

SUFFOLK COUNTY LEGISLATURE

GENERAL MEETING

TENTH DAY

JUNE 26, 2007

**MEETING HELD AT THE EVANS K. GRIFFING COUNTY CENTER
IN THE MAXINE S. POSTAL LEGISLATIVE AUDITORIUM
300 CENTER DRIVE, RIVERHEAD, NEW YORK**

MINUTES TAKEN BY

ALISON MAHONEY AND LUCIA BRAATEN, COURT STENOGRAPHERS

**MINUTES TRANSCRIBED BY ALISON MAHONEY, LUCIA BRAATEN AND
KIM CASTIGLIONE**

*(*The meeting was called to order at 9:33 AM*)*

P.O. LINDSAY:

Mr. Clerk, would you call the roll, please?

MR. LAUBE:

Good morning, Mr. Presiding Officer.

*(*Roll Called by Mr. Laube - Clerk*)*

LEG. ROMAINE:

Present.

LEG. SCHNEIDERMAN:

Here.

LEG. BROWNING:

Here.

LEG. CARACAPPA:

(Not present).

LEG. LOSQUADRO:

Present.

LEG. EDDINGTON:

Here.

LEG. MONTANO:

Present.

LEG. ALDEN:

Here.

LEG. BARRAGA:

Here.

LEG. KENNEDY:

(Not present).

LEG. NOWICK:

Here.

LEG. HORSLEY:

(Not present).

LEG. MYSTAL:

Here.

LEG. STERN:

Here.

LEG. D'AMARO:

(Not present).

LEG. COOPER:

(Not present).

D.P.O. VILORIA-FISHER:

Present.

P.O. LINDSAY:

Here.

MR. LAUBE:

Thirteen (Not Present: Legislators Caracappa, Kennedy, Horsley, D'Amaro & Cooper).

P.O. LINDSAY:

Okay, could everyone rise for our salute to the flag which will be led by Legislator Browning.

Salutation

Could you please remain standing? And I would like Legislator Jay Schneiderman to introduce our visiting Clergy.

LEG. SCHNEIDERMAN:

Good morning, everyone. The Reverend Charles A. Coverdale is Pastor of the First Baptist Church of Riverhead, New York, where he has served for the past 25 years. Formerly he served for seven years as Pastor of the Historic Pond Street Baptist Church in Providence, Rhode Island.

Pastor Coverdale is the father of two children and grandfather of eight. He resides with his wife Shirley in Aquebogue. He has made major contributions to the life of his local community, as well as having contributed positively on the County, State, national and international level. Pastor Coverdale was formerly an Assistant Professor of Business Administration at Simmons College in Boston and Bentley College in Walter, Massachusetts. He has taught at Leslie College in Cambridge, Massachusetts, currently he is an Adjunct Professor at the American University in Washington DC and teaches at the Harvard Divinity School Center for the Study of Values in Public Life.

Pastor Coverdale has traveled extensively as an emissary for different organizations. Under the Reverend Coverdale's leadership, several youth from the Riverhead area have traveled to Scotland and to Africa as delegates to youth conferences and for educational purposes. Pastor Coverdale has been a consultant, guest speaker, lecturer and preacher both nationally and internationally. He has been a representative for many diverse causes including representing the concerns of communities with regard to the Banking Reinvestment Act to the former Federal Reserve Commissioner Alan Greenspan and representing also the concerns of African-Americans against apartheid to Bishop Desmond {Tuto}.

Educationally, the Reverend Coverdale graduated from Lincoln University and Harvard University. He studied at the New School for Social Research, Rutgers' University, the University of Massachusetts and the Jewish Theological Seminary of America. Thank you, Reverend Coverdale, and I'll give you the microphone.

Applause

REVEREND COVERDALE:

Thank you. Thank you, Legislator Schneiderman. As we bring this august body to order today in preparation for the sounding of the full gavel, let us seek the creator in our presence.

Gracious and eternal God, you who look after each and every one of us, come into this place today where business shall be transacted. We pray that everything that we've done will be for the benefit

of all of our children. We ask that peace might reside in this place, knowledge might be spread and accepted and that the human quality of life might be enhanced. We ask that concerns might be broadened and that ethical decisions might be made. We ask that none of the downcast should be overlooked. We ask that the Presiding Officer of this body might act in harmony, peace and in accord as his job and do his call for. We ask that each of the Legislature express concern for their constituency but see broader beyond just their constituency that elects them but to the whole of Suffolk County. May all that be done here today bring honor to this body and bring help and assistance to its people. We pray in the name of our Lord, Amen.

P.O. LINDSAY:

Thank you very much, Reverend Coverdale.

While we're praying, I'd like a moment of silence for the men and women who have given their lives for our country and are at this moment in harm's way in the Middle East and that they come back to us safe and sound.

Moment of Silence Observed

Thank you. Okay, I'd like Legislator Schneiderman to report to the podium for the purpose of a proclamation.

LEG. SCHNEIDERMAN:

I get to lead off this morning which is an appropriate reference to my proclamation which is in honor of the East Hampton Varsity Softball Team. So if I could bring the girls from East Hampton in -- oh, they followed me in. Maybe -- you want to come in on both sides?

As some of you know, I started my day in Montauk which is famed for beaches and surfing and fishing, but Montauk is also on the map once again with a young girl, a junior from East Hampton High School who lives in Montauk, Jessie Stavola who was the pitcher for her team that won the Long Island Championship and almost won the State Championship; they went into extra innings, in the 10th inning they lost by one run. But she's an extraordinary young pitcher and it's an extraordinary team. Couch of the Year, Lou Reale is joining us; Lou, come on and step forward. I'm going to read this proclamation so you get a sense of this great victory and how proud we are in Suffolk County of this girls softball team.

"On the Twenty-Sixth Day of June, Two Thousand and Seven, the members of the Suffolk County Legislature join the many friends and family of the East Hampton High School Varsity Softball Team in acknowledging and paying tribute to the members' teamwork and accomplishments."

"WHEREAS, the sport of softball has carried with it a special significance and remains the most popular participant sport in the United States. Every year, teams of high school students compete for their respective class championships where East Hampton, under Suffolk County Coach of the Year, Lou Reale, is in Class A; ."

"WHEREAS, by defeating the Islip Bonackers" --

LEG. ALDEN:

Buccaneers.

LEG. SCHNEIDERMAN:

I'm sorry, Buccaneers; Bonackers is our team. It's Freudian, Bonackers is our team, and that was Cameron Alden, that's his team; sorry to remind you.

But, "In defeating the Islip Buccaneers in two straight games, the East Hampton Bonackers clinched the Suffolk County Class A Title and went on to beat the reigning Nassau County Champions of East

Meadow's Clarke High School. Sophomore Nicole Fierro gave the team its first run and a lead the Bonackers would hold all night. Devin O'Brien strengthened the margin with another run and Freshman Center fielder Molley Nolan's" -- no relation, I don't think, right -- "diving catch secured the Long Island Championship and propelled the team to the New York State Finals."

"WHEREAS, once at the State Finals, East Hampton Pitcher Jessie Stavola" -- where's Jesse.

MISS STAVOLA:

I'm right here.

LEG. SCHNEIDERMAN:

Come over here, step forward. "Jessie Stavola struck out 15 of Henrick-Hudson's Lady Sailors, while an error made on a hit of Kaylie Titus brought Fierro home from second base for the first run of the game. Subsequent RBI's from Stavola, O'Brien, and Jackie Gallagher brought the team to a 4-1 victory. By the tournament's end, Stavola held the third highest single season strike-out record in New York State's history." Jesse Stavola, the third highest in New York State's history; pretty amazing for a strike-out record.

"RESOLVED that I, Jay Schneiderman, on behalf of Suffolk County Legislature, hereby extend our congratulations and best wishes to Coach Lou Reale and the East Hampton High School Varsity Soft Team. They are young women truly worthy of the day's honor and a shining example of sportsmanship, dedication and accomplishment. May their future burn brightly and their victories continue to inspire."

Applause

I want to invite the Suffolk County Coach of the Year up to the microphone first, this is Lou Reale and he can introduce the players.

COACH REALE:

Thank you very much. Right here, I'll just introduce the players on my left; this is Marta Johan, Catherine Cruti, Shannon Anderson, Molly Nolan who made that great saving catch in the outfield, Danielle Waleko and 8th grader Megan Hess is on the left there. On my right is the pitcher, Jessie Stavola, Maca Ramos, Kristina Schwehr, Melissa Anderson, Elise Thorson and Nicole Fierro.

And I would just like to thank you for having us here. Right now I would just like to introduce our pitcher, Jessie Stavola to come up and say a few words.

