG. FIELDS:

Yes.

LEG. HALEY:

Yes.

LEG. VILORIA-FISHER:

Yes.

LEG. GULDI:

Yes.

LEG. CARACCILO:

Yes.

D.P.O. CARACAPPA:

Yes.

P.O. POSTAL:

(Not Present)

MR. BARTON:

15 on the bond. (Not Present: P.O. Postal and Leg. Tonna)

D.P.O. CARACAPPA:

Motion is approved. **1425 (To ensure league of Women Voters representation on Reapportionment Commission)**. Motion by Legislator Fisher. What's your pleasure?

LEG. FOLEY:

Second.

LEG. VILORIA-FISHER:

Motion to approve.

LEG. FOLEY:

Second.

D.P.O. CARACAPPA:

There's a motion to approve by Legislator Fisher -- Viloría-Fisher, second by Legislator Foley.

LEG. CRECCA:

Motion to table.

D.P.O. CARACAPPA:

There's a motion to table by Legislator Crecca.

LEG. HALEY:

Second.

D.P.O. CARACAPPA:

Second by Legislator Haley. All in favor? Opposed?

[OPPOSED SAID IN UNISON BY LEGISLATORS]

Roll call.

(Roll Called by Mr. Barton, Clerk)

LEG. HALEY:

Yes.

LEG. CRECCA:

Yes.

LEG. COOPER:

Pass.

LEG. TONNA:

Yes.

LEG. BINDER:

Yes.

LEG. BISHOP:

No.

LEG. NOWICK:

Yes.

LEG. CARPENTER:

Yes.

LEG. ALDEN:

Yes.

LEG. FIELDS:

Yes.

LEG. LINDSAY:

This is to table?

D.P.O. CARACAPPA:

Yes.

LEG. LINDSAY:

No.

LEG. FIELDS:

This is to table?

LEG. VILORIA-FISHER:

It's to table.

LEG. FIELDS:

No.

MR. BARTON:

Okay, I'll change your vote.

LEG. FOLEY:

No.

LEG. VILORIA-FISHER:

No.

LEG. GULDI:

No.

LEG. CARACCILO:

Yes.

P.O. POSTAL:

(Not Present)

D.P.O. CARACAPPA:

Yes.

LEG. COOPER:

No.

LEG. TONNA:

Yes.

MR. BARTON:

Nine. (Not Present: P.O. Postal)

D.P.O. CARACAPPA:

Nine, to table?

MR. BARTON:

Yes, nine to table.

D.P.O. CARACAPPA:

The tabling fails. There's a motion by Legislator Vioria-Fisher to approve, second by Legislator Foley. Roll call.

(Roll Called by Mr. Barton, Clerk)

LEG. VILORIA-FISHER:

Yes.

LEG. FOLEY:

Yes.

LEG. COOPER:

Yes.

LEG. TONNA:

Pass.

LEG. BINDER:

No.

LEG. BISHOP:

Yes.

LEG. NOWICK:

Pass.

LEG. CRECCA:

Pass.

LEG. CARPENTER:

Pass.

LEG. ALDEN:

Pass.

LEG. FIELDS:

Yes.

LEG. LINDSAY:

This is to pass it, right?

MR. BARTON:

This is to approve, yes.

LEG. LINDSAY:

Yes.

LEG. HALEY:

No.

LEG. GULDI:

Yes.

LEG. CARACCILO:

Pass.

LEG. CARPENTER:

Motion to table to the September meeting.

LEG. BISHOP:

Second.

D.P.O. CARACAPPA:

There's a motion to table by Legislator Carpenter to the September meeting, seconded by Legislator --

LEG. BISHOP:

Bishop.

D.P.O. CARACAPPA:

Bishop. All in favor? Opposed?

[OPPOSED SAID IN UNISON BY LEGISLATORS].

Just raise your hand if you're opposed. Legislator Foley, Lindsay, Guldi. Motion to table until September.

MR. BARTON:

Okay. 14.

D.P.O. CARACAPPA:

1429 - Amending 2003 Operating -- Adopted Operating Budget and 2003 Capital Budget and Program and appropriating funds in connection with litigation related to the Forensic Sciences Medical and Legal Laboratory (CP 1109).

LEG. GULDI:

Motion.

D.P.O. CARACAPPA:

There's a motion by Legislator Guldi.

LEG. VILORIA-FISHER:

Second.

D.P.O. CARACAPPA:

Second by Legislator Vilorina-Fisher.

LEG. CARACCILOLO:

Explanation.

LEG. ALDEN:

Explanation.

D.P.O. CARACAPPA:

Explanation, Counsel.

MR. SABATINO:

1429 would appropriate \$100,000 to pay for litigation expenses, which have been incurred with this litigation that goes back to a project in 1995 or '6. This is probably the third or fourth expenditure we've made. Suffolk County in this last phase has recovered approximately \$700,000.

LEG. ALDEN:

On the motion.

MR. SABATINO:

I apologize. This would actually appropriate 50,000, the previous expenditure was a hundred. I

apologize, it's 50,000.

D.P.O. CARACAPPA:
Okay? Legislator Alden.

LEG. ALDEN:
Just, Budget Review, normally, if we have expenses in relationship with litigation, we pay for that cash, don't we?

MR. SPERO:
This is a transfer from the Operating Budget to the Capital Fund for the \$50,000, so this is not being bonded.

LEG. ALDEN:
Why are we transferring money from the Operating Budget to the Capital Fund?

MR. SPERO:
To pay -- that's the allocation, is from the Operating Fund, not the -- you know, from borrowing funds, borrowed funds. We're using cash that we have on hand.

LEG. BISHOP:
Cash. In other words, you don't have to bond for it, that's the mechanism.

LEG. ALDEN:
No. We don't have to bond for it originally, so why and how did it get into the Capital Budget?

MR. SPERO:
It's a capital project, it's litigation on a capital project, so the funds are being transferred to the capital project and they'll be paid out from there.

LEG. ALDEN:
Okay, thanks.

D.P.O. CARACAPPA:
There's a motion and a second. All in favor? Opposed? Abstentions? It's approved.

MR. BARTON:
16. (Not Present: P.O. Postal)

D.P.O. CARACAPPA:
1489 (Rescinding authorization to sell County-owned property pursuant to Section 215 of the New York County Law, Al Grimes (0200-480.00-01.00-018.000)). Is there a motion?

LEG. BISHOP:
Second.

D.P.O. CARACAPPA:
Is there a motion?

LEG. BISHOP:

Motion to approve.

D.P.O. CARACAPPA:

Motion by Legislator Bishop.

LEG. FOLEY:

Explanation, please.

LEG. GULDI:

What was the motion, to table or approve?

D.P.O. CARACAPPA:

There's no second.

LEG. GULDI:

Motion to table.

D.P.O. CARACAPPA:

There's a motion to table by Legislator Guldi, second by myself. All in favor? Opposed? Abstentions? It's tabled.

1500 - Authorizing the sale of surplus County car (showmobile) to the Town of Southampton.

LEG. GULDI:

Motion to approve.

D.P.O. CARACAPPA:

Motion to approve by Legislator Guldi, second by myself.

LEG. ALDEN:

I'm going to make a motion to table.

D.P.O. CARACAPPA:

There's a motion to table by Legislator Alden, seconded by Legislator Carpenter.

LEG. GULDI:

On the motion to table.

D.P.O. CARACAPPA:

Legislator Guldi.

LEG. GULDI:

Yeah. We already tabled this for a month for people to look into it. The Town has a need and use for the vehicle. It's been surplused and they're ready on rehabilitate it and put it in service to meet their local needs.

LEG. ALDEN:

On the motion.

LEG. CARPENTER:

On the motion.

D.P.O. CARACAPPA:

Legislator Alden, then Carpenter.

LEG. ALDEN:

The problem I have with it is that we put almost a million dollars into a budget to replace this showmobile, and now, if somebody told me, and I think that's what came out at -- how much? No. There's a lot of money in there, in the budget.

LEG. BISHOP:

A million dollars for a showmobile? That's crazy.

LEG. ALDEN:

No. To replace it? No. There's a lot of money in the budget. There's a lot of money put in the budget for us to replace it. And if there's a small amount of money that the Town of Southampton is actually going to expend to rehabilitate this and use it, then I don't understand why we're going out and buying a new one, so that they could spend a small amount of money to rehabilitate it and put it on the road. So that's why I'm opposed to this. And, actually, I'm opposed to this type of, you know, whatever you want to call it, gifts or surplusing to other taxing jurisdictions.

D.P.O. CARACAPPA:

Legislator Carpenter, then Guldi.

LEG. CARPENTER:

Yeah. We had a little bit of a discussion on this at the last meeting, and my problem is with the process, that this is something that should have come to the Parks Committee; that when we put money in the budget for the new showmobile, it was with the understanding that we would then have two. Given the amount of acreage and parkland that we have in this County, and events that go on and events that we would hope that we could put on for the public, that we had heard from the Department that the one showmobile just wasn't enough. And when community groups have requested the showmobile from Parks, I know groups in my Legislative district, they're always told that the showmobile is not available. So it's ludicrous for towns that have two, three and four showmobiles and a County the size of ours should just have one. So that was the impetus for putting the money in the budget, and I had worked on that, for the new showmobile.

So to find out, you know, through the process here that there was a resolution to surplus this to the Town of Southampton, if they can rehabilitate it, and I know that Legislator Guldi said that they would use it in a stationary kind of fashion, we certainly have enough County parks that we could use it for that same kind of use in this County.

So the Chairman of the Parks Committee had reached out to the Commissioner and she's supposed to be getting back to us. So we're meeting again in less than two weeks, and I would ask that we hold this until we can ask those questions of the Commissioner at the next Parks meeting.

D.P.O. CARACAPPA:

Legislator Guldi.

LEG. GULDI:

Yeah. When that request was made at our last meeting a month ago, I had no objection to it. This had come up on the surplus list. Since then, I have made inquiry and found out more information. This showmobile is, as it stands in the condition it is at the County, not an asset, but a debris problem. If we don't act with it, it will continue to deteriorate and the County will ultimately bear the additional expense for the disposal of it as such. The Town of Southampton is going to pick it up, haul it, and rehabilitate it at their expense. We have no plan to do so, because we've determined, through our Department of Public Works, that to do so would be noneconomic.

I had no objection to the Legislators who were surprised by the resolution, seeing it for the first time after it went through a committee cycle and hit the agenda, to table it for a month for them to further investigate. I do have an objection, however, to them doing it procedurally. I'd like to move the question and get a vote on the merit.

LEG. FOLEY:

Second.

D.P.O. CARACAPPA:

Legislator Fields.

LEG. FIELDS:

I first have one question, or I have one question first, rather. Who determines that a vehicle becomes surplus in the County?

LEG. BISHOP:

Paul Sabatino? It's Purchasing.

MR. SABATINO:

The initial recommendation under the County Charter comes from the Division of Purchasing, which is now in Public Works. They're supposed to make a -- a recommendation, rather, as to whether something is surplus, obsolete, or still usable, then the Legislature makes the final determination in terms of whether they want to declare it surplus and then dispose of it.

LEG. FIELDS:

Because I had requested the showmobile in September and I was told -- and there was going to be a huge event in my district, and I was told that the showmobile was going to be in Cutchogue that day and we would not be able to use it. If this showmobile were able to be towed and used, you know, just as kind of a stage, it would certainly answer some of the problems that we have. And that was one of the points that we brought up to the Commissioner, was that, very often, there are conflicting events on one end of the Island as compared to the other, and that just because of the timing, you can't use the showmobile.

So, before -- I would ask that you just bear with us one more time to get more of the answers that we have requested from the Parks Commissioner numbers of times, and I will make sure that my Aide makes a call today to her to give us these answers on -- in particular, how bad is this vehicle that it cannot possibly be used by the County, or that we can't make a small investment to repair it, so that we can use it in Huntington or in Montauk both at the same time.

LEG. GULDI:

On the representation that this delay will result in actually asking and getting the question and getting the answers, I'll consent to the tabling motion.

LEG. BISHOP:

Okay.

LEG. CARACCILOLO:

On the motion.

LEG. BISHOP:

It's being tabled.

LEG. CARACCILOLO:

I understand, but I just want to point out --

D.P.O. CARACAPPA:

Legislator Caracciolo.

LEG. CARACCILOLO:

Thank you. Counsel, if you look at the backup, the departmental request form for, I guess, declaring this a surplus vehicle, it's absent the signature of George Forman, who, apparently, is the individual who has to certify the decommissioning of the vehicle. Is that your understanding, is that what your copy -- I have a blank --

MR. SABATINO:

Yes, I'm looking at my copy. It appears to be identical to yours. There's an unsigned signature line.

LEG. CARACCILOLO:

So I would suggest to Legislator Guldi that -- to make sure that the department or this individual certifies that this is a surplus vehicle, or a vehicle that should be decommissioned.

LEG. GULDI:

Mike, I'll point out that the previous page to that bears the signature of William --

LEG. CARACCILOLO:

Yeah, that's the department requesting the decommissioning, the Parks Department, but it is the individual in Purchasing --

LEG. GULDI:

I'll get the subsequent copy. This was provided by Parks.

LEG. CARACCILOLO:

Thank you.

D.P.O. CARACAPPA:

Very good. There's a motion and a second to table. All in favor? Opposed? Abstentions? 1500 is tabled. (Vote: 16 yes, 1 not present - P.O. Postal).

That does it for tabled resolutions. We are now going to go to the Suffolk County Community College budget. Budget amendments are in your packet, there are three of them.

LEG. BISHOP:

Motion to approve Number One.

D.P.O. CARACAPPA:

Budget Review, Fred, would you care to take the time to go over One, Two and Three?

LEG. LINDSAY:

We'll do them one at a time?

D.P.O. CARACAPPA:

Yeah, we'll do them on at a time, but I'd like a distinction of each and every one of them.

MR. POLLERT:

Yes. What the first budget amendment does is it increases the revenues for the Community College, and uses those increased revenues to pay for an increase in the estimated pension costs. In addition to that, it establishes a program for a -- tuition reimbursement program for a nursing program run through the Health Department.

There is no increase in the County contribution with respect to Resolution Number 1. With respect to Resolution Number 2, it transfers funds that were identified by the Budget Review Office as being surplus funds in the permanent salary account to the Community College's reserve funds. Those funds can be transferred back with a Legislative resolution, if the need arises during the year.

The third resolution, which would transfer funds from the Community College's operating budget to the reserve fund for the printing of the course catalogs that are mailed out on an annual basis by the Community College. Likewise, there is no reduction had the County contribution. The funds are moved to a reserve fund and can be restored to the Community College by a Legislative resolution.

D.P.O. CARACAPPA:

Very good. Any questions? Is there a motion for **Budget Amendment Number 1**?

LEG. FOLEY:

Motion, Mr. Chairman.

D.P.O. CARACAPPA:

Motion by Legislator Foley.

LEG. VILORIA-FISHER:

Second.

D.P.O. CARACAPPA:

Second by Legislator Viloría-Fisher.

LEG. CARPENTER:

On the motion. I would --

D.P.O. CARACAPPA:

On the motion.

LEG. CARPENTER:

-- just ask that my name be included as a cosponsor on that.

D.P.O. CARACAPPA:

Duly noted.

LEG. GULDI:

Me, too.

LEG. ALDEN:

Cosponsor.

D.P.O. CARACAPPA:

Legislator Guldi and Alden as well. Roll call.

(Roll Called by Mr. Barton, Clerk)

LEG. FOLEY:

Yes.

LEG. VILORIA-FISHER:

Yes.

LEG. COOPER:

Yes.

LEG. TONNA:

Yes.

LEG. BINDER:

Yes.

LEG. BISHOP:

Yes.

LEG. NOWICK:

Yes.

LEG. CRECCA:

Yes.

LEG. CARPENTER:

Yes.

LEG. ALDEN:

Yes.

LEG. FIELDS:

Yes, cosponsor.

LEG. LINDSAY:

Yes.

LEG. HALEY:

Yes.

LEG. GULDI:

Yes.

LEG. CARACCIOLO:

Yes.

D.P.O. CARACAPPA:

Yes.

P.O. POSTAL:

(Not Present)

MR. BARTON:

16. (Not Present: P.O. Postal).

LEG. FOLEY:

Thank you.

D.P.O. CARACAPPA:

It's approved. **Budget Amendment Number 2.** Is there a motion?

LEG. ALDEN:

Motion.

D.P.O. CARACAPPA:

Motion by Legislator Alden, seconded by Legislator Fields?

LEG. FIELDS:

Yes.

D.P.O. CARACAPPA:

All in favor?

LEG. VILORIA-FISHER:

On the motion.

LEG. FOLEY:

On the motion.

D.P.O. CARACAPPA:

On the motion, Legislator Viloría Fisher.

LEG. VILORIA-FISHER:

I'm going to ask my colleagues to vote against this resolution. At the Health and Education Committee, we had extensive discussions regarding this issue of the three-quarters of a million dollars being placed in the reserve fund. We had multiple assurances by Mr. Hollander and Mr. Stein that these monies -- that the money that has been set aside for faculty positions would not be raided and used for other expenditures, that this money would, indeed, be earmarked for faculty positions. And I feel that in dealing in good faith with the College, that we should allow them the kind of flexibility that they need and the access to the funds that they need.

And so I will urge my colleagues not to support this resolution, because I feel that in supporting this resolution, we're sending a message to the College that although they put a commitment on the record, that we are not trusting that they will uphold their end of the bargain, and so I would ask my colleagues to vote against this resolution.

D.P.O. CARACAPPA:

Legislator Foley.

LEG. FOLEY:

Thank you, Mr. Chairman. And, generally, I would support this kind of resolution of adding some oversight by this Legislature with the operations at the Community College. Just amplifying what Legislator Fisher had mentioned at our Health and Education Committee meeting, the Chair of the Board on two different occasions at that committee meeting reassured us that the \$773,000 would be used solely and exclusively for the hiring of the new faculty positions that are proposed in this new Community College budget. Now, given the fact that we have a new president coming on board September 1st, and given the fact that we have a double reassurance from the Chair on the Board of Trustees, and also the fact, when I had spoken with the Budget Review Office, that they're going to very carefully scrutinize the Community College budget during the year to make sure that this particular budget line is used solely for the purposes as outlined by the Chairman of the Board, that I will reluctantly even, and also respectfully, disagree with the sponsors. So, generally speaking, it's the right approach, but at this particular time, I will not be supporting this particular resolution. Thank you, Mr. Chairman.

D.P.O. CARACAPPA:

You're welcome. Legislator Alden.