Applause

MISS STAVOLA:

Good morning. On behalf of the East Hampton High School Softball Team, I would like to thank all of you, and Mr. Schneiderman, for inviting us here today. Now that our season has ended, we reminisce in all of the wonderful memories that have been acquired during this long journey towards the State Championship. Through countless hours of hard work and an unfathomable amount of dedication and determination, we as a team were able to achieve our set goals. From the moment we walked on to the field at the final game, we realized that there was no place we would have rather been. Sports are an excellent way for young women to build not only confidence and self-esteem, but also acquire life lessons of patience, determination, hard work, leadership and cooperation. The bonds and friendships we made on this team will last a lifetime. We thank all of you for letting us share this amazing experience and thank you for having -- thank you for honoring us with this great award. We hope you have a wonderful summer and see you in 2008. Sincerely, East Hampton High School Softball Team.

Applause

LEG. SCHNEIDERMAN:

So we're going to -- did you want to say something else?

MISS YOHAN:

And on behalf of the East Hampton Softball Team, we would just like to present Mr. Schneiderman with one of our T-shirts.

LEG. SCHNEIDERMAN:

All right, thank you.

Applause

So we're going to step outside, and here's the proclamation, we're going to take a couple of photos. Thank you, All.

COACH REALE:

Thank you.

MISS STAVOLA:

Thank you.

P.O. LINDSAY:

We have one other proclamation; Legislator Browning, if you could --

LEG. BROWNING:

No.

P.O. LINDSAY:

No? No, you don't have one? Okay, I'm wrong about that, which means we'll go right in to the public portion.

I'm going to -- each speaker has three minutes to speak. We have 41 cards, so I would appreciate it if you -- if you don't have to use all three minutes, it would be much appreciated, or if you -- if something has already been said by the previous speaker, if you want to forego your time, we would appreciate that, too. I'm going to call the speaker and then I'll call who's on deck; and the next person to speak, if they could get out of their chair and be ready to take the mike, it saves a few minutes on each transfer. The first speaker is George Proios and Linda Holmes is the second speaker.

MR. PROIOS:

Good morning, Ladies and Gentlemen. Most of you know me, I hope all of you know me, I've worked with most of you over the last years that you've been here and I've been in government for 35 years.

When I went to school I learned that there was three levels of government, equal but coequal partners; Legislative, Judicial and Executive Branch. And I sincerely hope I'm addressing one of those coequal partners here, the Legislative Branch. As you know, my appointment to the Water Authority is up and I would like to sincerely ask you to give me your sincere consideration for reappointment.

I've been working in the County for a number of years, I've been working with the State. I was the State Water Resources Director on Long Island for ten years, passed significant legislation, the most important was the one that banned land-filling on Long Island, the practice of burying our garbage over our water supply. I've been a Public Health Sanitarian, I've inspected virtually every public water well field in the County during my career.

I have been doing many things at the point in my career because I've now elevated myself, I'm Chairman of the County Soil & Water District which took me years to get to that position, I am the Vice-Chair of the State Soil & Water Conservation Committee, and these positions have allowed me to leverage my knowledge to help the Water Authority. For example, the County Health Department has been doing work on pesticides out on the east end, I found a number of wells that were contaminated and I used my position with the Suffolk County Soil & Water District to go out and start doing inspections of farms; where we find problems, we come out with plans to help those farmers and then we apply to the State Soil & Water Committee for grants to help the farmers implement in. I have the only program with DEC that allowed us to access \$400,000 to pay 75% of the costs for farmers to build pesticide mixing pads. So if they're mixing pesticides and they spill, it doesn't go down into our groundwater contaminated.

I've listed for you, it was just passed around, some of my accomplishments just over the last five years with the Water Authority. The first one was one that I brought to your attention here, some of you, as Legislators because it's something you could also pass here. When we do work with universities, they charge 54% overhead, we were doing that at the Water Authority at the Groundwater Institute, but there's a little known law that you can pass a resolution saying we're not going to pay more than 15%, they have to honor it; as a result we saved \$20,000 a year over the last five years equaling over \$100,000 just by one resolution.

I also had a resolution passed asking the State to grant us more amnesty days so people can turn in unused pesticides; Senator Marcellino took that resolution and actually introduced a State law to do just that. We had one of those days many years ago, we haven't had one since. Now with the new money in the Environmental Protection Law, we can hopefully have pesticide amnesty days every year so farmers and other people who have unwanted pesticides can get rid of them from their barns, from their backyards, garages and turn them in.

I've listed a number of things here, I think one of the most important at the end is something called the Source Water Assessment Program. We did one of the most elaborate studies in the State, looking at the vulnerabilities of our water supply; this was done almost three years ago and no one has taken that information here and done anything with it. We've looked at all the land use around all of our 550 wells and found incompatible uses and the next step we need to know is go back to our townships --

P.O. LINDSAY:

Could you please wrap up, Mr. Proios, your time is up.

MR. PROIOS:

-- and ask them to please change those land uses; for example, you don't want a gas station zoned next to a public water supply but in some cases they were. So these are some of the things I've been working on and trying to accomplish.

I've worked with many of you over the years. I have not been a partisan politics. You all tell me that I know a great deal; well, now is the time for you to show me exactly what does that mean. Does knowledge, honesty, integrity count for something here? I mean, this should not be a political decision, if you want to make a change, nobody has articulated what that change should be at the Water Authority, but if there are changes, I would be happy to implement those, and no one has given me anything specific that you would like to have changed. But I would like for you to sincerely --

P.O. LINDSAY:

Please wrap up, Mr. Proios. Your time is way up.

MR. PROIOS:

-- consider these factors when you decide today on whether or not there should be a reappointment to the Water Authority. Thank you very much.

P.O. LINDSAY:

Linda Holmes, and Stephen Lenox is on deck.

MS. HOLMES:

Thank you, Mr. Presiding Officer. My name is Linda Holmes, I have lived on Shelter Island for 40 years. And first of all, I would like to thank Legislators Romaine and Schneiderman for recommending to the County Executive that he reappointment me to the County Planning Commission; I currently serve as Vice-Chair of that commission.

I'm here because we have not only a big health problem on Shelter Island, we have a health emergency. In the last -- in recent years I have had Lyme Disease three times, I am partially disabled in both my legs from that. But worst of all, in 2000 I developed Ehrlichiosis which I have never been so sick in my life, and if Dr. Panebianco in Southampton hadn't been such a good dietician, I might not be here. Because unlike Lyme, according to an article in the New York Times in July of '95, Ehrlichiosis, which had only recently been identified at that time, can be fatal if not treated. I nearly fainted when I found that out getting home from the hospital, and it took me a month to regain my strength. But in contrast, the article went on, "Federal health officials have yet to document a single death out of tens of thousands of cases of Lyme." Although as you know and as you will hear from some of my neighbors, Lyme is a disease that can be lifelong in health problems.

Ehrlichiosis is carried by the Lone Star Tick which Larry Penny identified in a news article to Newsday in 2003, Larry predicted that the Lone Star Tick would be the leading, the most numerous tick in Suffolk as it already is in the east end. In the last five days I've Picked four ticks off myself and all of them have been Lone Star Ticks; one of them had already bitten me, so now I wait three weeks and find out whether I have Ehrlichiosis again.

Yet despite this tremendous health problem, when our town officials met with a Department of Health representative last year, she said she told our supervisor she didn't feel like allocating any money out of her \$8.3 million budget to help us on Shelter Island address this problem. You folks control the purse strings, we don't. We desperately need your help, we ask for it. We hope that you will allocate some money to help us set up the one program that we know works, the Four Poster Program, and you'll hear more about that later, but we desperately need your help.

And meanwhile, as you go on your vacation this next month, I don't suggest that you come to our beautiful Island because there are too many ticks and they carry too many diseases. But with your help, maybe by this time next year we can invite you to join our beautiful beaches and restaurants. Thank you very much.

Applause

P.O. LINDSAY:

Thank you, Linda. Stephen Lenox, and then on deck is Kartas Moran.

MR. LENOX:

My name is Steve Lenox, I've lived on Shelter Island all of my 60 years.

P.O. LINDSAY:

You have -- sir, you have to take that mike right up to your mouth; there you go.

MR. LENOX:

Okay. I'm Steve Lenox, I've lived on Shelter Island for 60 years. I had Lyme Disease in the early 1970's when they really didn't know what it was back then. I'm four generations of tick-borne diseases on Shelter Island; my father has had it, I've had it, my son's had it and it was acceptable --

you know, you live on Shelter Island you got tick disease -- until my grandson got it and he was very sick with it. And now my wife's got it and we need help, we need help from all you people.

And like I say, it's time that we did something. I've been on the Tick Committee for four years and enough is enough. And I hope you people can all help us with something with this. Thank you very much.

Applause

P.O. LINDSAY:

Thank you, Mr. Lenox. Kartas Moran, and Gene Parrington is on deck. Ms. Moran, I don't know whether I pronounced your first name correctly.

MS. MORAN:

My name is Karen Moran.

P.O. LINDSAY:

Pardon?

MS. MORAN:

My name is Karen Moran.

P.O. LINDSAY:

Karen, okay.

MS. MORAN:

Yeah, I'm left-handed, what can I say? Thank you, all of you, for giving us time to speak here today. There is a crisis on Shelter Island, it has been going on for all of the 20 years that I have owned a home there and now it is worse than ever. I can say with confidence that no other subject concerns the population of Shelter Island more and we have been saying that for a very long time. People have been sick, some of them very sick. It's possible that the various diseases associated with ticks have been suffered by half of our year-round population and it is widely understood that these are serious and sometimes devastating diseases that are not always easily treatable.

A few years back our Town Board a group of very intelligent, motivated and capable people who have worked tirelessly and unselfishly to make themselves expert on these matters, to discuss the facts and the possible remedies to this health crisis. They have reached their conclusions with due prudence and their considered recommendations are the very best that can be offered. If there are those who have evidence to contradict these facts, let them back their words up with a body of evidence as these good people have done.

This is not a political matter and yet sadly, at times, it has been undermined by politics. With present knowledge, there's no clear path to irradicating tick-borne diseases and, in fact, the options are few. But this Four Poster is the best we can do for now and for the foreseeable future. It is a credible force of hope and a sign that we refuse to acquiesce to helplessness in the face of this miserable thing we are forced to live with. The risks of the Four Poster System are small but the benefits could be enormous; we cannot know without trying. We are concerned and we are even fearful, but we are determined and the people of Shelter Island have done their homework.

Another person will get sick today and maybe another one tomorrow. It is clear that further talking will not rid us of the ticks nor protect us from these diseases and it is will not ameliorate the suffering. Facing a future with no action, we wonder how much worse it can get. It is not only the appropriate thing for this body to act on behalf of Shelter Island, but on behalf of all of Suffolk County as well; it is a moral imperative. Who could criticize this action? Though we might fail, we will know we have tried our very best with what we have at our dispostable to protect our people.

If the members of this Legislature and their families were coming to this building, returning to their homes with serious illnesses, no resource would be spared to solve the problem; we only ask the same for our families and ourselves. Thank you.

Applause

P.O. LINDSAY:

Thank you very much, Karen. Gene, if you come forward. But before you speak, the Sheriff is telling me in the back that they want to open up that aisle, so if some of you folks could just -- that are in the room, come forward, stand along the aisle. Come on forward. If there's any chairs -- are there any chairs vacant? On this side are the chairs vacant; no, no chairs? Okay. There's one on the left over here, if someone wants to take a chair, a seat, over here on the left, my left. And if the Sheriff is out there, I know you want to close the door, you're going to have to clear that entrance and close the door, I can't do it for you. Okay.

Okay, we have Gene Parrington and then it looks like Jacklyn Travis-Messe is on deck. Go ahead, Gene.

MR. PARRINGTON:

Yeah, good morning. My name is Gene Parrington, I'm representing Local 25 IBEW in support of Resolution 1410. I'm going to shift gears a little bit, but it's still about safety, I want to speak about the scaffold safety resolution; and make no mistake, that's exactly what it is, it's about safety.

I'm surprised this would even have to come to a resolution. There are a lot of contractors out there that are building scaffolds, you see it in the papers, you see it all over, it's on the news all the time about scaffolds falling down, about people building scaffolds, workers doing it without any type of knowledge of how to build a scaffold. We're looking really for this resolution, it's just a resolution requiring that they would be trained in order to erect a scaffold over 20 feet; after that mark they have to be tied off in a way that the scaffold won't fall down. You don't need to be a construction worker to figure this out, that if you walk by a scaffold that isn't erected right there is big safety hazard.

I'm urging the board to move this legislation in tact the way it is and I hope you do so immediately. Thank you very much.

P.O. LINDSAY:

Thank you very much, Gene. I appreciate your brevity. Rae Lapidés and Patricia Shillingburg is on -- no, we have Jaclyn Travis-Messe, I'm sorry, and then Rae Lapidés is on deck.

MS. TRAVIS-MESSA:

I'm Janalyn Travis-Messa, I apologize for my handwriting. I am from Shelter Island also and I'm on the Deer & Tick Committee which was the town-appointed committee on Shelter Island.

This committee got started from a task force, a grassroots task force that was started by two wonderful NGO's, the League of Women Voters of Shelter Island and the Shelter Island Association. I'm sure most of you know Catherine Hoak who's in the audience who is the Legislator Chair on the Suffolk County League. You also know that the League doesn't do anything unless they have studied it to death. Well, we studied this issue of deer management and tick-borne illnesses for several years before we put together our Executive Summary that we then presented to the Town of Shelter Island; from that study came the town appointed committee.

We also recommended the Four Poster System be put in place. This is a system that will kill the ticks up to 98%, and it has been documented. This is a system that not only will help Shelter Island but will help all of Suffolk County, because the ticks are heading throughout Suffolk County. As was stated already, the Department of Health has already made a very clear statement that they feel that this is not an issue, and yet they produced a document that we presented to Mr. Levy the other

day that shows the incidents of tick-borne illnesses on Shelter Island and they are multiple times its next closest neighbor of East Hampton.

This whole County is being affected. We have another member on our team of the task force, Dr. Scott Campbell who works at the Department of Health who has stated to the committee that it is growing, the Lone Star Tick is growing in multiple communities throughout Suffolk County. We need your help, we need money in order to make that help happen. We need to get the Four Poster System up and running. We are fighting permit issues, we are fighting people who feel that feeding the deer will cause Chronic Wasting Disease because they will congregate. If you come to Shelter Island, you will see multiple herds on Shelter Island; we've never had Chronic Wasting Disease. I am tired of people literally getting sick from it. And like my husband, Town Councilman James {Messer} who died from a tick, I don't want to see anyone else die; okay? He was one of you guys. Thank you.

Applause

P.O. LINDSAY:

Okay. Rae Lapidés, and Patricia Shillingburg is on deck.

MS. LAPIDES:

My name is Rae Lapidés and I am the Chairman of the Shelter Island Deer & Tick Committee.

LEG. LOSQUADRO:

Just speak into the mike, pull it down.

MS. LAPIDES:

Okay, can you hear me better? Okay. I'm the chairman of the Shelter Island Deer & Tick Committee as well as a member of the Suffolk County Tick Management Task Force. I live on a fantasy island; a fantasy island if you don't consider the devastation of tick-borne illnesses. Shelter Island has a serious health crisis. We need your help.

In the past, the Islanders accepted a certain number of Lyme Disease cases as being part of the Island life. If you went in to the woods, you had a good chance of encountering Deer Ticks and, therefore, Lyme Disease, but the arrival of the Lone Star Tick a few years ago changed everything. This tick, which is extremely aggressive and lives everywhere, not just in the woods, can carry up to three different illnesses. Now, even the Islanders whose family have lived there generation after generation are finally fed up; they're fed up with watching their children and grandchildren get seriously ill just from playing in their own yards and even on the school playgrounds. They're fed up developing one or more tick-borne diseases just from walking from their homes to their cars; they're fed up with the long-term and serious affects of these diseases on themselves and their loved ones.

Our doctors' offices are overflowing. Over the past few years, our committee has thoroughly investigated all available methods of preventing tick-borne diseases. We have decided that the Four Poster Program is the only environmentally friendly and effective solution available for this health crisis at this time. The Four Poster Program, if run correctly, has killed from 85% to 99% of the ticks in the different treated areas. Suffolk County is a wonderful place to live, but take this as a warning; that in the not too distant future, all of Suffolk County could be as bad off as Shelter Island is now. The deer are moving west on the Island. You might have noticed that more farmers are putting up fencing around their farms and vineyards than ever before. Where the deer go and the migratory birds go, so go the ticks; where the ticks go, so go tick-borne diseases.

So goes worrying about your children under nine years of age who can't take Doxycycline to protect themselves from the illness spread by the Lone Star Tick. So goes not allowing your children to play in your own yard. So goes worrying about the possibility that pregnant loved ones might lose their unborn children to tick-borne diseases. Now is the time to take a stand. Let's take care of the problem on Shelter Island and learn from this in order to protect all of the people of Suffolk County.

Please vote to fund our Four Poster Program, we need your help.

Applause

P.O. LINDSAY:

Patricia Shillingburg and John Guadagno is on deck.

MS. SHILLINGBURG:

I'm a gardener, I like to work in my garden; I don't work in my garden anymore. I don't believe the spraying is a good thing to do on one's property because on Shelter Island, what we put on our lawns is what we drink. This week my property is being sprayed against ticks.