LEG. ALDEN:

Just a couple of questions of Budget Review. Now, it was just mentioned a minute ago that you identified how much money in that budget that's surplus?

MR. POLLERT:

Seven hundred and seventy-three thousand dollars in the salary accounts.

LEG. ALDEN:

Okay. In your estimation, all the hiring can be done that has been promised, the additional staff and things like that, all our commitments to staff and salaries can be met, and there's \$770,000 left over.

MR. POLLERT:

That is correct. We have gone back and reestimated the numbers twice, and we used a different

methodology than the Community College, but we feel that there are adequate funds in their permanent salary accounts to carry out all the hiring of the new teaching spots, as well as to fill a significant number of non-teaching vacancies.

LEG. ALDEN:

Two years ago, how much money was in the reserve account for Suffolk Community College, you know, just approximately?

MR. POLLERT:

Just while Jim is looking up the detailed numbers, the Community College has been turning surpluses, and those surpluses have been returned to the reserve fund. Two years ago, the actual fund balance was 1.1 million dollars.

LEG. ALDEN:

And last year, how much was the fund balance?

MR. POLLERT:

Well, last year there was a resolution which drew down the fund balance that was approved by the County Legislature at the request of the Community College, but the closing fund balance estimated at the end of this year is approximately \$68,000, and it will be increasing to 3.85 million dollars next year.

LEG. ALDEN:

But the fund balance as of the end of -- close of business this year is \$68,000?

MR. POLLERT:

That's correct.

LEG. ALDEN:

So last year we drew down over a million dollars from the reserve account.

MR. POLLERT:

That is correct. There was a transfer from the reserve account back to the Community College.

LEG. ALDEN:

Okay. Now, the reserve account increase to 3.1 millions dollars happens how?

MR. POLLERT:

The increase in the reserve account is primarily associated with two factors. The first factor is that the County Executive, when he proposed the budget last year, said that he was going to do a transfer to the reserve account of the surplus in the Community College. That was the budget that was adopted by the County Legislature, but that transfer never took place, so that just continued to stay in the Community College's fund balance without being transferred. That was a large component of it. The second component is that the revenues came in higher than anticipated and expenditures were lower than anticipated for the current year. So, in total, in the Community College, they had a positive fund balance of approximately 5.5 million dollars at the end of this year. A significant portion of that is going to be transferred to the reserve fund. About 3.5 million dollars is going to be transferred to the reserve fund.

LEG. ALDEN:

Okay. Now, if that money, just like if this \$770,000, if that money is needed in the future for

anything, whether it be salary to -- you know, if we hire the extra teachers, which we should do, salary for any other type of programs, that fund money can be used for those very purposes, right, there's no restriction as far as once we put the money into the reserve account, it can never come back out?

MR. POLLERT:

Basically, the only restriction on the reserve account is that it can only be used for the benefit of the Community College. It cannot be used --

LEG. ALDEN:

Okay.

MR. POLLERT:

-- for the General Fund or the Police District, anything of that sort, that is basically Community College Fund money. So when the County Legislature established a reserve fund for the Community College, it is a segregation of their funds to be used, if there is any totally unanticipated expenses.

LEG. ALDEN:

So, basically, what this resolution states is that there's \$770,000 in surplus to what you say you're going to accomplish, and that includes the hiring of people and everything else, we're going to put that into a reserve account. If, for some reason, you're wrong, Community College, and you need more money, the money is in a reserve account, we can always release it as we did last year. Over a million dollars was released last year.

MR. POLLERT:

That is correct.

LEG. ALDEN:

Okay. Thanks.

D.P.O. CARACAPPA:

Legislator Carpenter.

LEG. CARPENTER:

I would just like to put on the record, I concur with statements made by Legislator Fisher and Foley, and I think there have been many years that there has been a lot less cooperative feeling that has gone back and forth between the Community College and the Legislature. And I think for anyone who feels that we need to tie their hands, so to speak, with this kind of resolution I think should have a comfort level in knowing that the Legislature really does participate in a very meaningful way with what happens at the College apart from the committee that is assigned jurisdiction over the Community College. We have representatives that are at each and every College Board of Trustees meeting from the Legislature, and more importantly, or as important I think, is representatives from the Budget Review Office. There's an analyst who's dedicated to overseeing what happens at the Community College from the Legislature's BRO.

So I think, if there is ever any time that anything is going off in a direction that is less than appropriate, we should take comfort in knowing that we have the mechanism in place to be alerted to those kinds of things, and I don't feel that that is going to be a problem, given this new sense of communication and cooperation that has been happening over the last couple of years.

D.P.O. CARACAPPA:

Very good. Budget Amendment Number 2, there's a motion and a second. All in favor?
Opposed?

[OPPOSED SAID IN UNISON BY LEGISLATORS]

LEG. FOLEY:

Roll call.

D.P.O. CARACAPPA:

There's been a roll call requested.

(Roll Called by Mr. Barton, Clerk)

LEG. ALDEN:

Yes.

LEG. FIELDS:

Yes.

LEG. COOPER:

Pass.

LEG. TONNA:

I'm a yes.

LEG. BINDER:

Yes.

LEG. BISHOP:

No.

LEG. NOWICK:

No.

LEG. CRECCA:

No.

LEG. CARPENTER:

No.

LEG. LINDSAY:

No.

LEG. FOLEY:

No.

LEG. HALEY:

Yes.

LEG. VILORIA-FISHER:

No.

LEG. GULDI:

No.

LEG. CARACCILO:

No.

LEG. TONNA:

Change my vote to a no, please.

LEG. BINDER:

Do the same with mine.

D.P.O. CARACAPPA:

No.

P.O. POSTAL:

(Not Present)

LEG. COOPER:

No.

LEG. HALEY:

Change mine to a no, Henry.

MR. BARTON:

Two. (Not Present: P.O. Postal)

LEG. TONNA:

Who are the two?

MR. BARTON:

The motion and the second.

D.P.O. CARACAPPA:

Budget Amendment Number 2 fails. **Budget Amendment Number 3.** There's a motion by Legislator Foley.

LEG. FOLEY:

I'll make a motion for the purposes of discussion.

LEG. HALEY:

Second.

D.P.O. CARACAPPA:

Second by Legislator Haley.

LEG. FOLEY:

Mr. Chairman, I submitted this resolution, budget resolution in order just to highlight an ongoing concern that we have had as a Legislature with the mailings, catalog mailings in the College. Again, we had the Chair of the Board of Trustees, as well as a new representative from the College who has now -- now oversees this particular area of the College budget, the catalog mailings. And, again, similar to the last resolution, they have assured us, and they were responding to the analysis by the Budget Review Office, that they're going to take a very careful look on whether they're going to -- whether or not they'll change this approach of having these catalogs go to every home and residence within the County, or to have a more refined strategy. So, over the next number of months, and I think -- I believe prior to the next mailing, which would be for the spring semester, the College has committed to our committee that they'll come back to us at some point in the fall with their findings as to how they intend to change, refine, reshape their strategy for mailing these kinds of catalogs to the general public.

So, with that said, I'm going to withdraw my motion to approve, but I did want to place this on -- before us today, just to again highlight the point that we're going to keep a careful look on this. But given the new spirit of cooperation that Legislator Carpenter had mentioned earlier, I'll intend to -- I do -- I will withdraw the second -- I will withdraw the motion to approve.

D.P.O. CARACAPPA:

Will you withdraw the resolution?

LEG. FOLEY:

I'm going to -- other members can do as they wish, I'm just withdrawing my motion.

D.P.O. CARACAPPA:

You're the sponsor.

LEG. BISHOP:

It fails for lack of a motion.

LEG. VILORIA-FISHER:

You're the sponsor.

LEG. FOLEY:

I'll withdraw the resolution.

D.P.O. CARACAPPA:

It's withdrawn.

LEG. FOLEY:

Thank you.

D.P.O. CARACAPPA:

Okay. That concludes the College budget. We are now going --

LEG. FOLEY:

Mr. Chairman, let me just say this to -- just give me two minutes.

D.P.O. CARACAPPA:

Go ahead. One minute.

LEG. FOLEY:

I want to thank my colleagues for supporting the First Amendment, not only the First Amendment of free speech, but the first budgetary amendment, because not only does it give the College the budget that it needs, but it's also going to create a very innovative tuition assistance program for the nursing program at the College, so that they're going to work very closely with our Health Department to have the Health Department enter into an agreement with the College to have RN's, who successfully graduate from the College program, to be employed by the County of Suffolk, and in return have the tuition reimbursed. And it's really a novel approach. Legislator Binder was also very helpful in this regard. And this going to very much help our Health Department meet its public mission, and it will also help the Community College to even recruit more students by having this as another persuasive point in order to recruit students to the nursing program, so thank you.

D.P.O. CARACAPPA:

Thank you, Legislator Foley. Legislator Viloría Fisher.

LEG. VILORIA-FISHER:

Just very briefly, before the people from the College leave, I do want to commend you. The presentation that we saw at the last Education Committee meeting certainly indicated that having somebody working from the Office of Admissions, looking at the catalog and the marketing, I think it's a very good idea, we were very impressed.

D.P.O. CARACAPPA:

Okay. Thank you. Legislator Lindsay.

LEG. LINDSAY:

Just that I'm surprised that the people from the College are leaving. This is such an educational experience, I think you should stick around for the rest of the session.

D.P.O. CARACAPPA:

Good many, Tom. Okay. Todd Johnson from the County Executive's Office had wanted to speak at this point in time. He's here, so, Todd, come on up to the podium and --

LEG. BISHOP:

On what, CN's?

D.P.O. CARACAPPA:

He'll let you know in a second. He was supposed to speak earlier during the governmental participation. We had deferred his time until now.

MR. JOHNSON:

Thank you very much. Good afternoon Deputy Presiding Officer Caraccapa, Legislators. I'm here today to talk about a few items that we have on schedule, including CN's, as Legislator Bishop had asked about. We do have a couple of items we'd like you to consider today. One of them concerns a resolution concerning the transfer and funding of some contract agencies with the Department of Probation. It seems it's a really a technical correction. There are some items where two contract agencies happen to have the same -- sure.

LEG. VILORIA-FISHER:

Do we have them?

D.P.O. CARACAPPA:

Just let me stop you, because we don't have them in front of us.

LEG. VILORIA-FISHER:

We don't have them.

D.P.O. CARACAPPA:

So I'd ask my colleagues to remember what Todd is saying at this point, so when they're put before us, they make more sense.

LEG. VILORIA-FISHER:

Todd, that's tough.

LEG. CRECCA:

Why don't we just have Todd --

MR. JOHNSON:

Okay.

LEG. CRECCA:

-- speak when we get them.

LEG. VILORIA-FISHER:

Todd, can you give us the number?

MR. JOHNSON:

I don't know if anybody has a pen. I think they're sending them out to you now. These are not filed resolutions yet.

D.P.O. CARACAPPA:

Todd, would you rather speak when they're before us and we address the CN's one a time?

MR. JOHNSON:

Well, I have a couple of -- what I also would like to do, there are a couple of items that I have some people here.

D.P.O. CARACAPPA:

All right. Let's speak on those items first, and then, when we do the CN's, we'll bring you back up and go one by one.

MR. JOHNSON:

That's fine.

LEG. VILORIA-FISHER:

Then they'll be before us.

MR. JOHNSON:

That's fine.

D.P.O. CARACAPPA:

Go ahead.

MR. JOHNSON:

Yeah. There are a couple of items that I do have some presentations on. One of them concerns an affordable housing project in the Islip area, Sunny Brook. There have been some changes to that. Marian Zucker is going to be coming up in a second to speak on that. There is also an item, I.R. 15 -- a resolution concerning Gabreski Airport, and some additional funds that are needed for some fencing, as per FAA regulations post 9/11 that have to be implemented here. Also, there is a CN concerning some funding and positions in DSS that is critical, and I believe the Commissioners is available here.

LEG. VILORIA-FISHER:

That's a CN.

MR. JOHNSON:

Okay.

D.P.O. CARACAPPA:

You know what, does anyone, any Legislators have any questions for Ms. Zucker with relation to the Sunny Brook, is it?

MR. JOHNSON:

Yes.

D.P.O. CARACAPPA:

Sunny Brook Development.

LEG. CRECCA:

You know, Mr. Chairman.

D.P.O. CARACAPPA:

Yes.

LEG. CRECCA:

I just wanted to say that it doesn't seem like any of these are controversial that Legislators have any questions, so we don't need to have department heads here.

D.P.O. CARACAPPA:

That's why I'm asking.

LEG. CRECCA:

Yeah. I mean --

D.P.O. CARACAPPA:

Does anyone have any questions with relation to this, especially the Islip Legislators?

LEG. LINDSAY:

We can't vote on it until we see the resolutions.

D.P.O. CARACAPPA:

Right, but I'm trying to avoid the time consumed by having dialogue. Okay. There's no need to have anymore testimony on it, so --

LEG. CRECCA:

The only thing I would say, Todd, is be available, if we have questions at the time, but it looks like they're going to -- no one has a problem or has any questions regarding it.

MR. JOHNSON:

Okay. Well, that's even better.

D.P.O. CARACAPPA:

Very good.

LEG. BISHOP:

Good.

MR. JOHNSON:

That works out very well for us.

LEG. CARACCIOLO:

Just stand by.

MR. JOHNSON:

All approvals, all committed? Thank you very much.

D.P.O. CARACAPPA:

Okay.

INTRODUCTORY RESOLUTIONS.

ENVIRONMENT, LAND ACQUISITION AND PLANNING

LEG. BISHOP:

1246, motion to approve.

D.P.O. CARACAPPA:

We're now going to the Introductory Resolutions, environment, the ELAP Committee. **1246 - Authorizing the acquisition of land under new Suffolk County Drinking Water Protection Program.** Approved out of committee 6-0. Motion by Legislator Guldi.

LEG. BISHOP:

Second.

D.P.O. CARACAPPA:

Second by Legislator Bishop. All in favor?

LEG. CARACCIOLO:

On the motion.

D.P.O. CARACAPPA:

On the motion, Legislator Caracciolo.

LEG. CARACCIOLO:

I'll just note that the -- what is this \$200,000 an acre, George?

LEG. GULDI:

Yes, \$200,000 an acre. But we're buying it in partnership, so our contribution is half of that. It's remarkably inexpensive.

LEG. CARACCIOLO:

Okay.

D.P.O. CARACAPPA:

Very good.

LEG. BISHOP:

We'd all sign up for \$200,000 an acre of vacant land in Southampton right now.

LEG. GULDI:

It's also -- it's also below the mean appraised value for the parcels.

D.P.O. CARACAPPA:

There's a motion --

LEG. GULDI:

It also meets -- scores high on our priority list.

D.P.O. CARACAPPA:

There's a motion and a second. All in favor? Opposed? Abstentions?

MR. BARTON:

Thirteen. (Not Present: P.O. Postal, Legs. Haley, Nowick and Postal)

D.P.O. CARACAPPA:

It's approved. **1252 (Authorizing planning steps for acquisition under Suffolk County multifaceted Land Preservation Program (Mediavilla Property) Town of Huntington).** Legislator Binder?

LEG. BINDER:

Motion.

D.P.O. CARACAPPA:

Motion by Legislator Binder.

LEG. BISHOP:

Second.

D.P.O. CARACAPPA:

Second by Legislator Binder. It was approved out of committee 5-0-0-1. All in favor? Opposed? Abstentions?

MR. BARTON:

Thirteen. (Not Present: P.O. Postal, Legs. Haley, Nowick and Tonna)

D.P.O. CARACAPPA:

Approved. **1414 - Authorizing planning steps for Greenways Program in (connection with acquisition of farmland development rights at) Calverton.** Legislator Caracciolo.

LEG. CARACCIOLO:

Motion to approve.

LEG. BISHOP:

Second.

D.P.O. CARACAPPA:

It was approved out of committee 5-0-0-1. Motion by Legislator Caracciolo, second by Legislator Foley. All in favor? Opposed? Abstentions? It's approved.

MR. BARTON:

Thirteen. (Not Present: P.O. Postal, Legs. Haley, Nowick and Tonna)

D.P.O. CARACAPPA:

1506 (Amending the 2003 Capital Budget and Program and appropriating funds for the purchase of equipment for groundwater monitoring and well drilling).

LEG. CARACCIOLO:

Motion to approve.

LEG. FOLEY:

Second.

D.P.O. CARACAPPA:

There's a motion by Legislator Caracciolo, second by Legislator Foley. Roll call.

(Roll Called by Mr. Barton, Clerk).

LEG. CARACCIOLO:

Yes.

LEG. FOLEY:

Yes.

MR. SABATINO:

This takes three-quarters, by the way.

LEG. COOPER:

Yes.

LEG. TONNA:

(Not Present)

LEG. BINDER:

Yes.

LEG. BISHOP:

No.

LEG. NOWICK:

Pass.

LEG. CRECCA:

Pass.

LEG. CARPENTER:

Pass.

LEG. ALDEN:

Yes.

LEG. FIELDS:

Yes.

LEG. LINDSAY:

Yes.

LEG. HALEY:

(Not Present)

LEG. VILORIA-FISHER:

Yes.

LEG. GULDI:

Pass.

D.P.O. CARACAPPA:

Yes.

P.O. POSTAL:

(Not Present)

LEG. TONNA:

(Not Present)

LEG. NOWICK:

Yes.

LEG. CRECCA:

Yes.

LEG. CARPENTER:

Yes.

LEG. HALEY:
(Not Present).

LEG. BISHOP:
Motion to table.

LEG. FOLEY:
Opposed.

LEG. ALDEN:
Second.

LEG. CRECCA:
Roll call on the table.

D.P.O. CARACAPPA:
There's a motion and a second to table one more -- one more time. This takes a super-majority three-quarters vote.

LEG. BISHOP:
It needs 14, you don't have 14.

D.P.O. CARACAPPA:
Apparently, it doesn't have that at this point in time.

LEG. BISHOP:
I'm saving it with a tabling.

D.P.O. CARACAPPA:
There's a motion to table and a second. Again --

LEG. CRECCA:
Withdraw my request for a roll call.

LEG. CARACCILO:
Motion to table.

D.P.O. CARACAPPA:
This is a three-quarter, Mike. It appears to be headed to defeat.

LEG. BISHOP:
Okay. So it's tabled.

D.P.O. CARACAPPA:
There's a motion to table and a second. All in favor? Opposed? It's tabled.

LEG. FOLEY:
Reluctantly, yes.