This morning at 7:30, my husband asked me to check his body where he couldn't see; "It's a bite, not a tick," I said. "Then that's the tick," he said, pointing to the fifth tick he has found on his body this spring. They are all encased in scotch tape, dated and posted on our bulletin board. Don't laugh, this is what Shelter Islanders do; everybody has a five by -- 3 x 5 card or a calendar or some way of monitoring the ticks that they find on their bodies, because if -- no, when -- we get sick, we need to show the doctor the tick because different ticks carry different diseases.

The solution to our problem is the Four Poster System. I serve on the committee that has investigated this ad nauseam, we know that the Four Poster System is the only solution to our problem. This first year it will cost \$155,000 which is big money for our little community, but not much more than small change for you. If we can prove it works on Shelter Island, it will eventually help the whole County because deer are moving west and with them, ticks and disease. We need your help, please.

Applause

P.O. LINDSAY:

Thank you, Mrs. Shillingburg. John Guadagno and then Laura Ahearn is on deck.

MR. GUADAGNO:

Good morning. It's an honor to speak in front of you today. I would like to speak in favor of resolution 1410, scaffolding safety. It's very important, there's no cost for safety.

I would just like to read from OSHA, "OSHA estimates that improving training and compliance with safety standards could save as many as fifty lives annually, preventing 4,500 accidents." I would also urge the body not to put an exemption on single family homes on the east end. Most homes on the east end are 20,30, 40, 50 feet tall, and as anyone knows, if you fall off a ladder or scaffolding 20 feet tall, there's a good chance you're going to be injured, if not die. So I'd strongly urge everyone to support this bill. Thank you.

Applause

P.O. LINDSAY:

Thank you, John. Laura Ahearn.

MS. AHEARN:

Good morning.

P.O. LINDSAY:

Oh, I'm sorry. I'm sorry, Ray Dean, I skipped over your card; Ray Dean, you're on deck. No, Laura, come, finish.

MS. AHEARN:

Okay.

P.O. LINDSAY:

Ray, while he's getting out, you can start.

MR. DEAN:

I'm after you, Laura.

MS. AHEARN:

Oh, you're after me?

MR. DEAN:

Yes.

MS. AHEARN:

I'm actually here this morning on two resolutions, 1450 and 14 -- 1542.

Reducing the amount of sex crimes committed against women and children require that policy and lawmakers take a comprehensive approach which includes use of GPS for supervision. GPS monitoring is not going to eliminate sex crimes, but it is an important part of a comprehensive approach. California currently uses GPS to track over 400 offenders. Since the program began in July of '05, offenders were arrested for violating conditions of parole, but no new crimes were committed. Florida Department of Correction reports that offenders supervised without GPS were two times more likely to commit a new felony within two years of release than offenders supervised using GPS.

In Suffolk we have an opportunity to be proactive in protecting the public from the likelihood of reoffending, and it's a real likelihood. Most abuse, 90%, happens with somebody a child has an established and trusting relationship with. Most sexual predators aren't hiding behind dumpsters waiting for a moment to attack, their techniques are more devious and pervasive; they use relationships to groom children. So the use of GPS is really important because it restricts offenders from going in to certain zones where they can establish those relationships with potential victims.

Evidence across the nation demonstrates that GPS offers Probation Officers a very vital tool. Probation is not a right, it's a privilege, and if a sex offender can't simply stay within their designated boundaries, what assurance do we have that they won't reoffend?

Lastly, Westchester County uses GPS with their probationers and they have a 0% recidivism rate. So we fully support GPS monitoring for sex offenders on probation.

Regarding Introductory Resolution 1542, according to the Justice Department, sex offenders do have the highest rate of recidivism compared to any other violent felon released into the community. Responding to this public safety crisis, the Federal government established sex offender registration and notification laws for all 50 states.

One of the unintended effects of Megan's Law is that it has given the community an opportunity to be made aware of where sex offenders are clustering and, in fact, where sex offenders are moving in directly across the street from public and private schools and places where children congregate. After a number of communities across Suffolk reported sex offenders moving in to locations where children were close by, Legislator Cooper, in January of '06, introduced and passed the County's first Residency Restriction Law. Residency Restriction Laws are not going to eliminate the sexual victimization of our most vulnerable, but they do reduce the potential by eliminating the daily eye-shot contact view that offenders can have with potential victims.

After passage of both Nassau and Suffolk's Residency Restriction Laws, law enforcement mapped out the areas which would be off limits to registered offenders and provided a visual depiction of those zones.

P.O. LINDSAY:

Could you wrap up, Laura?

MS. AHEARN:

Sure. Measures to protect our most vulnerable have to be our top priority, but before we expand the Residency Restriction Law that we have currently in Suffolk County, we have to see what that impact is going to be. Because if we create an exclusionary zone that is so exclusionary, what will happen is what happened in Binghamton; their law was repealed and they had absolutely no law at all.

So what I'm asking you to do is to charge law enforcement with mapping out the impact the new law might have and then making a sound decision so we don't lose what we already have. Thank you.

Applause

P.O. LINDSAY:

Thank you, Laura. Ray Dean followed by Edward Cordoves.

MR. GREENE:

Yes, good morning. I'm here also to speak in favor of Resolution 1410 on the scaffold law. To me, the way this law is intact is a good law and it should be passed. We should go into -- and just a few points.

I represent Steamfitters Local 638, but this law has nothing to do with union or non-union; this is a people law, it's a safety thing. With this law, you've heard it before, we see people, we see it on TV, we see people getting hurt on scaffolds all the time. If we have people trained, the legitimate contractors will save money in the long run. It will cut down in their compensation costs, on the insurance costs, it will save money, it will save money with the County, it will save money with the State on other projects.

It's a good law, it's a people law, it's a safety thing and I please urge you -- I urge you, please pass this law, I think it's very good and we do need it. And thank you.

Applause

P.O. LINDSAY:

Thank you, Ray. Ray (sic) Cordoves and then Greg Fischer is on deck.

MR. CORDOVES:

Good morning. Thank you for hearing me. The reason why I'm here is --

P.O. LINDSAY:

Edward, yeah, if you take that mike right up against -- there you go.

MR. CORDOVES:

Okay, here I go. The reason why I'm here is that I'd like you to endorse MR 51, the Shared Parenting Bill. This bill will not help me personally, but hopefully it will help other parents that aren't the custodial parent.

As the system is now, I have been reduced to a paycheck. My whole side -- the whole side of my family has not been able to visit with my children and there's a presumption that when I was married to my wife that I was the parent. Here in New York State, you have to have an agreement between the two parties that shared parenting or joint custody is going to be the parenting plan or one of the two has to -- their character has got to be assassinated so that the other person is considered to be the better parent; this is wrong. It leaves the children unparented and it's very important that our children are parented.

My whole -- the whole side of my family has not been able to participate in a family-setting with my children. Please endorse this, this is a good bill, it's going to help the children. Thank you.

P.O. LINDSAY:

Thank you, Edward. Greg Fisher and then Frank Nitto is on deck.

MR. FISCHER:

Hi. I'm Greg Fischer, I'm a Calverton resident and I'm a board member of Americans for Legal Reform, we're also known as the children's lobbyists. I'm here today in support of MR 51 from Legislator Ed Romaine's office. Last year it was passed as MR 17 from Legislator Cooper's office, I ask that you pass it unanimously this year.

This bill is about presumptive shared parenting which means that if two parents are fit and there's a divorce, that a Judge will be allowed to issue an order that both parents will still be involved in the lives of the child. Right now in New York State, a Judge can only issue an order really to make one parent or the other the legal guardians for the child. The studies are overwhelming that if we exclude a fit parent, those children will be harmed. It causes a situation of under-parenting; under-parenting is directly correlated to the problem that most people in this audience are here for today which is the opportunity of sex predators to enter the household and abuse children. If there are two fit parents available to monitor the children, sex predators do not have the opportunity to assault these children.

So this is a very important bill. As well, the Child Care Lobby says that for every \$1 they receive to do before care or after care, which is parenting while the parent is at work, we need to fill in the gaps somehow, they say for every \$1 that they receive, they can save the government \$7 in the long run. So if we have shared parenting, we don't even have to spend that dollar. It has tremendous fiscal consequence. For lack of shared parenting, we have four higher rates of teen pregnancy, drug abuse, alcohol abuse, suicide, and we then have to have courts and judges and cops and a lot more of that to take care of these children that are under parented.

So please pass this resolution. Last year we were successful in increasing the number of signatures from about a dozen in the prior cycle to about 50 using the example of Suffolk County and the support for this bill at the grassroots level and we intend to do this throughout the State and Legislatures throughout the State this year and this is a very important bill to preserve families and protect children. Thank you.

Applause

P.O. LINDSAY:

Frank Nitto and Michael Sacco is on deck.