D.P.O. CARACAPPA:

1550 - Authorizing planning steps for implementing Greenways Program in connection with acquisition of active parklands at Oxhead Road, Centereach (Town of Brookhaven). Motion by myself.

LEG. BISHOP:

Second.

LEG. VILORIA-FISHER:

Second.

D.P.O. CARACAPPA:

Second by Legislator Fisher. All in favor? Opposed? Abstain? 1550 is approved. **1571 - Making a SEQRA determination (in connection with the proposed open space acquisition of property donated by P.G. Builders, Inc., to Suffolk County within the Patchogue River County Nature Preserve - SCTM #0200-837.00-01.00-016.001, Town of Brookhaven).**

LEG. FOLEY:

Motion.

D.P.O. CARACAPPA:

Motion by myself, second by Legislator Fields.

MR. BARTON:

15. (Not Present: P.O. Postal and Leg. Haley)

D.P.O. CARACAPPA:

All in favor? Opposed? Abstain? 1585 - Authorizing planning steps for the acquisition of land --

MR. BARTON:

15. (Not Present: P.O. Postal and Leg. Haley).

D.P.O. CARACAPPA:

-- under new Suffolk County Drinking Water Protection Program (Mud Creek additions - Town of Brookhaven). Motion by Legislator Foley.

LEG. VILORIA-FISHER:

Second.

D.P.O. CARACAPPA:

Second by Legislator Viloria-Fisher. All in favor? Opposed? Abstain? 1585 is approved.

MR. BARTON:

15. (Not Present: P.O. Postal and Leg. Haley)

D.P.O. CARACAPPA:

1586 - Donation and dedication of certain lands to County parks (File No. S02-02-0101). Motion by Legislator Fisher, Viloria-Fisher, seconded by Legislator Foley. All in favor? Opposed? Abstain? It's approved.

MR. BARTON:

16. (Not Present: Leg. Haley)

D.P.O. CARACAPPA:

1587 (Donation and dedication of certain lands to County parks (file No. S02-02-0094)). Same motion, same second, same vote.

MR. BARTON:

16. (Not Present: Leg. Haley)

D.P.O. CARACAPPA:

1588 (Donation and dedication of certain lands to County parks (File No. S02-01-0135)). Same motion, same second, same vote.

1592 - Authorizing public hearings pursuant to Article 2 of the Eminent Domain Procedure Law of the State of New York in connection with the acquisition of land known as Bluepoints Company Property-Uplands, Town of Islip, Suffolk County, New York). Motion by Legislator Fields.

LEG. BISHOP:

Second.

LEG. LINDSAY:

Second.

D.P.O. CARACAPPA:

Seconded by Legislator Lindsay.

LEG. VILORIA-FISHER:

On the motion.

D.P.O. CARACAPPA:

On the motion, Legislator Viloría-Fisher

LEG. VILORIA-FISHER:

At the ELAP Committee meeting, I -- it was my understanding that. Miss Costigan would be coming here today to walk us through the process, no?

LEG. BISHOP:

No. But we ascertained the process at the meeting, if I may,. Mr. Chairman. The process is that if we approve this resolution, then public hearings will have to be held by the Division of Real Estate, and they will have to make determinations and findings. After that determinations and findings, it comes back, assuming that it's positive and they want to move forward, it will come back to the Legislature for a vote. So this vote --

LEG. VILORIA-FISHER:

There were still some outstanding questions, though.

LEG. BISHOP:

This vote today --

LEG. VILORIA-FISHER:

But we have time to have them answered.

LEG. BISHOP:

Right. This vote today does not bind Suffolk County to a condemnation, although it does start a process, it is necessary for the condemnation process to move forward, so you do have a second bit at the apple at the end of the process.

D.P.O. CARACAPPA:

Legislator Alden.

LEG. ALDEN:

I'm going to address a couple of questions to Paul Sabatino. I almost said Legislator Sabatino, but --

D.P.O. CARACAPPA:

Same thing.

LEG. ALDEN:

First, I hope that your back is -- I hope your back is --

MR. SABATINO:

I'm back. Pardon the pun.

LEG. ALDEN:

All right. I get it, okay. Paul, and just to pick up on what Legislator Bishop was just stating, this in no way binds us to a condemnation proceeding?

MR. SABATINO:

No. Under State law, the way condemnation works is you have to have a first resolution which sets the public hearing, so that, in this case, the Division of Real Estate can make the requisite findings and determinations regarding the proposed acquisition. Then step two would be a resolution approving the findings and determinations and actually authorizing the acquisition of land for the stated public purpose. So it's a minimum of two votes.

LEG. ALDEN:

Now, step one is going to determine a public purpose, but does that also go into looking at like a Phase I or a Phase II environmental? Would that be appropriate for them to look at something like that?

My concern is --

MR. SABATINO:

I'm not sure what you mean by Phase I, Phase II. Just clarify that.

LEG. ALDEN:

Phase I, Phase II environmental study would identify any environmental hazards, and would actually give you a little bit of a scope of, you know, what would be required to clean up any kind of environmental hazards, or things like that, on the property. Because that's my -- one concern I have is, and it was mentioned on a number of occasions, that there is some contamination on the property. Some of it's diesel fuel and things like that, so that's not that big of a deal, but

there's been some testimony that asbestos and possibly some other kind of contaminates, maybe even having metals, might exist.

MR. SABATINO:

The nature of the public hearing is that that would clearly be relevant information or testimony that could be brought to the hearing and certainly should be something under consideration. But at the end of the -- at the end of the legal process, the determination that has to be made to meet the constitutional standard is whether or not the property is being taken for a public purpose. That's the key. And the public purpose means you can't take the property from Business Owner Number One to give to Business Owner Number Two. But you can clearly take property for open space, for highways, for roads, for recharge basins. As long as you establish that, you'll never be set aside in court, irrespective of what may be determined with regard to the cost of cleaning up the property or elements of that consideration. But that's certainly information that's relevant to the public hearing, and it's relevant to a determination on the second resolution as to whether or not you, as a County, wish to go forward and undertake that obligation.

LEG. ALDEN:

And just one more thing I want to pursue with you. As a trial attorney, I did a number of actual trials on condemnation and it's usually on the value of the property. Action that we take today, does that significantly improve the value of the property, or is it neutral type of action or negative action? What would you classify this action we're taking today as.

MR. SABATINO:

Setting the public hearing would be neutral. Quite frankly, passing the resolution would be neutral. You know, because you've done the cases, the standard is just compensation. The advantage of condemnation is that you vest title immediately, you don't spend three years waiting to get title, so you grab the property. The valuation issue then becomes one for the two respective appraisers and the court to work out. That's going to be a function of whatever has happened to the land at that point, but it won't be affected by either of the two resolutions.

LEG. ALDEN:

Good. Thank you.

D.P.O. CARACAPPA:

Legislator Fields.

LEG. FIELDS:

I would ask that my colleagues vote to approve this legislation, because it is simply, and very, very simply, calling for a public hearing. It is in response to the recommendations of the South Shore Estuary Reserve, where they actually designate Bluepoints as a maritime center. Building condominiums on this site would not be smart growth for many reasons, including the fact that the building could be reused for a different use, and that is one of the recommendations in the smart growth master plan. Condominiums would not be in conformance with the character of this community.

The Consortium plans to offer education, scientific research, and public access, which it is not going to have with the plan that has been brought to you today by the developer. Building condominiums on this property would actually be at the base of the historical and cultural integrity of this property in ruining it. Once you take the building down, you can never put the building back up again, and it does have a tremendous amount of cultural and historical

significance. They would plan on having a network of academic city, county, state institutions. They would plan on continuing aquaculture.

There is a salt water aquifer that is unique and unusual anywhere that anyone can find. And we would have the ability to work with the Nature Conservancy. The CEES group that you heard from this morning would be self-funded. It would protect the Greens Creek Watershed, and it is a unique opportunity.

And, again, for the Legislators who have changed their minds on their vote, this does not move you into the condemnation, the actual condemnation, it simply asks for the Real Estate Department to hold a public hearing, that is all. I don't think that that's too much to ask for, just to ask for the ability to see whether it's even worthy of condemnation.

D.P.O. CARACAPPA:

Legislator Lindsay.

LEG. LINDSAY:

It wasn't too many years ago I can remember looking out at the Great South Bay and you could literally walk across the bay on the clamming boats that were out there. You don't see that sight anymore, because our bays are dying. And you might ask what is does this resolution have to do with that. Well, it has to do with it, a twofold process. Number one, it starts a process, and I underline "starts". What this does is just authorize hearings to explore condemnation. It doesn't approve it, but it starts a process that says we should not have anymore high density development on the bay, which will stop pollutants going into the bay. And secondly, it develops, hopefully, a state-of-the-art research center to find out once and for all what's killing our industry on the bay. And I think they're two very worthy points that we should explore and take this very unusual step and approve this resolution to authorize the hearings to explore condemnation.

D.P.O. CARACAPPA:

Legislator Foley.

LEG. FOLEY:

Thank you, Mr. Chairman. You know, just to follow-up on Legislator -- Legislator Lindsay's comments, not only has there been a decline in the hard shell clamming and, obviously, in oystering on the Great South Bay, but we've also witnessed over a period of time the decline in maritime related activities and industries. So part of the movement here and why there's such strong passion about preserving Bluepoints is the fact that not only is it of historic importance, but it's also saying publicly that we as a Legislature are going to work with communities in order to reverse this trend, this disturbing trend of losing our maritime industries, losing our maritime related activities, and that here is where we're making a stand.

And it's very appropriate we're making a stand in an area, as was mentioned earlier, some of the great West Sayville Dutchmen who moved to this country and then to West Sayville in order to undertake their maritime related work, have toiled the clam -- the bay bottoms for well over 100 years. And here is a place where not only can we celebrate the great contributions that they've made, but also use it as an opportunity to look to the future, look to the future to try to find the reasons why there's a decline in the bay, but also to say that we need to see what remains of our maritime industries along, whether it's the South Shore, the North Shore or out east.

So here's an opportunity where we can do that, not only help the environment, but also say that

we need to save our maritime industries, and also to revitalize our maritime industries just as much as we're trying to revitalize our downtown areas. Thank you.

D.P.O. CARACAPPA:

Legislator Tonna.

LEG. TONNA:

Yes. Just with regard to condemnation, at first, I understood that this act -- and, Paul, I just want to make sure. This is just to okay a step to -- for a public hearing; am I correct?

MR. SABATINO:

Right, it authorizes the public hearing.

LEG. TONNA:

Okay. The concern that I have, I want to go on the record, I will never vote in this particular situation, I will not vote for a condemnation. On the other hand, I'm -- I've never seen anything like this. You know, I understand that there was something like this done in the '80's. So I will vote to allow a public hearing, because I want to hear, I want to watch the process and stuff like that, but I'm not going to vote to condemn private land that isn't like road use or anything else.

And my concern is this. If we set a precedent like this, somebody with private property and something, what happens to the person who's running a summer camp, maybe for underprivileged children, on a piece of private property, the neighborhood says, "You know what, I don't like kids in my neighborhood, you know, underprivileged kids coming from the city," or something like that, in my neighborhood to be able to do this, so I'll get a couple of politicians who are concerned with what the community -- you know, the votes of the community would have, or something, and we'll get -- we'll get a situation where we'll condemn the land and make it a parkland, or something like that. I'm not saying that's the circumstance here. As a matter of fact, knowing the Legislators and everything else, I would say that's not true, but the concern that I have is setting precedence.

And so, unless this is -- the only thing I've ever heard about it is for roadwork. If somebody tells me that it's something else, I'd like the public hearing to go through, but after that, I just want to know, on the record, I will never vote for the condemnation in this particular situation.

D.P.O. CARACAPPA:

Thank you. Legislator Carpenter, Crecca and Fields.

LEG. CARPENTER:

We heard -- no. Just that some Legislators seem to have a problem with having others speak. I'm sorry about that. I kind of expected to be here today, so --

LEG. CRECCA:

It was on my schedule.

LEG. CARPENTER:

Yeah. We heard a lot of speakers this morning who came and spoke about this property, including one of the gentlemen who is one of the developers. And, actually, the developer lives in my Legislative District and is someone that I know, so that I was really surprised when I heard the comment made today, and I guess this is one of the down sides of not being able to question speakers, when someone said that the developer has violated covenants and restrictions that he's

been given in the past. And I found that troubling, because I have seen a number of developments, and one of the them was the Arnold -- former Arnold Constable Estate in West Islip that was slated to be torn down and replaced by an assisted living facility. And this developer, working with the Town, was able to preserve and restore the mansion, and put up some very tasteful condos along the side of it, and it wound up being the proverbial win/win for everyone involved. And I think that might be the situation that we have here with Bluepoints.

Some of the renderings that we've soon here today and some of the commitments that we have heard have been made, where the developer offered to donate half the property to the County, and that he was told, and this was stated on the record today, that the County was not interested in having half of the property donated to the County, and that I think is a shame.

I think that whenever we can enter into partnerships, whenever we can preserve and protect environmentally sensitive lands, and educate the public with an educational facility that SUNY Stony Brook was here today committing to, developing and educational outreach to the community, those were the words that the gentleman used today, but there was something that a woman from the community said that the building was a symbol of what we should or what we are trying to preserve on Long Island. I can't help but think that perhaps there would be a way to relocate the buildings that might be structurally sound, because we were getting conflicting opinions about what's sound and what isn't sound, that perhaps those that are structurally sound could be relocated to the Maritime Museum property, which is not very far away, it's down the road and a little bit west of the parcel that we're talking about. But here we have someone coming forward to say that they're going to build the educational facility at no cost to the taxpayers, that we are going to keep the property on the tax rolls, and, yet, there's going to be a preservation component to it.

One of the organizations that was mentioned as being part of this partnership, if we went the other route with the Consortium, was Cornell Cooperative Extension. And I think what we've heard in the past, Cornell kind of has their plate full financially, and, you know, a number of instances come to the County looking for funding for various programs. And I don't know if it's in anyone's best interest to load even more onto Cornell Cooperative when we've got a very willing partner with financial backing in SUNY Stony Brook.

So I think for all of those reasons we probably, especially because of the precedent setting nature of this resolution, since we have never condemned property in this fashion for this kind of reason, that perhaps it would be more prudent for us at this particular time to table this resolution. So I would like to make a motion to table.

D.P.O. CARACAPPA:

Motion to table, Legislator Carpenter. Is there a second?

LEG. CRECCA:

Second.

D.P.O. CARACAPPA:

Second by Legislator Crecca. Legislator Crecca, you have the floor.

LEG. CRECCA:

I'm not -- and I'm not even sure that we should be tabling this, but what I will say is this. I've heard Legislator Tonna, you said -- commented that you support the public hearing, but you'll never support condemnation, and I've --

LEG. TONNA:

Of this particular piece of property.

LEG. CRECCA:

No, no, of this particular parcel, I understand that. And my point is, is that, you know, I looked at this, too, and I don't this -- from everything I've seen and heard today, that it is an appropriate use of our condemnation powers. And with that said, I don't know how one can justify voting for a public hearing if they don't support the underlying acquisition, or they're never going to, simply because we have an overburdened Real Estate Department right now. I have properties in my district that I can't get the negotiations closed or settled or moved forward. And I think that to have Real Estate go through an effort which ultimately is futile, if Legislators aren't going to vote for it, is not responsible government either. You know, if you think this is an inappropriate acquisition, I would urge you then to not vote for the public hearing and go through a process and resources, of County resources, if you have no intention of doing that.

I understand the sponsor's intention here and I don't criticize it, per se. I just think that the use with Stony Brook and the proposed use here is not a bad use, I think it's a use that is consistent with the property and good for public -- you know, for the public's benefit, and I just cannot see -- I mean, it's a given fact when you do use that power of condemnation, you will pay more money than you would on the open market, and it should really be used very, very cautiously. It's generally only used for roadways and things like that. And, you know, for open space acquisition, you know, I'm not even sure we ever have -- Counsel, have we ever used it for that purpose?

MR. SABATINO:

Absolutely. We used it in 1989 for Guinavere's Fiefdom. Prior to that, that's how some of the County parks were acquired. I think Van Bourgondien is a good example. When I first came into the County, that was acquired by condemnation.

LEG. CRECCA:

How many acres is that?

MR. SABATINO:

Van Bourgondien is pretty substantial. Guinavere's Fiefdom was smaller than this. What happened was, in 1986, at the commencement of the Open Space Program, the County just as a matter of inclination opted not to do condemnations at the beginning of that process, because there were so many parcels out there. It was discussed, but it was just put to the side, because there was so many people out there.

LEG. CRECCA:

But, again, you know, if your -- I would just say to my fellow Legislators, if it's your intention not to support the condemnation, I would ask that you not waste the precious resources of our Real Estate Department with a public hearing. Thank you.

LEG. CARACCILO:

Mr. Chairman, would you add me to the list?

D.P.O. CARACAPPA:

I will add you to the list, ever growing list. Legislator Fields, you're up again.

LEG. FIELDS:

Excuse me?

D.P.O. CARACAPPA:

You're up.

LEG. FIELDS:

Legislator Tonna mentioned something to the effect of -- that this is just something that the neighborhood wants. This is not just something that the neighborhood wants, this is a group of institutions from Brooklyn to Montauk who feel that there is a better use than just having a developer save half of it, half the property; that is the developer is going to knock down this building.

So, for Legislator Carpenter, the historic building can't be preserved and it can't be protected if it's knocked down. And I think you'd feel just as upset when -- if we proposed to knock down Sagtikos Manor and say, "Well, the developer will save half the property." The property is not as valuable when it's knocked down, and the purpose of the smart growth use is to reuse the building. There is water dependent use of those properties that are on the southern tip of our property -- of our county.

And I would ask that we reconsider the thought of simply, and I'll reiterate, voting for a public hearing. This, again, cannot be brought back once it's gone, and it has a tremendous purpose and idea behind it in putting together a consortium of people who will all work together, not just one group, and it will also open up public access, and that is something we find less and less of every single day in Suffolk County.

LEG. CARACCIOLO:

Thank you, Mr. Chairman. Counsel, I see that you're squinting a little bit, so I guess that back is still on the mend. Paul, with respect to the '86 and the '89, '88 condemnations, are there parallels in terms of those properties and this property? I don't know if you have -- I'm not familiar with those two other sites you mentioned.

MR. SABATINO:

It's really -- I've been asked this question for the last year in terms of, you know, what was the story and the history of condemnation with open space. It was a matter of inclination. At the beginning of the Open Space Program, which is 1986, and all the collateral programs thereafter, the County just internally decided that because there were so many pieces of property out there and so many sellers, that there was no need to go to condemnation to vest title immediately, because, as you went down the list, if the first person said no, you had so many other willing sellers, you could just hit those. So the rationale at that juncture in the mid 1980's was based on the volume of properties that were out there and the number of willing sellers.

In a previous time in the '70's, before I got to the County, some of the County parks were actually acquired that way, because there was a desire to grab huge chunk of property. And the advantage of condemnation is that you immediately take title and you leave the issues about valuation to another day. The flip side of that is that you deal with just compensation versus fair market value. That becomes a function of the two respective appraisers and the court working that out. By the same token, you know, that addresses some of the issues that have been raised in the past year regarding the difficulties that are being experienced according to some of the proponents of open space regarding getting willing sellers and getting appraisals and values to all come together and acquire land.

So what I've said to people over the past year who have asked, and option is condemnation, because it takes away those other collateral issues that are causing you problems in the sense that you take title immediately. It's clearly a public purpose.

The problems that are occurring between appraisals that are so widely disparate that you can't get an agreement under our new procedures fall by the wayside, because now it's up to the court to basically force the two appraisers to come together. So from -- I mean, there's no legal obstacle to do it and there's no legal requirement to do it, it's a tool, it's an option, it's a vehicle that we've declined to use on a regular basis in the past, because the other options were working.

LEG. CARACCIOLO:

The Van Bourgondien and other property you mentioned, I'm not familiar --

MR. SABATINO:

Guinavere's Fiefdom was a parcel on the East End. At that particular juncture, it was viewed as being -- allegedly, it had extraordinarily important environmental species and aspects, and they just couldn't get the property through a negotiation, and it was tied into another piece of property. I think Mud Creek is out there or -- don't hold me to the details, but there was some other piece of sensitive property that it was adjacent to, and the County opted at that juncture for condemnation. That was obviously the exception, because all the other parcels that were being acquired were being done by negotiation.

LEG. CARACCIOLO:

Did the property contain buildings and buildings in disrepair like this property?

MR. SABATINO:

All I recall was that there were some very important species that were to be protected, I don't recall a building.

LEG. CARACCIOLO:

Okay. I think it would be worthwhile for the members of the Legislature to consider tabling the resolution and taking a ride down Atlantic Avenue and look at this property along Clyde Street and the adjacent neighborhood. This is a very built up area. I mean, the aerial photos that have been submitted, both by the developer and others, really doesn't do the area justice. It is very congested. There are marinas. There's a Town marina to the west. There's a Greens Creek Marina right up the street. So I would submit, number one, as some of the residents raised concern with respect to traffic, the traffic's already there. This is a built up community. The lots, the homes and lots are very small.

I'm not a proponent of overdevelopment, and I'm not even passing judgment on the proposed project, that's not within our purview, that's really a Town issue. And while we are on board with smart growth principles, again, it's not our jurisdiction here to look at this project from that perspective. It's zoned for what the developer wants to use the property for.

I don't know that I would approve it, if I was a member of the Town Board, but it's not a pristine piece of property. It, may not be, you know, similar to the other properties the County acquired through condemnation. And I think those are the issues that have to be looked at closely.

D.P.O. CARACAPPA:

Okay. There's a motion to table and a second. All in favor?

[OPPOSED SAID IN UNISON BY LEGISLATORS]

D.P.O. CARACAPPA:

Roll call. Just last names, Henry.

MR. BARTON:

All right.

(Roll Called by Mr. Barton, Clerk)

LEG. CARPENTER:

Yes.

LEG. CRECCA:

Yes.

LEG. COOPER:

No.

LEG. TONNA:

(Not Present)

LEG. BINDER:

Yes.

LEG. BISHOP:

No.

LEG. NOWICK:

Pass.

LEG. ALDEN:

No, to table.

LEG. FIELDS:

Pass.

LEG. LINDSAY:

No, to table.

LEG. FOLEY:

No, to table.

LEG. HALEY:

Yes.

LEG. VILORIA-FISHER:

Pass.

LEG. GULDI:

No, to table.

LEG. CARACCILO:

Pass.

D.P.O. CARACAPPA:

Yes.

P.O. POSTAL:

No.

LEG. TONNA:

To table? Pass.

LEG. NOWICK:

Pass.

MR. BARTON:

You have already.

LEG. NOWICK:

Okay. I'm going to abstain.

LEG. TONNA:

I'm a no to table.

LEG. FOLEY:

Change my vote to a yes, reluctantly, to table.

LEG. BISHOP:

Change my vote to yes, please.

LEG. LINDSAY:

Yes, table again.

MR. BARTON:

Legislator Fields?

LEG. FIELDS:

Table, please.

LEG. VILORIA-FISHER:

Yes.

LEG. CARACCILO:

Yes.

LEG. BISHOP:

And my vote's changed to a yes.

LEG. NOWICK:

Henry, since the sponsor requested it, yes.

LEG. HALEY:

Yes to table.

MR. BARTON:

12.

D.P.O. CARACAPPA:

1592 is tabled. I've been asked as a point of personal privilege that we takes Sense Number 52 out of order. I'll make that motion.

LEG. GULDI:

Second.

D.P.O. CARACAPPA:

Seconded by Legislator Guldi. All in favor? Opposed? **Sense 52** is before us. **Memorializing Resolution requesting State of New York to create Suffolk County Governmental Facilities Agency.**

LEG. GULDI:

Motion.

LEG. BISHOP:

Second.

D.P.O. CARACAPPA:

Motion to approve by Legislator Guldi, seconded by Legislator Bishop. All in favor?

LEG. BINDER:

Can we have an explanation?

D.P.O. CARACAPPA:

Opposed?

LEG. ALDEN:

On the motion.

D.P.O. CARACAPPA:

On the motion. This is the housing bill.

LEG. BISHOP:

Just vote against it.

LEG. BINDER:

This is the GFA.

LEG. BISHOP:

This is the GFA not the JFA.

LEG. ALDEN:

While I'm looking at this, I need the resolution number, and I need a little explanation from Legislative Counsel just to how this one operates.

LEG. BINDER:

Wait a minute. Wait a minute.

D.P.O. CARACAPPA:

Last page.

LEG. ALDEN:

I don't even know where my last page is.

D.P.O. CARACAPPA:

We are on Sense 52.

LEG. VILORIA-FISHER:

It's at the end.

LEG. ALDEN:

I just have a couple of questions on it then, while I'm trying to find it.

D.P.O. CARACAPPA:

Legislator Alden.

LEG. ALDEN:

If Legislative Counsel can just tell me what this basically tries to accomplish. Oh, actually, all right. I'm on that page now. If you could --

MR. SABATINO:

Just going back to it, it didn't change -- it was refiled in its previous form so there was no change relative to its last vote. But this is the one that asks the State Legislature to create the General Facilities Agency to basically allow Suffolk County to have a separate agency that will provide funding and also provide an intermediary for construction of affordable housing and also for the construction and then lease back by the County of Suffolk from the Agency of Office Facilities or Buildings to take advantage of, in the case of affordable housing, the ability of the agency to not just put the financing in place, but also to basically, you know, directly construct the housing, you know, notwithstanding what otherwise might be some local impediments or difficulties in completing that. And with regard to office facilities or county buildings, the twofold advantage would be that the reimbursement from federal and state for rental would still be available, even though a municipality, in this case the agency, would be owning the facility. And then secondly, the leases themselves should be better arrangements or better -- or less costly transactions because they're being negotiated between the County of Suffolk and the agency as opposed to a developer and the County of Suffolk. So the savings on the office buildings and the County facilities would be twofold.

LEG. ALDEN:

Now, the money that's generated would go back into the agency and the agency would decide where it's going to do its next project. One other thing I have as far as understanding here, this

supersedes local zoning laws.

LEG. GULDI:

That's not correct, and I think Counsel's explanation of the bill, I think needs to be --

LEG. ALDEN:

Hang on, George. Let me finish up and then I guess you're on the list.

D.P.O. CARACAPPA:

I'll put on the list, George.

LEG. GULDI:

You don't want to know what the bill says?

LEG. ALDEN:

Paul.

LEG. BISHOP:

No. He wants to argue it.

MR. SABATINO:

The agency would -- the agency, if granted all of the powers that are being proposed under this initiative, would have the ability to bypass a local impediment, yes.

LEG. ALDEN:

Now does this agency -- does this agency have the ability or would it have the ability to bypass Legislative approval on projects?

MR. SABATINO:

Not County Legislative approval, no.

LEG. ALDEN:

So the County would set the agenda as far as where they want to see...

MR. SABATINO:

The County would still -- well, the County would still be in control from the stand point of the agency itself would consist of appointees from the County of Suffolk, so it wouldn't be some third party agency or entity that would be making the appointments. That's where your ultimate control would be. On the buildings -- on the office buildings and on -- on the office buildings and on the office facilities, you would still have Legislative approval.

LEG. ALDEN:

Now as far as local planning and local zoning approval, is there anything that this would -- in creating an agency, does that give them the ability to supercede any local type of authorities?

LEG. BISHOP:

That's the third time you've asked.

LEG. ALDEN:

You know what, David? I'm going to answer you then, because I've asked the question, and I've

got interrupted as far as getting the answer. And so I'll just wait, and I'll get the answer if that's okay with you. I'll ask your permission though. Let me do it that way.

D.P.O. CARACAPPA:

All right. Let's calm down.

LEG. ALDEN:

Let me ask Dave Bishop's permission to ask a question and get an answer. You know what? Under the Dave Bishop laws and rules, I don't deserve an answer, so let's do it that way. There you go, we'll do it that way.

D.P.O. POSTAL:

Legislator Guldi.

LEG. GULDI:

If I may. The bill makes no change or reference to local zoning powers of any nature or description. Legislator Alden, if you will, I'd like an opportunity to answer your questions.

LEG. ALDEN:

Talk to Dave Bishop.

LEG. GULDI:

I'm not responsible for Dave. It's not my job to watch him. Trust me, it's not on my list.

D.P.O. CARACAPPA:

George, just highlight the bill.

LEG. GULDI:

If I may. The bill itself makes no change to local zoning whatsoever. The law on zoning under the bill would remain unchanged. The Government Facilities Agency to the extent that it were to engage in zoning regulated construction such as owner subsidized affordable housing projects would be fully subject to all local zoning. In fact, the bill itself does not expand the County's powers one iota. The bill creates and imposes a whole series of limitations and thresholds on -- on the agency which do not exist with respect to County activities.

For example, the whole area of the bill with respect to its housing operations restricts it to a proportionate share in each portion of every school district that's within every municipality that the agency could not exceed with a credit against that number for any activities for other housing structures built through or under the municipality for the last 25 years. The -- and one of the salient features about what the bill does is what it does with money and the huge amounts of savings to taxpayers that would flow from this operation. Not only does it capture the revenue from market value leases of County facilities that we qualify for reimbursement for and continue to capture 100% of that reimbursement, money which by estimates that I remember, from my recollection, could run as high as 20 or \$30 million a year; that that money, when captured, would at first be available for the agency to engage in its housing activities, but ultimately that revenue and any revenue it generates from housing and the savings that it generates from housing -- excuse me Legislator Binder, I'm trying to answer his question. If you wouldn't speak to him while I'm doing that, I would appreciate it.

LEG. ALDEN:

I can multi-task.

LEG. GULDI:

Well, I can't. I'm lucky if I get one thing done at a time. That revenue -- ultimately the agency would be charged with taking that revenue and pouring it through to subsidize school districts and ultimately save the real estate taxpayers of this County about \$50 million a year, plus whatever more could be realized through meeting the affordable housing needs of county. So, you know, in terms of -- the bill is a little bit complex, but in terms of what it accomplishes, it addresses the County's office space and facilities need and captures the savings for that. But it then tackles the County's housing needs and does it consistent with zoning, it does not change zoning.

The -- and it creates an incentive for the towns and -- you know, the facilities agency is directed to facilitate the town meeting their own proportionate share of the County's housing needs. As long as they do that, the agency has resources and the town will be to design what, when, where and how happens in their areas. It does give the agency the ability to go forward and do those projects if they fail to, but it does not change zoning to facilitate that. And ultimately, the millions of dollars it saves, which is an amount that begins to approach -- appropriate the entire -- approach the amount equal to the County's entire property tax warrant would ultimately be available to subsidize school districts and thereby reduce school district taxes throughout the County.

D.P.O. CARACAPPA:

Legislator Nowick.

LEG. NOWICK:

I'm not going to torture you. This was brought up at the last meeting, we all voted for it -- is this on? Hello? We did not vote for it, it went down. It's been brought up again. I thought perhaps there was a change in it, and the change I might have been looking for would have been the part that said the communities, our local towns, our supervisors, our council people, I would have thought the change would be we gave them back or they maintain the power. This bill takes away the ultimate decision from the town. I cannot go back to my town and tell them I gave up their ultimate decision.

D.P.O. CARACAPPA:

Okay. Thank you. Legislator Crecca. Finally, Legislator Crecca.

LEG. CRECCA:

The only thing I'll add too is that the GFA lock-boxes the money into either affordable housing or giving it to reduce school property taxes. And I don't know why we would -- I would prefer to go with something like the GFA, like Legislator Nowick proposed, because the simple matter is we can then take the savings and do what we want with them. I'm going to keep it short so we can take a vote.

D.P.O. CARACAPPA:

Okay. There's a motion and a second. Legislator Lindsay.

LEG. LINDSAY:

I was waiting for him to be through so I could go.

D.P.O. CARACAPPA:

Okay, go ahead.

LEG. LINDSAY:

I urge my colleagues to vote for this for one simple reason. I think everybody realizes probably the number one issue facing our County today is the lack of affordable housing. If it has the ability to devastate our economy, it has the ability to devastate our communities and our families. And this solution is the first really broad approach to solving that problem. Everything that we've talked about in terms of affordable housing up to now has been Band-Aides. This will get the job done, and it will get the job done by dedicating the resources and creating this authority that will be dedicated to getting the job done. And I urge everybody to vote for it.

LEG. CARPENTER:

Joe.

D.P.O. CARACAPPA:

Legislator Carpenter.

LEG. CARPENTER:

I know when this bill was introduced originally I spoke with Legislator Lindsay on it. And anything we can do to help with affordable housing I think is very important. But I don't think that creating another level of government, and I believe I said this to him subsequently, is the way for us to go. I think we need to be directing our energies towards eliminating red tape that seems to exist when you try to do some of the affordable housing projects. And I know that I've been working for months with Jim Morgo and the Long Island Housing Partnership, and there are instances if this had been the private sector, you know, it would have closed within months instead of years. And I think that that is something we need to look at, the process, because sometimes it's just a little bit too burdensome.

D.P.O. CARACAPPA:

All right. Last word on the issue would be Legislator Caracciolo.

LEG. CARACCIOLO:

Counsel, is there any litigation or prohibition that a GFA agency be formed and organized on a county level as opposed to another level of government?

MR. SABATINO:

Well, it is at the county level. It's just that it's going to be --

LEG. CARACCIOLO:

I'm saying could a town form a GFA?

MR. SABATINO:

Not as enabling state legislation, no.

LEG. CARACCIOLO:

I understand that. I understand that. And that's really what this Sense Resolution is calling on the state to do.

MR. SABATINO:

This is asking for enabling state legislation. The town could make a similar request, sure.

LEG. CARACCILOLO:

Philosophically, I think we all support the need to address the affordable housing issue. But historically, that is a matter that is under the jurisdiction of town governments, not county government. And while there are a lot who would like it assist in the effort, and we do through the transfer of 72-Hs and other means, the affordable housing initiative like Millennium Hills where we dedicated a pool of money to purchase land for affordable housing projects, the County is not standing by idly watching this issue deteriorate, we're are doing our part.

I'm going to say what I've said many times before, it really is incumbent upon town governments to step up to the plate and meet the needs of their taxpayers, their constituents, their seniors, their first time home buyers, their youth that want to stay in their hamlets and in their towns. It's not a state or county responsibility. I could support this initiative, however, if I saw a plan. I am not prepared to write a blank check to put in place a panel of seven people that are going to have representation without knowing the devil in the details. Thank you.

D.P.O. CARACAPPA:

Thank you. There's a motion to approve and a second. Roll call.

(THE ROLL WAS CALLED BY HENRY BARTON - CLERK OF THE LEGISLATURE)**LEG. GULDI:**

Yes.

LEG. BISHOP:

Yes.

LEG. COOPER:

Yes.

LEG. TONNA:

Yes.

LEG. BINDER:

No.

LEG. NOWICK:

No.

LEG. CRECCA:

No.

LEG. CARPENTER:

Abstain.

LEG. ALDEN:

Pass.

LEG. FIELDS:

Yes.

LEG. LINDSAY:

Yes.

LEG. FOLEY:

Yes.

LEG. HALEY:

No.

LEG. VILORIA-FISHER:

Yes.

LEG. CARACCILO:

Abstain.

D.P.O. CARACAPPA:

No.

P.O. POSTAL:

Yes.

LEG. ALDEN:

No.

MR. BARTON:

Nine.

D.P.O. CARACAPPA:

It's nine. Sense 52 fails. Going back to Ways and Mean, Real Estate Transactions and Finance.

LEG. CRECCA:

Mr. Chairman, before you do that.

D.P.O. CARACAPPA:

Legislator Crecca, go ahead.

LEG. CRECCA:

Take a motion to take out of order Sense 42, which --

D.P.O. CARACAPPA:

JFA.

LEG. CRECCA:

-- the JFA, and just if we can just -- I don't think we need a debate.

D.P.O. CARACAPPA:

Second by myself. All in favor? Opposed? JFA, Sense -- what is that fifty -- 42?

LEG. LINDSAY:

No, no, opposed.

LEG. NOWICK:

Motion to approve.

D.P.O. CARACAPPA:

Okay. Legislator Lindsay's opposed to taking out of order.

LEG. LINDSAY:

All right, if you want to do it.

D.P.O. CARACAPPA:

It's before us, **Sense 42 (Memorializing resolution requesting State of New York to expand Suffolk County Judicial Facilities Agency (JFA) Act)**. Motion by Legislator Nowick, second by Legislator Crecca. All in favor?

LEG. LINDSAY:

No.

D.P.O. CARACAPPA:

Opposed?

LEG. LINDSAY:

Opposed. Opposed.

D.P.O. CARACAPPA:

Legislator Lindsay is opposed.

LEG. LINDSAY:

Anybody opposed to JFA?

D.P.O. CARACAPPA:

Abstentions?

MR. BARTON:

16.

LEG. FIELDS:

I'll abstain.