MR. NITTO:

How are you doing? My name is Frank Nitto, I'm a business representative for the Sheet Metal Workers Local 28 out of New York City and Nassau and Suffolk County. I'm also a lifelong resident of Suffolk County and I'm here to speak on behalf of Law 1410.

Anybody that's involved with instruction knows that it only takes a second to get into an accident and your life to change and your family's life to change and your economic future be in jeopardy. This bill is a common sense bill, it helps out the people that are working on the scaffold, making sure that they know that the people that erected the scaffold have done the job properly. It helps out the people that -- residents that work near the scaffold or are walking past the scaffold make sure that it's a safety factor.

Again, like I said, it's a common sense bill. I just urge the legislation to pass this bill as soon as possible. Thank you very much.

Applause

P.O. LINDSAY:

Thank you, Frank. Michael Sacco and then Ron Richardson is on deck.

MR. SACCO:

Good morning.

P.O. LINDSAY:

Good morning.

MR. SACCA:

I'm Michael Sacco from Flanders, New York. I'm a member of the Bayview Pines Civic Association, Flanders, Riverhead, Riverside, North Hampton Civic Association. Pardon me?

LEG. ALDEN:

We can't hear you.

MR. SACCA:

Sure. As I said, I'm a member of Flanders Riverhead Northampton Civic Association, amongst others; Southampton Town Civic Association and Survivor Families of Victims of Violent Sexual Offenders; I'm a founding member.

June 29th, which is actually two or three days from today, will mark the third anniversary of the murder of Connie Russo. This was done by a County-supported, homeless, third-tier sexual offender, she was my beautiful, beloved niece; murdered in White Plains at the New York Gallery Mall, 1:15 in the afternoon in a crowded parking lot. The killer was Phillip Grant, a third-Tier homeless, violent, sexual offender with three prior convictions for violent rape, previously sentenced to 15 years for these crimes, having an additional eight years added to that sentence for attacking a member with a pitch fork while incarcerated.

He resided at the Westchester Airport in a County shelter there for homeless sexual offenders at the time of Connie's murder. He had been a resident in this shelter for two years, transported to White Plains by County bus, mornings, to look for employment five days a week, ironically. All of these people are virtually unemployable, no one hires sexual offenders, but it's kind of like letting the baby out, you know, we don't have to watch him, we'll just send him in to the community. Well, the community had no knowledge for two years that these potential misanthropes were walking their streets. According to Mr. Grant, he felt persecuted by the community because he was homeless and he felt put-upon, and he had decided, after two years in that community -- this man was recognized, he was considered just another homeless individual -- "Today I'm going to kill the first woman I see; it happened to be Connie. He tried to drag her into her car as she was opening it, she resisted, he stabbed her twice with a serrated knife that he shoplifted from the department store that day in that very mall.

I rhetorically ask, and I address this to the audience as well as the legislation (sic), does the aforementioned scenario strike you as somewhat familiar?

LEG. ROMAINE:

Yes.

UNKNOWN AUDIENCE MEMBER:

Yes.

LEG. ROMAINE:

Okay.

LEG. ROMAINE:

Riverhead Jail,

MR. SACCO:

The waking of Connie was uneventful -- excuse me, was eventful, many dignitaries attended including Legislators like yourself, Senators, Mayors, as well as the County DA and other law enforcement officials. Connie's family enjoyed some prominence in the community and certainly a murder of this type, sensationalized always by the media, had events and most people decided that they wanted to attend.

P.O. LINDSAY:

Michael, if you could wrap up. You're out of time, Michael, if you could wrap up, please.

UNKNOWN AUDIENCE MEMBER:

Let him speak.

UNKNOWN AUDIENCE MEMBER:

Come on.

P.O. LINDSAY:

We have a rule of three minutes.

MR. SACCO:

Sitting with the family with the responsibility to care for Connie's parents myself, Mr. & Mrs. Ted {Grenata}, I was a recipient as well as positioned to hear the plethora of sentiments of condolences that were offered by these people. I've got a couple of more sentences. Sincere offering of regret and promises to make sure that this could never happen again, why did it happen, we'll guarantee this is never going to happen again was to say meager, cold comfort for Connie's husband John and her two sons.

In conclusion, I submit at the next victim's wake -- and there will be a next victim and soon, I assure you -- 70% of these people commit this crime. You put five of these people in one community, you are multiplying this to the fifth power, fifth power.

Applause

My last sentence; in conclusion, I submit again, when you go there, what are you going to say to the family?

UNKNOWN AUDIENCE MEMBER:

Exactly.

MR. SACCO:

Thank you.

UNKNOWN AUDIENCE MEMBER:

That's right, Michael.

Applause

P.O. LINDSAY:

Ron Richardson and Michael Brewer is on deck.

MR. RICHARDSON:

Good morning. My name is Ronnie Richardson, I'm a business agent for the Metallic Lathers, Local 46.

UNKNOWN AUDIENCE MEMBER:

We can't hear you.

P.O. LINDSAY:

You've just got to speak right into it, Ron.

MR. RICHARDSON:

How's that?

P.O. LINDSAY:

Much better.

MR. RICHARDSON:

I'm here today in support of the scaffolding bill, 1410.

UNKNOWN AUDIENCE MEMBER:

We can't hear.

MR. RICHARDSON:

Okay, how does that sound?

LEG. BARRAGA:

You've got to get close, right up to the mike.

MR. RICHARDSON:

Good?

P.O. LINDSAY:

Yeah.

MR. RICHARDSON:

Okay, all right. This bill is a bill that's going to help just about every worker that leaves in the morning; it's not a lot to ask, it's a 32 hour course. It's definitely going to save lives. It's very important to the families of everybody that's working in the trades and this bill should not be driven by contractors' profits, but our conscience to do the right thing. You cannot put a price on safety, ever; 32 hours is a very, very short time to require somebody to have the training that other people depend on.

It's our responsibility to ensure the safety of every worker, no matter what color, race or creed. And we must do the right thing so that they can come home to their families. The injury of one is the concern of all of us. Thank you.

Applause

P.O. LINDSAY:

Thank you, Ron. Michael Brewer followed by Carl Iacone.

MR. BREWER:

Yes. Presiding Officer, is it possible that -- we have two Supervisors here today, they have a busy schedule and we'd like to know if they could speak before us, by any chance.

P.O. LINDSAY:

I would be happy to recognize them, if you want to give your time to them, that would be fine.

MR. BREWER:

Okay, and I will take their time, if necessary, if could be.

P.O. LINDSAY:

Okay, that's fine; you want to switch, go ahead.

MR. BREWER:

I'd like to introduce Supervisor Cardinale from Riverhead and Supervisor Skip Heaney from Southampton.

Applause

P.O. LINDSAY:

I apologize to both of you, Supervisors. If you had made me aware you were in the room, I would have been happy to take you first.

SUPERVISOR HEANEY:

The apology is not necessary, Legislator Lindsay, I'm happy to be here. I'm here to support residents of my town because they have asked me to be with them regarding the emergency housing program that houses sex offenders in trailers currently only in Southampton, but first some history.

Back in 2002 and 2003, Southampton residents found themselves hosting between 500 and 700 emergency housing guests by the County's rezoning by then -- back then, it was about 50% of the County's homeless family population during that time. Because of confidentiality, this temporary 1% increase in our population accounted for hundreds of documented requests for public services, including Food and Human Services Program we wound up providing in order to protect human dignity and to keep peace and order. Confidentiality meant that East Quogue, Hampton Bays and Tuckahoe School Districts were totally unprepared to receive dozens of students, many who had special needs. Confidentiality meant that police, code enforcement and even ambulance services had to respond to hundreds of calls at six motels in just three communities to deal with assault, drugs, prostitution, domestic violence, muggings and child neglect; the result of warehousing misfortune at one address.

Because of confidentiality, no one would ever know that in East Quogue, in one motel, as many as eight people would be packed in to one room, no one would know that a child, a 14 year old child, would be allowed to go into labor without proper care; this went on for over a year. So now we have some Level II and Level III three sex offenders who find themselves homeless. For me, the main issue is not only giving other towns their fair share of this particular housing burden, but that notification to communities be respected. Confidentiality in this area is a bad thing. Confidentiality, under the Social Services Law, should never be allowed to trump the notification requirements under Megan's Law. And using a program that rotates homeless Level II and Level III sex offenders in a manner that evades or avoids notification can never be considered sensible or in the best interest of public safety.

And it's for that reason that I had asked for an amendment to State Law that would require law enforcement agencies to be notified by Departments of Social Services whenever homeless sex offenders are placed into temporary housing. And I'm very pleased to say that on Friday, both houses of the State Legislature actually had by that time acted to pass a law that requires -- I'll read it here, just that the legislation would require local Departments of Social Services who move or place registered sex offenders into temporary emergency housing to notify the New York State Division of Criminal Justice Service and the local law enforcement agency in the particular village, town or city where that housing is located.

Applause

My sole purpose in bringing this to your attention is to ask you to voluntarily comply with the spirit of that law that will soon become State law. Thank you very much.

Applause

P.O. LINDSAY:

Thank you, Supervisor. Supervisor Cardinale?

SUPERVISOR CARDINALE:

Well, the surprise of the morning is that I'm not Supervisor Cardinale, I'm actually Deputy Supervisor Bill Welsh, I think my card is also in there so that can be taken out. Supervisor Cardinale unfortunately had to go to a very important work session.

I'm just here to represent on his behalf and on behalf of the entire unanimous Town board of the Town of Riverhead our support for Legislator Romaine's Introductory Resolution. The problem that we face with dealing with homeless sex offenders is multi-faceted, as the Supervisor has alluded to. A library, a school, any type of institution like this where children are driving their bikes to, children who have activities, older people are there, this is not a place that we want to put in harm's way of homeless sex offenders.

And the other question that goes beyond this is the idea of a rotating, remote location for these trailers is something that has been talked about, has been promised and is now apparently being pushed aside. And we don't think that it's fair for the people of Riverhead, for the people of Flanders, for the people of North Hampton, for the people of Riverside who, again, are called upon to give their fair share and more in terms of dealing with the Social Service problems of the Suffolk County community. We're willing to do our fair share, everyone else should chip in and also address that situation, and that's what I'd like to leave you with this morning. So thank you.

Applause

P.O. LINDSAY:

Thank you. Carl Iacone followed by Rich Naso.

MR. BREWER:

Michael Brewer; I waived for the Supervisor.

P.O. LINDSAY:

Yeah, I know, I put your card back in his spot. Are you going to be here?

MR. BREWER:

Oh, okay, I'll wait.

P.O. LINDSAY:

Are you going to be here?

MR. BREWER:

I'd really like to go if --

P.O. LINDSAY:

Go ahead, talk.

MR. BREWER:

Thank you very much; we had it kind of staged in a special order. I'm Michael Brewer, Acting President of the Flanders, Riverside and North Hampton Community Association, known as FRANCA, would like to address the County Legislators here today with two main issues: Number one, share

the burden of housing sex offender trailers; and number two, sex offender trailers -- sex offenders should not have the same rights as the homeless. Before I continue, everybody that's here today, my colleagues, could you please stand in support for these two main issues that we're discussing here today? As you can see, we brought a lot of people.

In reference to number one, share the burden. The intent by the Department of Social Services was to house these sexual trailers for several weeks at a time and then relocate the trailers to other destinations in Suffolk County, as stated by Greg Blass, Chief Deputy Commissioner of the Department of Social Services. Well, it seems to Southampton Town residents, the trailers have found permanent resting grounds at the Suffolk County Jail parking lot in Riverside and at the County Firing Range in Westhampton. I must state for the record this is unjust and inhumane to burden one town with the threat of these convicted homeless sex offenders.

We were told they must leave the trailers at 7:30 in the morning by contracted taxis hired by the County to drive them back to the towns where they originated from to look for jobs and housing. What most people don't understand is that there is no way to force these sex offenders to get in to these taxis, therefore opening the doorway to walk right downtown to feed on our local schools, parks, libraries and family attractions as if bait for the taking. Wherever these homeless offenders originated from should be where their housing is. We don't want -- we do not want to be labeled as NIMBY's, meaning Not In My Backyard; we understand nobody wants this in their backyard, including most of you 18 Legislators. It's only fair to ask each Legislative District to share the burden. Southampton should not be the only town carrying the weight of the County. In each district, if we were to house the trailers for one month, the other districts would not see these trailers again for at least a year and a half. Therefore, not concentrating the sex offenders in any one community and, therefore, sharing the burden.

In reference to number two, sex offenders should not have the same rights as the homeless. First and utmost, why should these offenders have the right to be anonymous in our communities? They must register with the local police as required by Megan's Law, whether they're staying in the trailer for one night, every other night or ten nights. There should have been a County requirement just to stay in the trailers in the first place. We do not know who these sex offenders are or what risk of level of danger they present to the community.

I can't even show my girls who are here with me today over there these pictures of these people. This in my eyes should have never happened, and thank God there hasn't been a repeat offense yet.

I understand that our State representatives have proposed legislation and hearing from Supervisor Heaney today, we're stepping in the right direction. I also understand that current County legislation introduced to add libraries to the quarter-mile radius restriction and is sponsored by Ed Romaine and supported by Jay Schneiderman and maybe most of you here today, but I understand that was sent to committee; I ask why? This should be a no-brainer, the libraries should be added.

It seems if the County is required to house these sexual offenders by State law, then the County should revamp its program and procedures to protect us first and the homeless sex offenders last. The spill-out from the jail alone has impacted our hamlets tremendously for many years.

P.O. LINDSAY:

Could you wrap up, Mr. Brewer, please?

MR. BREWER:

Yes, I have one more sentence here. Through Supervisor Heaney's efforts and hard work through the community, we have brought services like the State Police Barracks, the Suffolk Federal Credit Union and hopefully an \$11 million project called the Riverhead -- River Catwalk Project that might be in jeopardy now due to homeless sex offender placement of trailers. This affects us economically and socially. We are continually dumped on and it jeopardized every accomplishment that we strive for.

I ask you, our elected Suffolk County officials, to share the burden and don't give convicted homeless sex offenders the same rights as the homeless. Thank you very much.

Applause

P.O. LINDSAY:

Carl Iacone followed by Rich Naso.

MR. IACONE:

Carl Iacone, President of the Bayview Pines Civic Association, Flanders.

LEG. LOSQUADRO:

Could you pull the microphone down a bit, sir.

MR. IACONE:

Sure.

P.O. LINDSAY:

You've got to bring it right to your lips; there you go.

MR. IACONE:

Don't take that off my three minutes. Can you hear me now?

P.O. LINDSAY:

Yes.

SEVERAL AUDIENCE MEMBERS:

Yes.

MR. IACONE:

All right. Good morning, everyone. My name is Carl Iacone and I am the President of the Bayview Pines Civic Association in Flanders. I made up this speech in 20 sections which I'd like to present to this representatives so that this can go on record --

P.O. LINDSAY:

Could someone from the Clerk's Office pick up Mr. Iacone's speech, please?

MR. IACONE:

Would you give that out to each one, please --

MS. ORTIZ:

Yes.

MR. IACONE:

-- so that they can keep it on the record, and I have one for myself. Generally I don't -- I speak from the heart, but they told me to write it down because of the limitation of three minutes, so that's what I did; so here it goes.

I guess it is of no wonder to you my holding this sign in my hand which reads, "Share the burden". Most of the previous speakers before me have expressed the same feelings. This rally has been gathered by all these people, sitting and standing, to express that same message, share the burden. We are not asking for something that was not promised. In Mr. Levy's speech -- by the way, whom I voted for in the last election and whom I consider to be a man of his word -- he so stated that these trailers for sex offenders would be moved from one area to another on a monthly basis, and every area in Suffolk County would be included in his plan. We are now asking Mr. Levy to keep his promise and not place the entire burden on the Town of Southampton. Share the burden.

This is not an easy problem to solve. The simple fact, no one wants these trailers in their area, so if it has to be done Mr. Levy's way, then let the burden be shared by all and not just Southampton. We are before you County Legislators to alert Mr. Levy to our plight and our feelings in this matter. We are here not to scream and yell but to get a message across, share the burden.

The second condition I would like to address is on an amendment to the law that you as County Legislators can accomplish. Sex offenders should not be treated as homeless once they serve their times terms they should be, put in to a separate category and not be considered as homeless; this would take away the shielding laws that now protect them. These laws are very important to people like us where it shows the government is working for the people and not against the people. But most important, it would make our areas much safer for every one. Here is a little case in hand of what I mean. My granddaughter is going to college to become a teacher; she was supposed to enroll in Suffolk Community College this fall to further her education. Upon learning what the County is intending to do with these sex offenders and how close they are to the proximity of the college, she changed her mind as to enrolling in the college. This is called fear and it should not happen in this country, especially after 9/11.

We, therefore, ask you as County Legislators, and Mr. Levy as County Executor (sic), listen to our pleas and make this a situation everyone can live with without fear. I thank you all.

Applause

P.O. LINDSAY:

Thank you, Mr. Iacone. Rich Naso followed by Pauline Sandman.

MR. NASO:

Good morning, Legislators. Good morning, Presiding Officer. I'm going to take the advice of the Presiding Officer and cut some of my speech short --

P.O. LINDSAY:

Thank you.