D.P.O. CARACAPPA:

One abstention.

MR. BARTON:

15.

D.P.O. CARACAPPA:

15, it passes. Also, it's 14. One more abstention, Legislator Guldi. It still passes.

WAYS AND MEANS, REAL ESTATE TRANSACTION AND FINANCE

1423 - Adopting a Local Law -2003, A Charter Law facilitating partial County funding of

voluntary public financing for County elections through County contract processing fee.

Is there a motion?

LEG. VILORIA-FISHER:

Oh, I'm sorry. Motion to approve.

D.P.O. CARACAPPA:

There's a motion to approve by Legislator Viloría-Fisher.

LEG. FOLEY:

Second.

D.P.O. CARACAPPA:

Second by Legislator Foley.

LEG. TONNA:

On the motion.

D.P.O. CARACAPPA:

On the motion, Legislator Tonna.

LEG. TONNA:

1423?

D.P.O. CARACAPPA:

1423.

LEG. TONNA:

1423. Okay, forget it. Thanks.

LEG. BISHOP:

All in favor?

D.P.O. CARACAPPA:

All in favor? Opposed?

[OPPOSED SAID IN UNISON BY LEGISLATORS]

D.P.O. CARACAPPA:

Opposed.

LEG. TONNA:

Roll call.

D.P.O. CARACAPPA:

There's a roll call.

(Roll Called by Mr. Barton, Clerk).

LEG. VILORIA-FISHER:

Yes.

LEG. FOLEY:

Yes.

LEG. COOPER:

Yes.

LEG. TONNA:

No.

LEG. BINDER:

No.

LEG. BISHOP:

Yes.

LEG. NOWICK:

No.

LEG. CRECCA:

No.

LEG. CARPENTER:

No.

LEG. ALDEN:

Nope.

LEG. FIELDS:

Yes.

LEG. LINDSAY:

No.

LEG. HALEY:

No.

LEG. GULDI:

Yes.

LEG. CARACCILO:

Negative.

D.P.O. CARACAPPA:

No.

MR. BARTON:

Seven.

P.O. POSTAL:

Yes.

D.P.O. CARACAPPA:

1423 fails. **1424 - Adopting Local Law No - 2003, A Local Law to streamline County government by repealing costly laws --**

MR. BARTON:

Six.

D.P.O. CARACAPPA,

-- archaic statutes, superfluous boards, and duplicative commissions.

It was discharged without recommendation 7-0 out of committee. A motion by Legislator Postal.

LEG. FOLEY:

I'll make a motion to table.

D.P.O. CARACAPPA:

There's a motion to table by --

LEG. BISHOP:

Second.

D.P.O. CARACAPPA:

-- Legislator Foley, second by Legislator Bishop.

LEG. FOLEY:

One of the reasons, Mr. Chairman, if I may, very quickly --

LEG. BISHOP:

Withdrawn. I'll withdraw the tabling.

LEG. FOLEY:

No, no. It's got to be stated for the record out of respect to the sponsor of the bill as the Presiding Officer. The reason that I have to table the motion is that one of the boards you are directing to be abolished is the Rhabdomyosarcoma Board, which has been meeting on a periodic basis throughout the year, and will in the near future finalize its findings, so we have to amend the resolution.

LEG. TONNA:

On the motion. I just think this -- the whole idea is a great idea and I commend the Presiding Officer. This is -- this is much needed legislation.

D.P.O. CARACAPPA:

The Presiding Officer just let me know that she's doing a corrected copy to remove that board, that that is an important board, the Rhabdomyosarcoma, for which we've put in place about two years ago.

LEG. BISHOP:

Okay.

LEG. CARACCILO:

Motion to table.

D.P.O. CARACAPPA:

So there's a motion to table by Legislator Foley, second by Legislator Bishop. All in favor?

LEG. CARPENTER:

On the motion.

D.P.O. CARACAPPA:

Legislator Carpenter.

LEG. CARPENTER:

I just think it would be helpful if we could receive a copy of the boards that are proposed to be --

D.P.O. CARACAPPA:

It's in the bill.

LEG. CARPENTER:

Well, I don't see it in the backup that I have.

LEG. FOLEY:

It's not in the backup, it's embedded, to use that word, it's embedded in the resolution.

D.P.O. CARACAPPA:

It would be everything in there now, except Rhabdomyosarcoma. And I'm sure, if you have any other --

LEG. BISHOP:

Next.

D.P.O. CARACAPPA:

You could talk to the Presiding Officer before they filed a corrected copy. There's a motion and a second. All in favor? Opposed? Abstention? 1424 is tabled.

MR. BARTON:

17.

D.P.O. CARACAPPA:

1479 - Adopting Local Law No -- 2003, A Local Law to prohibit use of County resources to interfere with collective bargaining activities of unions in Suffolk County. It was approved out of committee 7-0. Legislator Lindsay?

LEG. LINDSAY:

Motion.

D.P.O. CARACAPPA:

Motion to approve.

LEG. COOPER:

Second.

D.P.O. CARACAPPA:

Second by Legislator Cooper. Explanation, Counsel.

MR. SABATINO:

I'm sorry, Mr. Chairman, I --

D.P.O. CARACAPPA:

1479.

MR. SABATINO:

1479?

D.P.O. CARACAPPA:

Thirty seconds, please. Got to put time frames.

MR. SABATINO:

1439 --

LEG. BISHOP:

Seventy-nine.

LEG. TONNA:

Seventy-nine. This is the County resources to interfere with collective bargaining activities of unions.

MR. SABATINO:

Right 1479. Okay. 1479 builds off of a State proposal. There's currently a State law in place which deals with State contracts which are in excess of \$250,000. This will track the State legislation, but apply to County contracts instead with a threshold of \$50,000. And the essence of it is that if somebody wants to contract with the County of Suffolk, and if he, they or she are going to be receiving \$50,000, or actually more than \$50,000, then they must agree to comply with the four basic -- I'm sorry, six basic provisions in terms of dealing with people that work for them. And the six -- the six things they have to agree to are, number one, they won't use any of the County funds they receive for the purpose of preventing, or discouraging, or deterring union organizing in their particular place of employment. The second thing they have to agree to is not to use County property to hold a meeting with employees to deter, again, or discourage union organizing. They have to agree to certify that no County funds will be used for that purpose. They also have to certify that they won't seek reimbursement of costs for those purposes.

D.P.O. CARACAPPA:

I got it.

LEG. BISHOP:

Okay. Thank you.

D.P.O. CARACAPPA:

Okay. There's a motion to approve, second -- and a second. All in favor? Opposed?

LEG. TONNA:

I'm abstention?

D.P.O. CARACAPPA:

Abstention by Legislator Tonna.

LEG. TONNA:

Do I have to -- I guess I just disclosed the abstention.

D.P.O. CARACAPPA:

If you need to disclose something, feel free.

LEG. TONNA:

Just from the standpoint of the new statute with regard to the perception of an impropriety or, you know, conflict, or whatever it is, and the fact that I represent, or my company works with unions outside a municipal area. I abstain.

D.P.O. CARACAPPA:

Duly noted. Thank you.

MR. BARTON:

16, 1 abstention.

D.P.O. CARACAPPA:

1480 - To amend 2003 rules of the County Legislature in connection with the order of business. It was approved out of Committee 6-0-0-1. What is the change?

MR. SABATINO:

This is going to change the schedule, so that presentation of reports by County Executive and all those other public officials will take place in the afternoon at the conclusion of public hearings rather than the morning.

D.P.O. CARACAPPA:

Very good. Motion by myself, seconded by Legislator Postal, Presiding Officer Postal. All in favor? Opposed? Abstentions? It's approved.

MR. BARTON:

17.

D.P.O. CARACAPPA:

1522 - Approving the reappointment of Alice T. Cone as a member of the --

LEG. VILORIA-FISHER:

Motion.

LEG. CRECCA:

Second.

D.P.O. CARACAPPA:

-- **Suffolk County Human Rights Commission.** Motion by Legislator -- who was that? Legislator Viloría-Fisher, second by Legislator Bishop. All in favor? Opposed? Abstentions?

Mark me as an abstention, please.

MR. BARTON:

16, 1 abstention.

D.P.O. CARACAPPA:

1526 - Approving the reappointment of Rachel Davis (as a member of the Suffolk County Human Rights Commission).

LEG. VILORIA-FISHER:

Motion.

LEG. CARPENTER:

Second.

D.P.O. CARACAPPA:

Motion by Legislator Viloría Fisher, second by Legislator Carpenter. All in favor? Opposed? Abstention? Mark myself as abstention, please.

MR. BARTON:

16, 1 abstention.

D.P.O. CARACAPPA:

1528 - Authorizing certain technical corrections to Adopted Resolution No. 16-2003.

Motion by myself.

LEG. FOLEY:

Second.

D.P.O. CARACAPPA:

Second by Legislator Foley. All in favor? Opposed? Abstentions? It's approved.

MR. BARTON:

17.

D.P.O. CARACAPPA:

1534 - Adopting Local Law No - (2003, a Charter Law amending County Campaign Public Finance Program to allow and facilitate partial County funding for all County Elections).

LEG. COOPER:

Motion to table.

D.P.O. CARACAPPA:

Motion to table by Legislator Cooper. All in favor?

LEG. BINDER:

Roll call.

D.P.O. CARACAPPA:

Roll call on the tabling.

LEG. CARPENTER:

Explanation.

D.P.O. CARACAPPA:

This is the partial County funding.

LEG. CRECCA:

The County funding.

MR. BARTON:

Okay.

(Roll Called by Mr. Barton, Clerk)

LEG. COOPER:

Yes, to table.

LEG. TONNA:

No.

LEG. BINDER:

No.

LEG. BISHOP:

Yes.

LEG. NOWICK:

No.

LEG. CRECCA:

No.

LEG. CARPENTER:

Abstain.

LEG. ALDEN:

No.

LEG. FIELDS:

Yes.

LEG. LINDSAY:

Yes.

LEG. FOLEY:

Yes, to table.

LEG. HALEY:

Yes.

LEG. VILORIA-FISHER:

Yes.

LEG. GULDI:

Pass.

LEG. CARACCILO:

To table? No.

D.P.O. CARACAPPA:

No.

P.O. POSTAL:

Yes.

LEG. GULDI:

To table it? No, to table.

LEG. HALEY:

Change my vote to a no.

LEG. VILORIA-FISHER:

George, Cooper made a motion to table.

LEG. GULDI:

Change my vote to yes, to table.

LEG. HALEY:

No, to table, Henry.

MR. BARTON:

Okay. Eight.

D.P.O. CARACAPPA:

Tabling fails.

LEG. TONNA:

Roll call.

D.P.O. CARACAPPA:

Is there a motion to approve? No.

LEG. VILORIA-FISHER:

Let them vote against it.

D.P.O. CARACAPPA:

There was a motion to approve by Legislator Bishop.

LEG. BISHOP:

I'll make a motion to approve.

LEG. VILORIA-FISHER:

Second.

D.P.O. CARACAPPA:

Second by Legislator Viloría-Fisher. Roll call.

(Roll Called by Mr. Barton, Clerk)

LEG. BISHOP:

Yes.

LEG. VILORIA-FISHER:

Yes.

LEG. COOPER:

Yes.

LEG. TONNA:

No.

LEG. BINDER:

No.

LEG. NOWICK:

Abstain.

LEG. CRECCA:

Abstain.

LEG. CARPENTER:

Abstain.

LEG. ALDEN:

No.

LEG. FIELDS:

Yes.

LEG. LINDSAY:

Yes.

LEG. FOLEY:

Yes.

LEG. HALEY:

No.

LEG. GULDI:

Yes, to approve.

LEG. CARACCILO:

Nope.

D.P.O. CARACAPPA:

No.

P.O. POSTAL:

Yes.

MR. BARTON:

Eight.

D.P.O. CARACAPPA:

It fails.

LEG. TONNA:

All right. Let's go on.

D.P.O. CARACAPPA:

1560 - To readjust, compromise and grant refunds and charge-backs on real property (correction of errors by: County Legislature. Control #706-2003).

LEG. FOLEY:

Motion.

D.P.O. CARACAPPA:

Motion by Legislator Foley, second by myself. All in favor? Opposed? Abstentions? It's approved.

MR. BARTON:

17.

D.P.O. CARACAPPA:

1562 (To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature. Control #707-2003). Same motion, same second, same vote. (Vote: 17).

1563 (Authorizing sale of four (4) surplus County cars to Village of Patchogue).

LEG. FOLEY:

Motion.

D.P.O. CARACAPPA:

Motion by Legislator Foley --

MR. BARTON:

17.

D.P.O. CARACAPPA:

-- seconded by myself. All in favor?

LEG. ALDEN:

On the motion, Legislator Alden. Here we go.

LEG. ALDEN:

Budget Review, what's the value of the cars?

MR. SPERO:

It's four vehicles involved, each is valued at \$250.

LEG. ALDEN:

And what's the sale price on it?

MR. SPERO:

That's not on the resolution.

MR. SABATINO:

No, no, there's a difference. They're being offered for sale at 250, but the value is in excess of that. On all of the -- all of the surplus vehicles today, the value --

D.P.O. CARACAPPA:

Mr. Clerk, would you, please, read the values?

MR. BARTON:

The four vehicles on this particular resolution were six thousand dollars, fifty-five hundred dollars, thirty-five hundred dollars and thirty-five hundred dollars.

LEG. ALDEN:

After the last meeting, and I think we give away a couple of cars, I asked the Comptroller to prepare a report. That will probably be coming over fairly soon to all the Legislators. It's somewhere between 50 and 150 or \$200,000 worth of value that we've actually given away to other taxing jurisdictions when we give away these cars. So I think that we might want to just table these, wait, get that report and see exactly how much money it is that we're actually giving away to the people that --

LEG. BISHOP:

When's the report expected?

D.P.O. CARACAPPA:

Is that a motion? Hold on. Is that a motion?

LEG. ALDEN:

I'll make a motion to table.

D.P.O. CARACAPPA:

There's a motion to table by Legislator --

LEG. FIELDS:

I'll second that motion.

D.P.O. CARACAPPA:

Legislator Alden, second by Legislator Fields.

LEG. FOLEY:

On the motion, please.

D.P.O. CARACAPPA:

Hold on. Hold on. Cameron, you still have the floor.

LEG. BISHOP:

When is the report expected?

LEG. ALDEN:

The report should be -- I would think it could come out this week.

LEG. BISHOP:

Okay, good. Table it for one --

D.P.O. CARACAPPA:

Legislator Foley.

LEG. FOLEY:

Yeah, thank you. On the tabling. This resolution, yeah, it's \$250. It's been an ongoing issue over a period of time about the true value of these. But this is also a way for us as a County to say to, whether a municipality, that seeking these automobiles, or to a school district, that, yes, we're giving it to you at a discounted rate, so that you can then utilize these vehicles as you see best fit for either your school districts or your village. And the fact of the matter is, while it's below the value that's been appraised by the Purchasing Department, it's a de minimus amount of money, and it's our way of developing, you know, a good partnership with even more local governments, so they can utilize these vehicles as they need. So this is not going to break the bank one way or the other, but it is going to foster better relations, I believe, with those school districts and villages with whom we sell these vehicles to. So I oppose the tabling.

LEG. LINDSAY:

Mr. Chairman.

D.P.O. CARACAPPA:

Legislator Lindsay.

LEG. LINDSAY:

I'm not even sure Legislator Foley's right about that. Henry, am I wrong, when we talk about value, we're talking about book value, what it says in the Blue Book, not the appraisal of the actual vehicle?

MR. BARTON:

It's the amount of money that DPW assigned to that vehicle and the jurisdiction agreed to pay --

LEG. LINDSAY:

Okay.

MR. BARTON:

-- to purchase the car.

LEG. LINDSAY:

Okay. But when you read out the values of the vehicles before --

MR. BARTON:

Yes.

LEG. LINDSAY:

-- was that derived from a Blue Book value or a -- for a year and model?

MR. BARTON:

Yes, I believe so.

LEG. LINDSAY:

Right. It isn't valued on the particular vehicle. I know in my district, I went to look at some of those cars. They're not road worthy, you can't drive them on the road. Some of them had so many miles and were so beat up, I mean, the only thing the school district could do with them is to use them in auto shop or use them for security within the school grounds. You couldn't take them out on the road, that's why we're excessing them.

D.P.O. CARACAPPA:

All right. Before you -- we have this debate every meeting, so let's try and cut through it, all right, and just mark your opposition and then we'll move on. Legislator Alden.

LEG. ALDEN:

Very quickly, the way this happens is they surplus these vehicles, an appraiser comes in, assigns a value to them, we go to public auction. These vehicles are sold. People actually take them out, they either part them out, they do whatever they're doing with them, they put them on the road. But the value that's assigned, and, in this case, it's a substantial value, I think it's over \$10,000, if you add up all the vehicles, then that money goes back into our General Fund. I think to be making a gift to everybody, other taxing jurisdictions, I think there just comes a point in time when we have to keep that money in-house and do our own programs.

We cut many, many thousands of dollars from agencies that do a lot of business for the County of Suffolk, and to be giving away this kind of money, I'd rather take that money and give it to some of the agencies that we cut on their budget.

D.P.O. CARACAPPA:

Thank you.

LEG. CRECCA:

You know what, I'd just ask Legislators, let's take a vote. Let's support -- Legislator Alden has asked for the report, wait until the report comes out.

D.P.O. CARACAPPA:

There's a motion to table.

LEG. CRECCA:

I have two bills here.

D.P.O. CARACAPPA:

Motion to table and a second.

MR. BARTON:

Who's the second?

D.P.O. CARACAPPA:

All in favor?

MR. BARTON:

I don't have a second.

D.P.O. CARACAPPA:

There's a second by Legislator Fields.

MR. BARTON:

Thank you. I'm sorry.

LEG. VILORIA-FISHER:

That's 1564, Mr. Chairman? Sixty-four.

D.P.O. CARACAPPA:

Yes. No, no, no.

LEG. BISHOP:

1563.

D.P.O. CARACAPPA:

1563.

LEG. BISHOP:

1563.

D.P.O. CARACAPPA:

All in favor? Opposed? I'll oppose.

LEG. BISHOP:

Oppose.

LEG. CARPENTER:

To the tabling?

LEG. BISHOP:

So it's tabled.

D.P.O. CARACAPPA:

To the tabling, yeah.

LEG. BISHOP:

So let's do it all, same --

D.P.O. CARACAPPA:

Yep, we're going to table all of these.

LEG. BISHOP:

Right.