MR. NASO:

-- because this will be a little redundant with what Mike Brewer had stated. My name is Richard Naso, I live in the Flanders area, I'm currently the Chairman of the Northwest Alliance. The Northwest Alliance consists of the community leaders throughout Flanders, Riverside and North Hampton. The ten associated organizations are MacLeod's Mobile Home Association, the Flanders/Riverside/Northampton Community Association, the Bayview pines Association, the Water's Edge Civic Association, the North Hampton Civic Association, the Parkview Mobile Home Association, the Flanders Citizens Advisory Committee, the Flanders Little League and representation from Flanders Ambulance and Flanders Fire Department. All total, we're about three to 400 strong.

What I would like to bring to your attention, this group of community leaders would like to express to you, the County Legislators, their concerns regarding the issue before us; the homeless sex offenders living in our area. We collectively agree that the location of these trailers seem to be too close to the downtown area that's in progress of revitalization. We feel the location might seem perfect at first glance, the Suffolk County Jail area, with security, but upon further investigation, who's really watching during the daytime? How do we monitor them? Where are they, who are they, are they blending in to our community during the day? We need your help. It's not us against you but all of us working together to find an amicable solution that meets our communities' needs.

Most of you are either parents or grandparents, you know this is all about protecting our most important commodity, our children; no one will ever disagree with that. We need you to find an alternate location or to do what was promised to us, rotate the trailers. As our slogan suggests, share the burden; this should be shared equally among all districts in Suffolk County, not just ours.

A quick note. We in the community are like the troops on the ground in Iraq; we know what's going on in our streets, unlike the Generals in Washington. We know that more undesireables living in and around our community burdens and distances the community's chances for a safer environment. Most of you don't know -- most of you don't know, but all the troops on the ground will tell you this fact; inmates getting out of the Suffolk County Jail usually have nowhere to go but around the corner and wind up mixing in to the local area. This is why you know -- this is why we need you to know more facts so you can take a different position and reconsider the relocating of these trailers.

Some final questions to you to think about; why is the Department of Social Services so adamant about leaving the trailers in the Riverhead area? Are they now dictating policy to the Executive and Legislative Branches? It sounds --

P.O. LINDSAY:

Mr. Naso, your time is up. If you can wrap up, please.

MR. NASO:

One sentence?

P.O. LINDSAY:

Your time is up.

MR. NASO:

Okay, thank you.

Applause

P.O. LINDSAY:

Pauline Sandman and Jerry Collins is on deck.

MS. SANDMAN:

Good morning. My name is Pauline Sandman and I'm here wearing two hats. The first is I'm President of MacLeod's Civic Association; would the residents of MacLeod's please stand up? Thank you. We are here in support of what all the previous speakers have said, I will not repeat all of that. But we just want you to know that we have seniors, we have our grandchildren visiting, our children, and we want the Legislature to please have Super -- I'm sorry, Executive Levy to have the other towns share the burden. That's all we want and we would appreciate it if you would consider that.

P.O. LINDSAY:

Thank you.

MS. SANDMAN:

I'm also here as President of the Mobile Homeowner's Association of Suffolk County. I don't know if any of you know, but we have been trying to push the right of first refusal and some of you Legislators have been trying to do that for us, Mr. Romaine and Mr. Lindsay and hopefully some of you others. I don't know if any of you are aware, we've had problems where developers come in and buy the park and then we have no homes.

Are you aware of what's happening in Syosset Trailer Park which is in Nassau County? It's the only trailer park, they have been sold to a developer who will eventually put in some sort of condos or whatever; it's prime real estate on Jericho Turnpike. I own a home in that park, my son lives in that home. I purchased it in 1997, a brand new home, I said, "Here is your inheritance." Well, by the looks of it, his inheritance is going to go down the drain as well as other people in that park. Some of them have mortgages yet for five years. Now, this owner, he has given them a lease and in the lease it says, "As of September 1st, their rent will be \$750 a month." Right now they are paying

545, as of March 1st the rent will be \$1,000. As of September 1st, they are to vacate and take their trailers or their homes; mine is a manufactured home.

I believe Suffolk County once had this Right of First Refusal and it's not recognized anymore. Please, you've got to help all the residents in Suffolk County and Nassau and in New York State by pushing this bill; we hope you will do it. Thank you.

Applause

P.O. LINDSAY:

Thank you, Ms. Sandman. Jerry Collins followed by Beverly Rood.

MR. COLLINS:

Good morning. My name is Jerry Collins, I am the Vice-President of the Remsenberg-Speonk Union-Free School District. I have letters here from Mr. Lynn Schwartz, Superintendent of Schools for Westhampton Beach, as well as a letter from Mr. Joel Peterson who is the president of the Remsenberg-Speonk School District; I'd like those to be distributed, please.

I'm here representing the school districts in the area of the trailers in Westhampton. We have -- every school board that I have spoken to that's belonged to the Network Council of Westhampton Beach which is made up of school districts from East Quogue, Quogue, Remsenberg, Speonk and Westhampton all agree that these trailers are a threat to the welfare of our children.

As elected school board officials, we request this County Legislature to amend their program to abide by the Megan's Law and make notification to the school through the Police Departments and to help us, as elected officials, protect the safety and security of our children. I'm not going to read these letters, you can all pick your time and read them when you have the opportunity, but I implore you to change this program and share the burden throughout all of Suffolk County. Thank you.

Applause

P.O. LINDSAY:

Thank you, Mr. Collins. Beverly Rood or Road, and Al Algieri is on deck.

MS. ROOD:

Hi. My name is Beverly Rood, I am a member of the Speonk-Remsenberg Civic Association, I'm also a mother of three children in local schools. I have here a letter written by Robert Mozer who is the President of the association and it basically says everything that you've been hearing, so in the interest of time I am not going to read it, but I am going to just submit it.

Applause

P.O. LINDSAY:

Thank you very much, Ms. Rood, I appreciate that. Al Algieri followed by Robert Long.

MR. ALGIERI:

Good morning. Al Algieri, the President of the East Quogue Civic Association. As Supervisor Heaney explained, a number of years ago we had an influx of homeless living in one major motel in East Quogue. Our quality of life changed, our schools were hurt, our emergency vehicles couldn't work, they were working 24-hours a day. Our merchants were threatened on a daily basis; that's what happened because of the secrecy.

So all I can say, not to repeat what everyone else has spoken about, these trailers have wheels on them, let's get the wheels rolling where they belong and where they're less hazard only to a small community. I thank you very much.

Applause

P.O. LINDSAY:

Thank you, Mr. Algieri. Robert Long followed by Julia Lofstad.

MR. LONG:

Good morning. My name is Robert Long, I am the Principal of East Quogue Elementary School. I am also a father of two school-age children in the Hampton Bays School District.

I urge to you, this morning in the interest of time, to listen to what the citizens have said to you. Please always keep in the forefront of your mind our most valuable and our most precious resource and that is our children. Thank you for your time this morning. Have a great day. Thank you.

Applause

P.O. LINDSAY:

Thank you, Mr. Long. Julia Lofstad, followed by Bob McAlevy.

MS. LOFSTAD:

Hi, good morning. My name is Julie Lofstad. I have two letters, one on behalf of the Hampton Bays PTA which I am Vice-President of and one on behalf of the Westhampton Beach Toddler Park Committee; if they could be passed?

Again, I don't want to repeat and take a lot of your time. I am also a Mom of a seven year old. I think this is a very important issue. We have to realize that sex offenders are sex offenders first, not homeless first. We need to protect our most innocent constituents. Please, if we have to err, let's err on the side of caution to protect our kids. Thank you.

Applause

P.O. LINDSAY:

Thank you, Ms. Lofstad. Bob McAlevy followed by Kerry Wilke.

MR. McALEVY:

Hi. My name is Bob McAlevy, I'm a member of the Board of the Hampton Bays Civic Association. I have a Vice-President who writes better than I speak, he has written out our statement, so I'll just hand it in. It doesn't cost the County anything, we already paid for the reproduction. And I just say, I completely endorse --

P.O. LINDSAY:

Please speak into the mike; thank you.

MR. McALEVY:

I completely endorse what these previous speakers said. And to be quite honest with you, I'm so emotionally upset about this issue, I can't really make any sense about it. Thank you.

Applause

P.O. LINDSAY:

Thank you.

MR. McALEVY:

Share the burden.

P.O. LINDSAY:

Kerry Wilkie followed by Andrea Spilka.

MS. WILKIE:

Hi. My name is Kerry Wilkie, I'm the Co-President of the Hampton Bays Mother's Association; I also have a letter from my Board of Directors, if you can kindly hand it out.

Again, I will not repeat what everyone is saying. I'm here representing our most vulnerable, our children. The identification of these people are very important. Over Christmas, we had a sex offender come to a Santa Breakfast, and because he was able to be identified, he was escorted out and the Police took care of it from there. We need to know who these people are and we need to keep our children safe.

Thank you.