MR. BARTON:

Legislator Foley, your vote on this? I'm sorry.

LEG. FOLEY:

Yes.

MR. BARTON:

All right.

LEG. BISHOP:

Same motion, same second.

MR. BARTON:

16-1.

D.P.O. CARACAPPA:

1564 - (Authorizing the sale of three (3) surplus County cars to Southampton School District). Motion to table by Legislator Guldi.

LEG. FOLEY:

I'm not making the motion to table.

LEG. GULDI:

No. Motion to approve.

D.P.O. CARACAPPA:

It's going to be tabled, George.

LEG. GULDI:

I know. I'm making a motion to approve.

D.P.O. CARACAPPA:

Okay. Then motion to table by Legislator Alden, second by Legislator Fields. All in favor?

LEG. GULDI:

Opposed.

D.P.O. CARACAPPA:

Opposed?

LEG. LINDSAY:

This is for a two-week cycle, right?

D.P.O. CARACAPPA:

Yeah, this is for two weeks. Legislator Guldi and myself are opposed.

MR. BARTON:

15-2.

D.P.O. CARACAPPA:

1565 (Authorizing the sales of four(4) surplus County cars to Sachem School District).

Motion to table by Legislator Alden, seconded by Legislator Crecca. All in favor? Opposed? I'll oppose. 1565 is tabled.

MR. BARTON:

16-1.

D.P.O. CARACAPPA:

1566 - (Authorizing the sale of two (2) surplus County cars to Hauppauge School District).

LEG. CRECCA:

Motion to table.

D.P.O. CARACAPPA:

Motion to table by Legislator Crecca.

LEG. ALDEN:

Second.

D.P.O. CARACAPPA:

Second by Legislator Alden. All in favor? Opposed? I'll oppose. Abstentions? It's tabled.

MR. BARTON:

16-1.

D.P.O. CARACAPPA:

1567 (Authorizing the sale of two (2) surplus County cars to Commack School District). Motion -- same motion, same second, same vote.

MR. BARTON:

16-1.

D.P.O. CARACAPPA:

1584 - Authorizing the sale of County-owned real property pursuant to Section 72-H (of the General Municipal Law to the Town of Brookhaven for affordable housing purposes).

LEG. CARACCILO:

For affordable housing.

LEG. FOLEY:

Explanation.

D.P.O. CARACAPPA:

Town of Brookhaven, for affordable housing.

LEG. GULDI:

That only leaves us 94,999 units to go.

LEG. HALEY:

Second.

LEG. VILORIA-FISHER:

Motion to approve.

D.P.O. CARACAPPA:

There's a motion by Legislator Viloría-Fisher, second by Legislator Haley.

LEG. FOLEY:

Explanation.

LEG. LINDSAY:

On the motion.

D.P.O. CARACAPPA:

On the motion, Legislator Lindsay.

LEG. FOLEY:

Explanation.

[SUBSTITUTION OF STENOGRAPHER - ALISON MAHONEY]

LEG. LINDSAY:

You know, I support this motion to approve it, but it was said before, we could all go home and feel good that we did something for affordable housing. The truth of the matter is that the Long Island Housing Partnership, which is the premiere affordable housing agency in Suffolk County, has built 1,300 units over the last 15 years. We're short 95,000 units, people, 95,000 units; you're not putting a drop in the bucket to solving the need in our County.

D.P.O. CARACAPPA:

Thank you. Legislator Haley.

LEG. HALEY:

As a matter of fact, we're doing exactly the opposite. One of things we need to do is we should start tying in to our efforts to acquire properties to the economic impact or the impact on the master plans of each town. Because when we go in, if you have town that's looking to create a situation where they can have affordable housing and the County goes in and just buys open space because it feels good and not be considerate of the fact that you're taking land -- not only are you taking land off the rolls that has an economic impact on the towns, but you're also reducing the supply of buildable property which has an impact on affordable housing. So we've actually -- through actions of this County, it can be shown that we've actually adversely affected the ability of people to find affordable housing.

D.P.O. CARACAPPA:

Okay. All set? There's a motion to approve and a second.

LEG. FOLEY:

Mr. Chairman?

D.P.O. CARACAPPA:

Legislator Foley, I apologize.

LEG. FOLEY:

The town will be the pastor on this. Who will be the ultimate recipient of -- who will be the not-for-profit -- who will be the not-for-profit?

LEG. VILORIA-FISHER:

Long Island Housing Partnership.

MR. SABATINO:

Habitat for Humanity in Suffolk.

LEG. FOLEY:

Okay, Habitat for Humanity. And I mean this in all seriousness, if -- Mr. Clerk? Through the Chair, Mr. Clerk; Henry?

MR. BARTON:

Yes, I'm sorry.

LEG. FOLEY:

When we submit this -- when this bill is submitted to the Town of Brookhaven -- and I mean this in all seriousness and you'll understand in a moment -- please ask the town or request of the town that they show a little respect and notify particularly the County Legislators from Brookhaven Township as to when there may be a formal conversion of the property or other ceremonial activities surrounding the parcels of property. Because the record should reflect that in the past when we've been very cooperative and have utilized the town as a mere pass-through, there have been different kinds of ceremonies held and the town has deliberately not invited some County Legislators. So let's try to rectify that from the getty. Thank you.

D.P.O. CARACAPPA:

Legislator Haley.

LEG. HALEY:

I think if you have an idea of who it's going to, to contact Habitat and they'll invite you because you know the town is not going to invite you, Brian.

D.P.O. CARACAPPA:

There's a motion and a second. All in favor?

LEG. FOLEY:

Council Districts might change that, though.

D.P.O. CARACAPPA:

Opposed? Abstentions? ***It's approved.***

MR. BARTON:

17.

D.P.O. CARACAPPA:

1595 - Authorizing use of Blydenburgh County Park by PKD Foundation Greater New York Chapter for Awareness Walk (Guldi). Legislator -- it made it out of committee 5-0-1-1. Legislator Guldi?

LEG. CRECCA:

It's my bill.

D.P.O. CARACAPPA:

It says Guldi. Legislator Crecca?

LEG. VILORIA-FISHER:

Can we pass it till we --

LEG. CRECCA:

Yeah, I just ask somebody else to make the motion to approve it. I took my name off the bill because my wife's on the board, so I'm going to abstain.

D.P.O. CARACAPPA:

Motion to approve by myself, second by Legislator Bishop. All in favor? Opposed? Abstentions?
1595 is approved.

LEG. CRECCA:

Abstention.

MR. BARTON:

16, one abstention (Abstention: Legislator Crecca).

D.P.O. CARACAPPA:

Okay, you got it. **Public Safety & Public Information:**

1573 - Accepting and appropriating a grant in the amount of \$186,000 from the New York State Division of Criminal Justice Services for the Suffolk County Police Department to continue the Bellport Targeted Enforcement Program with 75% support (County Executive).

LEG. CARPENTER:

Motion.

LEG. BISHOP:

Motion.

D.P.O. CARACAPPA:

Motion by Legislator Carpenter, second by Legislator Bishop. All in favor?

LEG. FOLEY:

Mr. Chairman, since this is partially in my district, could I make the motion?

D.P.O. CARACAPPA:

On the motion, Legislator Foley makes the motion to approve, second by Legislator Carpenter. All in favor? Opposed? *It's approved.*

LEG. FOLEY:

Thank you.

MR. BARTON:

17.

D.P.O. CARACAPPA:

1574, 1574A - Amending the 2003 Capital Budget and Program and appropriating funds in connection with the acquisition of a Disaster Recovery Plan (CP 1729) (County Executive). Is there a motion?

LEG. VILORIA-FISHER:

Why was it discharged without recommendation?

D.P.O. CARACAPPA:

5-0-0-1.

LEG. BISHOP:

It was discharged without recommendation I believe -- I thought it didn't have the votes.

LEG. LINDSAY:

I think it was all over the issue of whether this should be bonded or not.

LEG. BISHOP:

Yeah, 5-25-5.

D.P.O. CARACAPPA:

Yeah, this is changing the method of finance.

LEG. BISHOP:

And it needed a three-quarters vote, so I'm surprised -- yeah, there were two members of the Public Safety Committee that weren't going to support it.

D.P.O. CARACAPPA:

Okay. It's a change of financing so it's a three-quarter vote. Is there a motion?

LEG. BISHOP:

Motion to table because I don't think we're going to have the votes.

D.P.O. CARACAPPA:

Motion to table by Legislator Bishop, second by Legislator Alden. All in favor? Opposed?

LEG. CARPENTER:

Opposed.

D.P.O. CARACAPPA:

Opposed, Legislator Carpenter. It's tabled.

MR. BARTON:

16-1 (Opposed: Legislator Carpenter).

D.P.O. CARACAPPA:

Public Works & Transportation:

1320 - Authorizing the connection and discharge to the Suffolk County Sewer District No. 3 - Southwest by 50 Republic Road - HU 1379 (County Executive).

LEG. FOLEY:

Motion.

LEG. BINDER:

Second.

D.P.O. CARACAPPA:

Motion by Legislator Foley, second by Legislator Binder.

LEG. ALDEN:

On the motion.

D.P.O. CARACAPPA:

On the motion, Legislator Alden.

LEG. ALDEN:

I'd like to direct this to the Chair of Public Works.

D.P.O. CARACAPPA:

Yeah?

LEG. ALDEN:

Did they take into consideration the capacity of Southwest and where is this, is it outside the district? It doesn't lay in Nassau County at all, does it?

D.P.O. CARACAPPA:

No, this is outside the district. I believe -- I think they all are, it's in Suffolk County.

LEG. BISHOP:

They're outside hook-ups.

LEG. CRECCA:

They're all outside.

MR. SABATINO:

It's Melville.

LEG. ALDEN:

Was the testimony that there's capacity to do all this and hook up everybody that lives in the Southwest Sewer District?

D.P.O. CARACAPPA:

A standard line from Public Works, as they always say. There's a motion and a second. All in favor? Opposed?

LEG. ALDEN:

Opposed?

D.P.O. CARACAPPA:

Legislator Alden is opposed.

LEG. FIELDS:

Opposed.

LEG. CARACCIOLO:

Opposed.

D.P.O. CARACAPPA:

Legislator Fields is opposed, Legislator Caracciolo is opposed. Abstentions? ***It's approved.***

MR. BARTON:

14-3 (Opposed: Legislators Alden, Fields & Caracciolo).

D.P.O. CARACAPPA:

1324 - Authorizing the connection and discharge to the Suffolk County Sewer District No. 3 - Southwest by Belmont Villas(County Executive).

LEG. FOLEY:

Motion.

D.P.O. CARACAPPA:

Same motion, same second.

LEG. CARACCIOLO:

Same situation?

D.P.O. CARACAPPA:

Same vote; same situation, they all are. ***Approved.***

MR. BARTON:

14-3 (Opposed: Legislators Alden, Fields & Caracciolo).

1325 - Authorizing the increase in flow to a previously approved agreement to connect and discharge to the Suffolk County Sewer District No. 3 - Southwest by Comtech - HU 1296 (County Executive).

LEG. FOLEY:

Motion.

LEG. FIELDS:

Same motion.

D.P.O. CARACAPPA:

Same motion, same second, same vote. **Approved.**

MR. BARTON:

14-3 (Opposed: Legislators Alden, Fields & Caracciolo).

D.P.O. CARACAPPA:

1575A, 1575 - Amending the 2003 Capital Budget and Program and appropriating funds in connection with the purchase of Hybrid Electric Vehicles (CP 1778) (County Executive).

LEG. VILORIA-FISHER:

Motion.

D.P.O. CARACAPPA:

This is also a three-quarter vote.

LEG. BISHOP:

Motion to table.

D.P.O. CARACAPPA:

Motion to table by Legislator Bishop.

LEG. VILORIA-FISHER:

Why?

LEG. BISHOP:

I think you're going to have trouble getting votes.

LEG. CRECCA:

Motion to approve.

LEG. VILORIA-FISHER:

I already made a motion to approve.

D.P.O. CARACAPPA:

Hold on.

LEG. FIELDS:

Explanation on this.

D.P.O. CARACAPPA:

There's a motion to approve by Legislator Fisher, Vilorina-Fisher, seconded by Legislator Foley. There's a motion to table by Legislator Bishop, seconded by myself. The tabling is before us. On the motion, Legislator Fields.

LEG. FIELDS:

Explanation on this bill, please.

D.P.O. CARACAPPA:

What this does is purchase the hybrid vehicles and --

LEG. FIELDS:

How many?

D.P.O. CARACAPPA:

Method of -- six.

LEG. FOLEY:

Second.

D.P.O. CARACAPPA:

And we're changing the method of financing.

LEG. FOLEY:

If I may interrupt, too, quickly. We approved this for this year's Capital Program when we developed a Capital Program last year to, in fact, buy six vehicles this year, the difference being is the method of funding. But this was part and parcel of this year's Capital Program.

LEG. VILORIA-FISHER:

Mr. Chair?

D.P.O. CARACAPPA:

Legislator Vioria-Fisher.

LEG. VILORIA-FISHER:

It's important for us to move forward in looking for alternative fuel vehicles and I think we need to make that commitment.

D.P.O. CARACAPPA:

Okay. There's a motion to table. All in favor?

LEG. LINDSAY:

Opposed.

D.P.O. CARACAPPA:

Opposed?

LEG. LINDSAY:

Opposed to table.

LEG. VILORIA-FISHER:

Opposed.

D.P.O. CARACAPPA:

Opposed just raise your hand. You opposed, Mike?

LEG. CARACCIOLO:

To table?

D.P.O. CARACAPPA:

Yeah.

LEG. CARACCIOLO:

Yes.

D.P.O. CARACAPPA:

Okay. There's only -- there's two; Legislator Bishop and myself are in favor, the rest are opposed, it fails. Oh, and Legislator Alden, that's three; sorry.

LEG. LINDSAY:

On the issue to approve.

D.P.O. CARACAPPA:

There's a motion to approve by Legislator Viloría-Fisher, second by Legislator Foley.

LEG. ALDEN:

On the motion.

D.P.O. CARACAPPA:

On the motion, Legislator Lindsay then Alden.

LEG. LINDSAY:

It was the testimony at the Public Works Committee, these are very interesting vehicles, it's a pilot program to see if these vehicles work. They work on both electric batteries and have a gasoline engine. When they're running on the gasoline engine they charge the batteries, it's almost like perpetual motion. If this thing works, I mean, it would save a tremendous amount of energy and cost to the County and it would greatly improve the environmental conditions in our County by taking X number of vehicles off the road that are pollutants to our air system now. I really can't fathom why anybody would oppose this.

D.P.O. CARACAPPA:

Legislator Alden.

LEG. ALDEN:

I'm not on Public Works but I would hope that when you're taking up this issue, that you would have looked into the bus situation that I brought up, six years, and I've been speaking about because we could save money and we could also cut down on the pollution with the buses by possibly going to either natural gas or they have some motors that are, again, hybrids and they've got --

D.P.O. CARACAPPA:

Propane.

LEG. ALDEN:

Right, propane it but they made great advancements in some diesel. But there's another issue,

too, that I would hope that we would take up also and that's -- I keep mentioning it when we vote on it, but the backup generators, we've authorized backup generators that run on diesel fuel a number of times, we've spent a lot of money, yet they do have the hybrid type of generating, cogeneration units that we could actually sell some excess capacity back to LIPA. So I would just hope that we'd wrap all those energy things up in one package and maybe look at the whole thing and come up with a policy for the County.

D.P.O. CARACAPPA:

Thank you, Legislator Alden.

LEG. VILORIA-FISHER:

All the more reason to support this, Legislator Alden. All the more reason to support this.

LEG. BISHOP:

On the motion. Counsel, why does this require a three-quarters vote, in brief?

MR. SABATINO:

Changing the method of financing from pay-as-you-go to serial bonds.

LEG. BISHOP:

Okay. And that is the basis of my opposition, not to the underlying project which I think is wonderful, we should move forward with it, but we need to have some measure of discipline. We have blown through the 5-25-5 account, it is bankrupt and we continue to use it, so I don't understand how we can do that.

D.P.O. CARACAPPA:

Legislator Foley.

LEG. FOLEY:

Just on that point, what makes it different this year than other years, as BRO has told us in the past, even as we speak the interest rates are so low that the interest rate on the borrowing for this paltry amount of money is slightly, just slightly more than what it would be if we had used a direct cash outlay.

D.P.O. CARACAPPA:

Okay. All in favor? Opposed?

LEG. ALDEN:

Opposed.

D.P.O. CARACAPPA:

Abstentions?

LEG. LINDSAY:

You need a roll call.

LEG. VILORIA-FISHER:

Yeah, we need a roll call.

D.P.O. CARACAPPA:

Oh, yeah, it's a bond.

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

LEG. VILORIA-FISHER:

Yes.

LEG. FOLEY:

Yes.

LEG. COOPER:

Yes.

LEG. TONNA:

Yes.

LEG. BINDER:

Yes.

LEG. BISHOP:

Abstain.

LEG. NOWICK:

Yes.

LEG. CRECCA:

Yes.

LEG. CARPENTER:

Yes.

LEG. ALDEN:

Abstain.

LEG. FIELDS:

Yes.

LEG. LINDSAY:

Yes.

LEG. HALEY:

(Not Present).

LEG. GULDI:

Yes.

LEG. CARACCILO:

Yes.

D.P.O. CARACAPPA:

Abstain.

P.O. POSTAL:

Yes.

LEG. HALEY:
(Not Present).

MR. BARTON:
13.

D.P.O. CARACAPPA:
It fails.

MR. SABATINO:
Technically what happens, Mr. Chair, is the Bond Resolution passes because that takes 12 but now you have to go to the appropriation and that's where the 14 votes kicks in; just from a technical standpoint, just so you know.

LEG. BISHOP:
Is it on the agenda next time?

D.P.O. CARACAPPA:
So what happens?

MR. SABATINO:
The Bond Resolution just takes 12 votes, that's been adopted, you got 13. But now if you don't appropriate the money --

LEG. CRECCA:
Roll call on the appropriation.

MR. SABATINO:
-- the vehicles can't be acquired.

D.P.O. CARACAPPA:
Okay, now we have to do appropriation, we have to separate it.

MR. SABATINO:
You need 14 votes now on the appropriation.

LEG. CRECCA:
Roll call on the appropriation.

LEG. FOLEY:
On the motion.

LEG. BISHOP:
Oh, come on.

LEG. FOLEY:
We're waiting for Marty, come on, we don't have him here.

D.P.O. CARACAPPA:

On the motion, Legislator Foley.

LEG. FOLEY:

Thank you very much.

LEG. BINDER:

Mr. Filibuster.

LEG. FOLEY:

We're awaiting another Legislator, but let me just say this about hybrid cars. This is something that --

D.P.O. CARACAPPA:

Brian, we'll just skip over it, we'll come back to it.

LEG. FOLEY:

Can we skip over it?

D.P.O. CARACAPPA:

I promise.

LEG. FOLEY:

Well then, fine. Very good.

D.P.O. CARACAPPA:

I promise.

LEG. FOLEY:

Very good.

D.P.O. CARACAPPA:

1576 - Transferring escrow account revenues to the Capital Fund, amending the 2003 Capital Budget and appropriating fund for an engineering evaluation of the Ocean Outfall in Suffolk County Sewer District No. 3 - Southwest (CP 8108) (County Executive).

LEG. BISHOP:

Motion.

D.P.O. CARACAPPA:

Motion -- where did that come from, Legislator Binder?

LEG. BINDER:

Bishop.

D.P.O. CARACAPPA:

Bishop, Legislator Bishop, second by Legislator Carpenter. All in favor? Opposed? Abstentions?
1576 is approved.

MR. BARTON:

15 (Not Present: Legislators Haley & Vioria-Fisher).

D.P.O. CARACAPPA:

1577 - Transferring Assessment Stabilization Reserve Funds to the Capital Fund, amending the 2003 Operating Budget, amending the 2003 Capital Budget and program and appropriating funds for SCADA (Surveillance, Control and Data Acquisition) System for sanitary facilities in Suffolk County Sewer Districts (CP 8165) (County Executive).

The County Executive has requested a tabling for one cycle. Motion to table by myself, second by Legislator Binder.

All in favor? Opposed? Abstained? **It's tabled.**

MR. BARTON:

17.

D.P.O. CARACAPPA:

1578 - Authorizing the filing of an application with the Federal Transit Administration, an operating administration of the United States Department of Transportation for Federal Transportation Assistance authorized by 49 USC Chapter 53 Title 23 United States Code and other Federal Statutes Administered by the Federal Transit Administration (CP 5658).

Motion by myself, second by Legislator Foley. All in favor?

Opposed? Abstentions? **1578 is approved.**

MR. BARTON:

17.

D.P.O. CARACAPPA:

1579 - Authorizing the filing of an application with the Federal Transit Administration, an operating administration of the United States Department of Transportation for Federal Transportation Assistance authorized by 49 USC Chapter 53 Title 23 United States Code and other Federal Statutes Administered by the Federal Transit Administration (CP 5658-5651-5648).

Same motion, same second, same vote. **Approved.**

MR. BARTON:

17.

D.P.O. CARACAPPA:

1580 - Accepting a Clean Water/Clean Air Bond Act Grant from the New York State Department of Environmental Conservation and authorizing execution of agreements to accept grants to improve Sewer District No. 1 - Port Jefferson (County Executive).

Motion by Legislator Fields, seconded by Legislator Vioria-Fisher. All in favor? Opposed?

Abstentions?

MR. BARTON:

17.

D.P.O. CARACAPPA:

1580 is approved.

LEG. FOLEY:

Mr. Chairman, we have a full complement of Legislators.

D.P.O. CARACAPPA:

Okay, going back to the appropriations resolution --

LEG. FOLEY:

1575.

D.P.O. CARACAPPA:

-- on 1575.

LEG. CRECCA:

Roll call.

LEG. FOLEY:

George, we need you. George.

D.P.O. CARACAPPA:

Roll call on the appropriation.

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

LEG. VILORIA-FISHER:

Yes.

LEG. FOLEY:

Yes.

LEG. COOPER:

Yes.

LEG. TONNA:

Yes.

LEG. BINDER:

Yes.

LEG. BISHOP:

Abstain.

LEG. NOWICK:

Yes.

LEG. CRECCA:

Yes.

LEG. CARPENTER:

Yes.

LEG. ALDEN:

Abstain.

LEG. FIELDS:

Yes.

LEG. LINDSAY:

Yes.

LEG. HALEY:

Yes.

LEG. GULDI:

Yes.

LEG. CARACCILO:

Abstain.

D.P.O. CARACAPPA:

Abstain.

P.O. POSTAL:

Yes.

MR. BARTON:

13.

LEG. FOLEY:

Mike changed.

LEG. VILORIA-FISHER:

Has he called -- did you call it yet?

D.P.O. CARACAPPA:

Hold on, Vivian.

MR. BARTON:

Yes, 13.

LEG. BISHOP:

Refile it when there's another Legislator and you'll get it.

D.P.O. CARACAPPA:

That's all.

1581 - Accepting a Clean Water/Clean Air Bond Act Grant from the New York State Department of Environmental Conservation and authorizing execution of agreements to accept grants to improve Sewer District

No. 21 - SUNY (County Executive). Motion by Legislator Fields, second by Legislator Viloría-Fisher. All in favor?

MR. SABATINO:

Mr. Chair, just on the record. 1580 and 81, the title is wrong, there's no grant being accepted, that should be stricken from the record in terms of accepting a grant, it's filing an application.

D.P.O. CARACAPPA:

Filing an application on 1580 and 81. The motion and the second, you have it, Henry?

MR. BARTON:

No.

D.P.O. CARACAPPA:

All in favor? Oh, it was Legislators Fields, second by Legislator Viloría-Fisher. All in favor? Opposed?

LEG. FIELDS:

Opposed.

D.P.O. CARACAPPA:

Abstentions? 1581 is approved.

MR. BARTON:

17.

D.P.O. CARACAPPA:

Human Services:

1582 - Authorizing the transfer of funds in the Department of Social Services to the Community Development Corporation of Long Island for a Supportive Housing Program and authorizing the Commissioner of Social Services and the County Executive to execute a contract (County Executive).

LEG. VILORIA-FISHER:

Motion.

LEG. CARPENTER:

Second.

D.P.O. CARACAPPA:

Motion by Legislator Viloría-Fisher, second by Legislator Carpenter. All in favor? Opposed?

MR. BARTON:

17.

D.P.O. CARACAPPA:

Economic Development & Energy:

1583A, 1583 - Amending the 2003 Capital Budget and Program and appropriating funds in connection with airport fencing and security system at Francis S. Gabreski Airport (CP 5721) (County Executive).

LEG. VILORIA-FISHER:

Is this what Todd was talking about earlier?

D.P.O. CARACAPPA:

Yes, yes. This is also a three-quarter vote?

MR. SABATINO:

No. Actually, Mr. Chairman, there's a mistake I just want to bring to your attention. The WHEREAS clause makes reference to a three-quarters vote, but since there's an offset being used it really should be a two-thirds vote.

D.P.O. CARACAPPA:

Okay.

MR. SABATINO:

As a result, the seventh WHEREAS clause should either be corrected or deleted; it's not our bill but --

D.P.O. CARACAPPA:

It's wrong.

LEG. CRECCA:

Motion to strike that WHEREAS clause.

D.P.O. CARACAPPA:

There is a motion --

LEG. BINDER:

No, you have to have the County Executive do it.

LEG. BISHOP:

It doesn't matter, it's on the record as to what the correct information is. What I want to know, through the Chair, is this using -- was this going to be pay-as-you-go and now bonded, are we in that situation, or this was a bonding and we have a different offset now?

LEG. FOLEY:

BRO should have the answer to that, not Counsel.

LEG. BISHOP:

Anybody?

LEG. FOLEY:

You're asking a budgetary question.

MR. SABATINO:

I can't answer the background question, I can only -- this is calling for the offset.

MR. SPERO:

Yeah. The funding is coming from the Downtown Revitalization Project which was funded on a pay-as-you-go basis, it's being transferred to the project for the airport fencing --

LEG. BISHOP:

Motion to table.

MR. SPERO:

-- and that funding will be bonded.

LEG. CRECCA:

Second.

LEG. CARACCILO:

Second.

D.P.O. CARACAPPA:

Motion to table by Legislator Bishop, second by Legislator Caracciolo.

LEG. LINDSAY:

On the issue.

D.P.O. CARACAPPA:

On the motion, Legislator Lindsay.

LEG. LINDSAY:

I mean, it may be the County Executive's Office but I thought I heard before that this is required for security reasons because of --

LEG. VILORIA-FISHER:

I thought that's what Todd said.

MR. KNAPPE:

Yeah, the discussion also occurred in committee as well. We do have a representative from Economic Development who can speak on the bill.

LEG. BISHOP:

Come on, you can do it.

MR. KNAPPE:

The offset itself is a viable offset to use, it has been used by this Legislature already this year. The money that can be funded to Downtown Revitalization in the Capital Budget process has already been done so this year, it was 369,000 and change that was filed earlier this year and adopted. But I will -- if you have specific questions about the security at the airport, I'll yield to the Department of Economic Development; if you have a specific budget questions, either myself or Budget Review

LEG. CARPENTER:

On the motion.

LEG. CARPENTER:

It was my understanding that --

D.P.O. CARACAPPA:

Hold on. Legislator Carpenter, Legislator Haley --

LEG. CARPENTER:

It was my understanding in committee that it wasn't --

D.P.O. CARACAPPA:

-- Foley, Caracciolo.

LEG. CARPENTER:

That it wasn't necessarily required by but this was the kind of recommended fencing that the FAA would encourage you to use if you're doing fencing, but that they weren't requiring us to do it.

LEG. BISHOP:

I have a motion to table.

D.P.O. CARACAPPA:

Yes, you do.

LEG. LINDSAY:

And we're talking on the motion.

LEG. BISHOP:

It should really go into committee.

MS. FAHEY:

Good afternoon. I'm Carolyn Fahey with Economic Development. The fencing that is being requested is a recommended security procedure by the FAA. It's a recommended --

LEG. CRECCA:

I don't think --

LEG. CARPENTER:

It's not required, that was the difference.

D.P.O. CARACAPPA:

Hold on. Legislator Haley, you're on the list, you have a question?

LEG. HALEY:

Differentiate between recommended versus required.

MS. FAHEY:

After 9/11 the Transportation Security Administration created rules and regulations for commercial airports, they have yet to create required security recommendations for general aviation airports which Frances Gabreski is a general aviation airport. What they did was they took recommendations and submitted them to the airports to use them for security procedures. They have still to this date not come down with required security procedures, this is recommended.

LEG. HALEY:

I'm not sure how that department is in Federal, but sometimes they promulgate rules and then

they have hearings; I mean, are they considering rules like that?

MS. FAHEY:

Yes.

LEG. HALEY:

So if they're considering rules like that -- you know, one of the things -- I really suggest that Legislators who have not been out by the airport yet participate in a tour, Legislator Guldi would be more than happy to do it for you, he'd probably even provide lunch for you.

LEG. FOLEY:

Bell's Cafe.

LEG. HALEY:

All right? And food poisoning at Bells Cafe. But you really need to see that operation; I mean, actually it's something to be ashamed of. We have a fiduciary responsibility to provide security there, there's a lot of things, a lot of things that are operating on the very edge of failure. I mean, it's something -- it's an asset we have we don't take advantage of but I think it's foolhardy for us not to take the recommendations which is very -- could in the near future be a requirement so why put in less expensive fencing and why not take care of the issue right now?

LEG. CRECCA:

I think the issue is the offset itself, though, not necessarily the fencing.

D.P.O. CARACAPPA:

Legislator Foley is next.

LEG. FOLEY:

If we could hear -- this isn't so much an airport question, Carolyn, but thank you -- from the budget people, why did we choose -- why was the down -- as you can tell, there's quite a bit of sensitivity about using downtown redevelopment monies. Why that pool of money as opposed to some other potential offsets?

MR. KNAPPE:

First in the Capital Budget itself for 2003 the availability of offsets, it's a very tight Capital Budget this year, there has not been the ability to locate offsets throughout the budget. So looking at all the Capital Projects in general, and when the departments come to us with new priorities in their Capital Budgets that they're seeking funding, we first asked them to look within their own department before we start looking throughout other departments.

We understand the attention of Downtown Revitalization, we looked at that as a possibility as well as all the other offsets within the budget if that was a possibility. The Legislature already used this Capital Project in a resolution filed I believe in early June or late May, so this has already been identified as an offset. There is still availability of funds in this Capital Project to use as an offset. However, the General Fund dollars going to this Capital Project supported in the General Fund -- not in the General Fund, I'm sorry, I think in Fund 191 -- that has already been tapped, so there's no other availability of funds in this Capital Project to be used for Downtown Revitalization. So therefore, it is a very justifiable offset for Economic Development's use at the

airport, in our eyes, and the Legislature has already used this as an offset previously.

LEG. BISHOP:

Mr. Chairman?

D.P.O. CARACAPPA:

I'll put you on the list, Dave. Legislator Caracciolo.

LEG. FOLEY:

Thank you.

LEG. CARACCIOLO:

How much fencing are we talking about, what's the total?

MR. KNAPPE:

I'll yield to Economic Development but it was addressed in committee, I think it was over 10,000 linear feet, 14,000 linear feet with specifics on how high the fencing has to be on barbed wire. I'll yield back to Economic Development for these questions.

LEG. BISHOP:

May I interrupt? I don't think there's anybody here who is going to support using Downtown Revitalization.

LEG. CARACCIOLO:

No, I understand.

LEG. BISHOP:

So let's table it and get something that we agree on, right?

LEG. CARACCIOLO:

Dave, I'll support the tabling motion but I do have some questions so that when we take this up again we don't have to bring these issues up again. Was that through an RFP bid?

MS. FAHEY:

It will be.

LEG. CARACCIOLO:

It will be. So --

MS. FAHEY:

Public Works has done the planning and design for us and come up with a cost estimate and then we'll go out to bid.

LEG. CARACCIOLO:

Hmmm. Counsel, I'm troubled by the fact that we have a cost estimate now that gets into the hands of competitive bidders and they know what our bottom line is.

MR. SABATINO:

It's a legitimate point for a deliberation regarding --

LEG. CARACCILO:

I won't support the resolution accordingly.

LEG. FOLEY:

Mr. Chairman?

D.P.O. CARACAPPA:

I'll put you back on the list, Brian.

LEG. FOLEY:

Okay, thanks.

D.P.O. CARACAPPA:

Legislator Bishop, you're done. Legislator Alden.

LEG. ALDEN:

It sounds like this is going to be tabled, but when we pick this up in the future I would just like a little bit of a report on how we're running the airport. I remember that we were going to implement some landing fees and that they were included in the budget but then we weren't collecting them, you know. And you don't have to do it today but I would appreciate it, though, you know, like when we do pick this

up again, you know, what the updates are as far as the income that we can count on from the airport and the way it is being managed.

D.P.O. CARACAPPA:

The gentleman from Blue Point.

LEG. FOLEY:

Thank you, okay. The Budget Review Office, are there other potential offsets that can be utilized besides downtown redevelopment and that could be incorporated today, or if not today then certainly within the next couple of weeks if it's tabled today?

MR. SPERO:

At this point in time we don't have a good viable offset that we could use, for this or any other Capital Project.

LEG. FOLEY:

In all the Capital -- we have not appropriated all the -- we have not approved all the Capital Projects.

MR. SPERO:

Well, the infrastructure project that we use for offset purposes wasn't funded this year.

LEG. FOLEY:

Okay, but there are a number of Capital Projects that we have not approved as of yet. So the question becomes whether or not those are priorities for the second half of the year or not and whether or not -- whether to fix some part of a building is as important as the security fencing is at the airport as opposed to using downtown redevelopment monies.

MR. SPERO:

Those determinations can be made but some other project is going to have to be sacrificed to fund this project.

LEG. FOLEY:

All right. Will this go back to committee or we're just going to -- is the motion just to table it on the floor?

D.P.O. CARACAPPA:

Table it on the floor.

LEG. FOLEY:

All right. So Mr. Chairman, I'll finish with this to the Budget Review Office. If you could send to us a listing of those projects that we still have not approved in the Capital Program so that we can make some judgements along with the County Executive's Office to see whether or not there's another more suitable offset than utilized in the downtown monies.

D.P.O. CARACAPPA:

I have one question. What's the time frame the FAA is giving us?

LEG. FOLEY:

Well, it's recommended so they can't give us a time frame.

D.P.O. CARACAPPA:

Recommended. Have they given a time frame at all?

MS. FAHEY:

No.

D.P.O. CARACAPPA:

So it can wait. Motion to table by Legislator Bishop, second by myself. All in favor? Opposed?

LEG. GULDI:

Opposed.

LEG. HALEY:

Opposed.

D.P.O. CARACAPPA:

Opposed, Legislator Guldi, Legislator Haley. ***It's tabled.***

MR. BARTON:

13.

D.P.O. CARACAPPA:

Health, Education & Youth:

1596 - Designating week of September 14 as "PKD Awareness Week" (Crecca). Motion to approve by Legislator Crecca, second by Legislator Carpenter.

LEG. CRECCA:

Abstention.

D.P.O. CARACAPPA:

PKD?

LEG. CRECCA:

Yes.

LEG. FOLEY:

I will make the motion.

D.P.O. CARACAPPA:

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

MR. BARTON:

16, one abstention (Abstention: Legislator Crecca).

D.P.O. CARACAPPA:

Parks, Sports & Cultural Affairs:

1161 - Appointing Mary Anne Jedrlinic as member of the Suffolk County Vanderbilt Museum Committee (Trustee No.2) (Bishop). Motion by Legislator Bishop, second by Legislator Binder. All in favor? Opposed? Abstentions?

MR. BARTON:

17.

D.P.O. CARACAPPA:

It's approved.

1529 - Naming the ball field at Citibank Park "Senator Owen H. Johnson Field" (County Executive).

LEG. CARPENTER:

Motion.

LEG. BISHOP:

Second.

LEG. BINDER:

Cosponsor, Mr. Clerk.

MR. SABATINO:

Mr. Chairman, we never got the consent from Citibank, I just bring that to your attention. I raised that issue at the last session.

D.P.O. CARACAPPA:

Okay.

LEG. TONNA:

We can be in violation of the contract, couldn't we?

D.P.O. CARACAPPA:

Yes. Well, actually we looked into it and we wouldn't be in violation of the contract, as long as it was an honorary fashion. But it would be better if we get --

LEG. TONNA:

Table. Don't put my name --

D.P.O. CARACAPPA:

-- that determination from Citibank Park, Citibank that is who is our title sponsor.

LEG. COOPER:

Second the motion to table.

LEG. FOLEY:

Just before we table it, how long is the baseball season? Because I'm sure they have in mind, you know, they would like to have some ceremony.

D.P.O. CARACAPPA:

Mid September.

LEG. FOLEY:

Okay.

LEG. FOLEY:

Okay. Some ceremony while --

D.P.O. CARACAPPA:

That's if they make the playoffs.

LEG. FOLEY:

It's an incentive for them to make the playoffs.

D.P.O. CARACAPPA:

Right, exactly. We'll table it for one cycle.

LEG. FIELDS:

May I Interrupt?

D.P.O. CARACAPPA:

Legislator Fields.

LEG. FIELDS:

We did ask the Commissioner to give us this information for today's meeting.

LEG. FOLEY:

She's right on top of it.

LEG. BISHOP:

There's a motion to table.

D.P.O. CARACAPPA:

Just to play it safe, let's just table it for one session. In my preliminary findings and looking into it there wasn't a conflict, but we'd like to get a letter or something from Citibank just to make sure they're okay with it. They are our title sponsor. All in favor? Opposed?

MR. BARTON:

17.

D.P.O. CARACAPPA:

It's tabled one cycle.

1535A, 1535 - Appropriating funds in connection with improvements to Van Bourgondien County Park (CP 7077) (Bishop).

LEG. CARPENTER:

Motion.

D.P.O. CARACAPPA:

Motion by Legislator Carpenter, second by Legislator Bishop.

LEG. FOLEY:

I just want a roll call on this.

D.P.O. CARACAPPA:

Roll call.

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

LEG. CARPENTER:

Yes.

LEG. BISHOP:

Yes.

LEG. COOPER:

Yes.

LEG. TONNA:

(Not Present).

LEG. BINDER:

Yes.

LEG. NOWICK:

Yes.

LEG. TONNA:

Tonna is a yes.

LEG. CRECCA:

Yes.

LEG. ALDEN:

Yes.

LEG. FIELDS:

Yes.

LEG. LINDSAY:

Yes.

LEG. FOLEY:

Yes.

LEG. HALEY:

Yes.

LEG. VILORIA-FISHER:

Yes.

LEG. GULDI:

Yes.

LEG. CARACCILO:

For Dave? Absolutely.

D.P.O. CARACAPPA:

Yes.

P.O. POSTAL:

Yes.

MR. BARTON:

17 on the bond.

D.P.O. CARACAPPA:

Same motion, same second, same vote on the appropriation. David?

LEG. BISHOP:

I move to override the veto of Resolution No. 1518 of 2003 to amend the living wage law for transition to full implementation.

D.P.O. CARACAPPA:

It's 518.

LEG. FOLEY:

Motion.

LEG. VILORIA-FISHER:

Second.

D.P.O. CARACAPPA:

Second by Legislator Foley. Roll call.

LEG. TONNA:

What's this to do, to override?

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

LEG. BISHOP:

Yes.

LEG. FOLEY:

Yes.

LEG. COOPER:

Yes.

LEG. TONNA:

No.

LEG. BINDER:

No to override.

LEG. NOWICK:

Pass.

LEG. CRECCA:

Pass.

LEG. CARPENTER:

Pass.

LEG. ALDEN:

Pass.

LEG. FIELDS:

Pass.

LEG. LINDSAY:

Yes.

LEG. HALEY:

Pass.

LEG. VILORIA-FISHER:

Yes.

LEG. GULDI:

Yes.

LEG. CARACCILOLO:

Yes.

D.P.O. CARACAPPA:

Yes.

P.O. POSTAL:

Yes.

LEG. TONNA:

No, this is not to override the living wage.

D.P.O. CARACAPPA:

Yes, to override the veto of the full implementation of living wage.

LEG. BINDER:

No, it's for the exemption of child care.

LEG. VILORIA-FISHER:

For the amendment.

LEG. BISHOP:

The amendment was, in essence, for the child care industry to phase-in the living wage and so in the immediate impact would be a lower living wage for child care workers as compared to others which would be 7.75 an hour with benefits to \$9 an hour.

D.P.O. CARACAPPA:

All right, we're in the middle of a roll call.

LEG. BISHOP:

I know, I'm just -- there seemed to be a lot of confusion.

D.P.O. CARACAPPA:

Right. Okay.

(*Roll Called by Mr. Barton*)

LEG. NOWICK:

Point of order. Which one are we in, that one?

D.P.O. CARACAPPA:

The veto.

LEG. BISHOP:

Which he vetoed it, you voted for it and he vetoed it.

D.P.O. CARACAPPA:

The Bishop bill.

LEG. NOWICK:

Yes.

LEG. CRECCA:

Yes to override.

LEG. CARPENTER:

Yes.

LEG. ALDEN:

Yep.

LEG. FIELDS:

Yes.

LEG. HALEY:

Yes.

LEG. CARACCILO:

No.

MR. BARTON:

14.

D.P.O. CARACAPPA:

Okay, *it's overridden*. We'll now go into the CN's.

LEG. VILORIA-FISHER:

Joe, did we do the Senses?

D.P.O. CARACAPPA:

No, after the CN's. CN No. 1701.

LEG. FOLEY:

Mr. Chairman, why are we doing this today as opposed not to go through committee?

D.P.O. CARACAPPA:

I'm going to ask Todd when he comes in. I'll read it; *a resolution delegating to the County Comptroller of the County of Suffolk, New York, the power to authorize the issuance of and to sell not exceeding \$75,000,000 Tax Anticipation Notes of said County in anticipation of the collection of real estate taxes levied for the County purposes or returned to the County for collection for the fiscal years commencing January 1, 2000, 2001, 2002 and 2003 and providing for other matters in connection therewith.*

MR. SABATINO:

Actually the backup letter says that they're looking for a vote on the 26th.

LEG. FOLEY:

That's right.

D.P.O. CARACAPPA:

Todd?

MR. SABATINO:

I don't know the reason why it's moving up.

MR. JOHNSON:

Questions?

D.P.O. CARACAPPA:

Some Legislators have asked why now.

LEG. FOLEY:

Why the CN when the backup letter from Joan Sikorski mentions just to lay it on the table today so it could be adopted at the August 26th meeting; is there any --

MR. JOHNSON:

Because that would be last opportunity to do it. And as sometimes happens, we're not always able to get through all the items. This is something that's necessary, this is something that's proforma, something we do all the time. I would like to get it cleared up at the beginning of the month rather than wait until the very last second to get it done.

D.P.O. CARACAPPA:

That makes sense.

LEG. HALEY:

Mr. Chairman?

LEG. FOLEY:

Just may I follow up, please?

D.P.O. CARACAPPA:

Quickly.

LEG. FOLEY:

How did we get to the amount -- let me ask the Budget Review Office. Do we have any concerns about this being \$75 million; why is it not higher or lower, or how did we arrive at that figure?

MR. POLLERT:

There was a conference call between the Budget Review Office, the Comptroller's Office, the Treasurer's Office and the Budget Office and the consensus was to go for \$75 million. Depending upon the sales tax, that dollar amount will be finetuned, if it can be lowered we will attempt to lower it but at this point in time the cash flow indicates that we would like to have the authorization on the \$75 million; that would be the maximum amount.

LEG. FOLEY:

And we want to -- you would counsel us or you would recommend us to vote on it today as opposed to having it go through committee?

MR. POLLERT:

Yes, just because it's a proforma resolution which is done every year and that can allow the Comptroller to begin to start to gather all the necessary paperwork.

LEG. BINDER:

Mr. Chairman?

D.P.O. CARACAPPA:

Legislator Binder.

LEG. BINDER:

The interest rates are also going north, they're not going south right now so to give him as much of a jump as possible, if we passed it today we can have, you know, a basis -- who knows, a basis point in there. So I would recommend to all of us that we get this thing done today.

D.P.O. CARACAPPA:

Motion by myself, second by Legislator Binder. All in favor? Do we have to do a roll call on this?

MS. BURKHARDT:

No.

D.P.O. CARACAPPA:

All in favor? Opposed? Abstentions? *It's approved.*

MR. BARTON:

17.

D.P.O. CARACAPPA:

CN 1713 - Amending the 2003 Operating Budget and creating twelve new positions in the Department of Social Services for the Medicaid Chronic Care Eligibility Unit.

LEG. VILORIA-FISHER:

Motion to approve.

D.P.O. CARACAPPA:

There's a motion by Legislator Vilorio-Fisher, seconded by Legislator Crecca.

LEG. CARPENTER:

On the motion.

D.P.O. CARACAPPA:

On the motion, Legislator Carpenter.

LEG. CARPENTER:

Just a question to Counsel as to whether or not I have to abstain on this because I sit on a board of a nursing home.

MR. SABATINO:

Oh, yes, yes.

LEG. CARPENTER:

Okay.

D.P.O. CARACAPPA:

Okay, duly noted. All in favor? Opposed?

LEG. CARPENTER:

Abstention.

D.P.O. CARACAPPA:

Abstention, Legislator Carpenter.

MR. BARTON:

16, one abstention.

D.P.O. CARACAPPA:

CN 1725 - Amending the 2003 Adopted Operating Budget in connection with the transfer of funds within the Department of Probation. This is a technical correction for the most part, right?

MR. JOHNSON:

Yes. Actually what we find here is that --

D.P.O. CARACAPPA:

Motion by myself, second by Legislator Haley. All in favor? Opposed?

LEG. CRECCA:

Excellent explanation, Todd.

D.P.O. CARACAPPA:

You, you.

LEG. CARPENTER:

Don't mean to bite into your fifteen seconds of fame, but --

MR. JOHNSON:

Go right ahead.

MR. BARTON:

17.

D.P.O. CARACAPPA:

CN No. 1726 - Authorizing certain technical corrections to Adopted Resolution No. 1224-2002.

LEG. CARPENTER:

Motion.

D.P.O. CARACAPPA:

Motion by Legislator Carpenter, second by Legislator Fields. All in favor? Opposed? ***It's approved.***

MR. BARTON:

17.

D.P.O. CARACAPPA:

1733 - Revising --

LEG. VILORIA-FISHER:

Motion to approve.

D.P.O. CARACAPPA:

There you go. Motion to approve by Legislator Viloría-Fisher, 1733. Seconded by Legislator Foley. All in favor? Opposed? Abstentions?

MR. BARTON:

17.

LEG. FIELDS:

Can I make a motion to approve Sense 53.

D.P.O. CARACAPPA:

Back to the Senses.

LEG. CARPENTER:

Cosponsor on that please, Henry, 53.

D.P.O. CARACAPPA:

Sense 53-2003 - Memorializing Resolution requesting Federal government to reinstate Long Island status as Primary Metropolitan Statistical Area (PMSA) (Fields).

LEG. FOLEY:

Cosponsor.

LEG. VILORIA-FISHER:

Cosponsor.

D.P.O. CARACAPPA:

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

LEG. ALDEN:

Cosponsor.

LEG. COOPER:

Cosponsor, Henry.

D.P.O. CARACAPPA:

Okay. Now we're just going to do late starters quickly. Motion to waive the rules and lay on the table 1720 and assign it to Ways & Means; also 1721, Ways & Means; 1722 to Ways & Means; set the Public Hearing for 1723 and assign it -- for August 26th and assign this to Consumer Protection. 1724 will go to Veterans and Seniors; set the public hearing for August 26th for 1727 and send this to Ways & Means; 1728 to Human Services. Waive the rules and set the public hearing for August 26th for Resolution 1729, send that to Ways & Means; 1730 to Ways & Means; 1731 to Ways & Means.

LEG. GULDI:

Oh, just send them all to Ways & Means.

D.P.O. CARACAPPA:

1732 to Ways & Means; you got it, George.

LEG. VILORIA-FISHER:

We'll be there all day.

D.P.O. CARACAPPA:

These are motions to lay on the table -- waive the rules to lay on the table and approve -- let's keep it together here for another thirty seconds. This is a Memorializing Resolution.

MS. BURKHARDT:

You need to finish the vote on this.

D.P.O. CARACAPPA:

On what?

MS. BURKHARDT:

On all of these; you made the motion, now you need a vote.

LEG. BINDER:

Motion to lay these on the table.

D.P.O. CARACAPPA:

Motion to lay all these on the table -- waive the rules and lay all these on the table by myself, second by Legislator Alden. All in favor? Opposed? Abstentions? They're all laid on the table.

MR. BARTON:

17.

D.P.O. CARACAPPA:

Motion to waive the rules, lay on the table and approve Memorializing Resolution ***Sense 55 - Requesting the State of New York to increase driver penalties for failure to yield right-of-way.*** There's a motion by Legislator -- Presiding Officer Postal, seconded by myself. All in favor?

LEG. CARPENTER:

Cosponsor.

D.P.O. CARACAPPA:

Opposed? Abstentions? It's approved. Please mark Legislator Carpenter as a cosponsor, along with Legislator Alden.

MR. BARTON:

17.

D.P.O. CARACAPPA:

Motion to waive the rules, lay on the table and approve **Sense 56 - Memorializing resolution requesting the Town of Huntington to immediately remove the Oliver Cromwell Family Crest from its Coat-of-Arms logo.**

LEG. FOLEY:

Cosponsor, Mr. Chairman.

LEG. BINDER:

Let me --

LEG. COOPER:

Cosponsor.

LEG. BINDER:

Let me --

D.P.O. CARACAPPA:

Motion by Legislator Binder.

LEG. BINDER:

Yeah, let me explain.

D.P.O. CARACAPPA:

Second by Legislator Cooper.

LEG. BINDER:

Real quick. I have backup for everyone. Cromwell basically committed genocide against the Irish. It shouldn't be on the coat-of-arms in Huntington. All we're doing is saying -- and I can tell you, the Hibernians are going absolutely nuts on this thing and they'd like to see this just taken off the coat-of-arms in Huntington, so --

D.P.O. CARACAPPA:

There's a motion and a second. All in favor?

MR. BARTON:

Who's the second?

LEG. FOLEY:

Thank you, Legislator Binder.

D.P.O. CARACAPPA:

Opposed?

LEG. COOPER:

Henry, I was the second.

LEG. CRECCA:

Abstain.

D.P.O. CARACAPPA:

One abstention, Legislator Crecca.

LEG. LINDSAY:

Mr. Chair, before we --

LEG. FOLEY:

Actually, I had seconded the motion, Cooper. That's all right.

D.P.O. CARACAPPA:

Okay. It's all taken care of.

LEG. LINDSAY:

Before we adjourn. Before we adjourn.

D.P.O. CARACAPPA:

Hold on.

LEG. FOLEY:

Put me on as a cosponsor of that, please.

D.P.O. CARACAPPA:

Legislator -- please, this is important.

LEG. CRECCA:

No. You know what, change my vote to a yes.

D.P.O. CARACAPPA:

Legislator Lindsay, I recognize you.

LEG. LINDSAY:

Well, I was still looking for the CN from Todd about abolishing --

MR. BARTON:

17, 3 Irish.

LEG. LINDSAY:

-- the Deputy Treasurer's position.

LEG. FOLEY:

Yeah, I second that one. The Chief Deputy's.

LEG. LINDSAY:

Chief Deputy's position.

LEG. GULDI:

Bill. Bill, don't worry about it, I filed it as a late-starter. We're going to abolish the whole the department.

D.P.O. CARACAPPA:

That was one of the late-starters.

LEG. BINDER:

Motion to ask Legislator Haley to leave and not come back.

D.P.O. CARACAPPA:

Well, just --

LEG. VILORIA-FISHER:

And a motion to wish him fair thee well.

D.P.O. CARACAPPA:

Yeah.

LEG. FISHER:

Good luck.

(Applause)

D.P.O. CARACAPPA:

Hold on, Presiding Officer Postal would like to say a few words.

P.O. POSTAL:

I just wanted everybody to know that today is Elie's last day that he's going to be here. We're going on vacation tomorrow for a week and when he comes back he will, much to his regret, need to report to the Board of Elections.

This staff here has been absolutely wonderful and that's why he doesn't want to leave. The people at the Legislature have been just terrific people, just nice people, bright people, witty people and kind people, and he doesn't want to leave you guys and the staff, that's true. You know, so this is going to be very hard for him. I know that some of you will be happy to see him go, some of you won't care that he's leaving, some of you will be sorry to see him leave, he's sorry.

LEG. BINDER:

Some of us are worried about where he's going.

P.O. POSTAL:

Why? You don't have to be. I'll tell you something, for those of you who are Republicans, this is a tremendous advantage to you and you have no idea. Because some of you know that Elie does a lot of consulting work, he won't be able to do that as an employee of the Board of Elections, so just be aware of that. It will be something that will be good for you, this is going to be his last campaign. But I just wanted to say for him, he thought he would be back by now, that he has --

LEG. FOLEY:

Filibuster.

P.O. POSTAL:

Well, no, I'm not going to talk that long.

LEG. NOWICK:

No, he was going to.

LEG. CRECCA:

Brian could, though.

P.O. POSTAL:

Brian can; yeah, Brian can do it with one hand tied behind his back. But he just -- I know if he were here he would tell you how much he respects you all, how much he's enjoyed working with you, how he still considers himself to be someone who will in any way be available to help you except with political things which he can't do anymore once he gets to the Board of Elections.

He'll be there actually August 18th, we're going away until then. But just wanted you to know that he is not going to be here after today but that he admires you, he respects you and he really likes you, especially, especially -- and I know there was a little flack over this, the three Republican members of the Presiding Officer staff who stayed with me. Linda, you're better than my mother was. And Barbara Warsaw is incredible and Meghan O'Reilly, just terrific people. And I know that he was hoping to be back here to say that but he's not, so I'll say it for him. Thank you for supporting him for that position, even though he doesn't want it and he doesn't want to go, he has to, so thank you.

D.P.O. CARACAPPA:

Well, he's off to greener pastures.

Applause

And to our colleague, Legislator Haley, I think the words spoken by the Presiding Officer on Elie's behalf we all feel towards you.

LEG. GULDI:

That's not true.

D.P.O. CARACAPPA:

The roasting part is over and we all --

LEG. FOLEY:

Part two is after the meeting.

D.P.O. CARACAPPA:

Right. We appreciate your contribution to this body, we appreciate your friendship, we appreciate your goodness in trying to do your job the best that you can and you have done a fantastic job. For me, coming from the same town as you and coming at the same time, it's not going to be the same without you here. And on behalf of everyone, I would just like to thank you and wish you all the best of luck and we look forward to seeing you on that side of the table next time.

Applause

LEG. HALEY:

Thank you. Mr. Chairman, motion to adjourn.

D.P.O. CARACAPPA:

Adjourned.

[THE MEETING WAS ADJOURNED AT 5:10 PM]

{ } Indicates Spelled Phonetically