Applause

P.O. LINDSAY:

Thank you very much. Andrea Spilka and Ginny Munger-Kahn is on deck.

MS. SPILKA:

Good morning. My name is Andrea Spilka and I think I'm the last of our group, you'll be happy to know; although there are many more who could have been here but because of the hour were not able to.

We certain -- I'm the President of the Southampton Town Civic Association and I appreciate your time to listen to all of us on something that we consider so important. I have a letter that I'd like to read from Maryann Johnston who's the President of ABCO, one of the -- as you probably know, she's a pistol and she's in --

LEG. ROMAINE:

She is.

MS. SPILKA:

And is the President of all of the civic organizations in Brookhaven Town. Her letter says, "The Affiliated Brookhaven Civic Organization respectfully requests that the County take steps to modify and adjust legislation permitting sex offender housing in trailers exclusively within any one of the ten towns of Suffolk County. ABCO believes that when burdens and problems are shared by all communities, they can then be faced and solved by these same communities. Should this policy be implemented, all areas within Suffolk County must share the burden of housing homeless sex offenders."

"The highest function of government is the protection and security of its most vulnerable citizens. The homeless status of known predators cannot form a basis for waiver of registration requirements, nor can it justify placing all such homeless sex offenders in any one community. Homeless status of predators must be subordinate to the security of residents. ABCO supports imposing as a condition of cost-free trailer housing provided by the Department of Social Services that all sex offenders continue to register with Police as required by Megan's Law. The County must be mindful that any steps taken -- that any steps it takes to house offenders include the imperative that the offenders be treated as sex offenders first."

I'm skipping through in the interest of time. "Please consider our letter as an appeal to adjust the details surrounding the housing for homeless convicted sexual predator policy. Society and the public long ago determined that it had a right to know the identity of convicted sexual predators and their addresses within our communities; that right to know presupposes a forfeit of the privacy rights that are normally afforded homeless citizens. No one town, area or community should be set aside for placement of sexual predators in homes, apartments or County supplied trailers."

"Every community of our ten towns needs and deserves the broadest protection from known

predators. There is simply no greater ethical or moral imperative than to take all steps to ensure that protection and security."

I also have a letter from an organization in Southampton Town --

P.O. LINDSAY:

Your time is up, Ms. Spilka.

MS. SPILKA:

Okay, I just have two last comments. We appreciate your time today. We're not saying not in our backyard, we're saying not only in our backyard. We're not saying that these individuals are not entitled to housing, we're saying that we should know where they are.

Please, again, you've heard from people who have spoken much more eloquently than I have this morning to say please, do what you can, and the important thing that we're asking is that you do it immediately. I think what we're most concerned about is the timing factor. I don't know if you know that the trailer in Westhampton has been there since February. Thank you very much. I appreciate it.

Applause

P.O. LINDSAY:

Ms. Kahn followed by Sal Frasca.

MS. MUNGER-KAHN:

Good morning. My name is Ginny Munger-Kahn and I am the President of the Long Island Dog Owner's Group. Can you hear me? I'll hold it up. I want you to know that out of respect for your full agenda, only a couple of us will speak today on behalf of our dog owning supporters, and I know you'll be happy to hear that, and we promise to be brief.

I am here today asking for your support for IR 1467. The bill allows for the creation of dog parks for people who need off-leash areas where fences are not possible.

LEG. MONTANO:

A little louder, please.

LEG. CARACAPPA:

Mr. Chairman?

MS. MUNGER-KAHN:

I'm here asking for your support for IR 1467. The bill allows for the creation of dog parks for people who need off-leash areas where fences are not possible; these areas already exist across Long Island, but mostly on an informal basis. This bill will make these limited, yet much needed off-leash areas legitimate while giving the County greater control over when, where and how they are established.

I want to thank the members of the Parks Committee who, after a thorough discussion last Wednesday, voted this bill out of committee unanimously. I would like to extend an offer to all of you interested in dog parks to reach out to us at LI Dog. We've done literally thousands of hours of research on dog park and spoken with dozens of Parks Department officials across the country and we'd be happy to share with you what we have learned about what makes dog parks successful.

Finally, two years ago we made it our goal to make dog parks part of the fabric of life on Long Island, as common as going to the beach. Today, thanks to this initiative by Legislator Steve Stern and with your support, we will make that dream a reality for the 600,000 Suffolk residents who own dogs. Thank you so much for your time, attention and your support.

Applause

P.O. LINDSAY:

Thank you, Ms. Kahn. Mr. Frasca is up next followed by Steven Walker. But before you take the mike, it's eleven o'clock, I need a motion to extend the public portion.

D.P.O. VILORIA-FISHER:

So moved.

P.O. LINDSAY:

Motion by Legislator Viloria-Fisher, seconded by Legislator Eddington. All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen (Not Present: Legislators Romaine & Alden).

P.O. LINDSAY:

Sal Fresca.

MR. FRESCA:

Good morning. My name is Sal Frasca, I'm the Executive Director of the National Marriage Centers and the Director of the Children's Rights Council of Long Island and I'm here in support of MR 51, the presumptive Shared Parenting Bill.

At our facility we run an access center which means we provide services to the non-custodial parents on Long Island, and these children are put in a situation because of some special interest groups that believe that one child -- one parent, excuse me, should have sole rights to that child, and that's a travesty because what we see in our agency is that the children come in and there's a lot of trauma. We make sure that the parents are separated by 15 minutes before they exchange the child. One of the problems is when a non-custodial parent goes to a home to pick up their child, there's usually a confrontation of some sort, and that's standard. I'm surprised why that -- why that would happen because at one point, that parent was a fit parent and then all of a sudden it becomes a non-fit parent, which is not logical.

Think of it from the child's perspective. When a child wakes up, goes to sleep one evening, he has two parents; the next day he wakes up, he has only one parent, and usually the non-custodial parent is removed from that person's life, from that child's life. When you remove a parent from a child's life, that's a very traumatic thing for a child, they don't understand that. If he was five years old, six years old, eight years old, that's trauma that they really do not understand. They need both parents in their lives.

As you heard earlier today, it's a -- four eyes are better than two; it prevents all of the things that happen to children in our County. And statistically we know that children do better with both parents in their lives; they do better in school, they're less likely to do drugs, all of those things that hurt our society. We're not saying that everyone has to stay together, but what we're saying is that children need both parents. And in order to keep them involved in their lives, because they are involved in their lives all the way through, through their birthdays, their graduations, their weddings, the birth of their next set of children, then their grandchildren; you need presumptive shared parenting so that that child has the benefit of both parents.

Thank you very much. I urge the passage of MR 51.

Applause

P.O. LINDSAY:

Thank you very much. Steven Walker followed by Joseph Cavalieri.

MR. WALKER:

Good morning, Ladies and Gentlemen. I stood before this Legislature in 1995 -- I'm Steven Walker, I live in the Village of Shoreham. I was here then to address the Legislature for the purposes of then supporting the Shared Parenting Bill which has a history that goes back to Suffolk County which was called the {Harriman or Hammerman} Bill.

In 1995, the Legislature unanimously endorsed the Shared Parenting Bill; it did so again last year. I urge that same proposition be put forth today and have some sort of effect on the Legislators in Albany right now. I listened today to the people behind me, who are now mostly in the hall, talk about sharing the burden, and I agree that that's what the issue really is. MR 51 will share the burden of raising children between two fit parents; anything to the contrary is frivolous and no consequence.

As a citizen of this State and a resident of Suffolk County and a member of the community-at-large, I'm also going to say that I completely endorse what I've heard hither to with respect to sharing the burden of Suffolk County for the purposes of sex offenders as well as having a due process, right of notification should a sex offender live in the community. Thank you very much.

P.O. LINDSAY:

Thank you, Mr. Walker. Joseph Cavalieri followed by Johan McConnell.

MR. CAVALIERI:

Good morning, Legislators. Joe Cavalieri, Laborers Local 66, I'm here in support of Resolution 1410. We all know construction work can be dangerous, even more so when working on an elevated platform such as scaffolding. In today's competitive environment, safety is sometimes compromised for speed to complete the job putting workers at risk. I hope this resolution will make contractors take the time to maintain a safe work environment for their employees. Thank you.

P.O. LINDSAY:

Thanks, Joe, for being brief.

LEG. LOSQUADRO:

Thanks, Joe.

P.O. LINDSAY:

Johan McConnell followed by John McConnell.

MS. McCONNELL:

Good morning. Thank you for allowing me to have the time to speak. I'm Johan McConnell, I'm President of the South Yaphank Civic Association. The South Yaphank Civic Association supports IR 1467 and IR 1450.

As an owner of six Labrador Retrievers, I know the benefits of having a well exercised and well socialized dog. I originally lived on one -- on a quarter acre piece of property in East Islip. Six years ago I moved to Yaphank; my criteria for buying my house was it had to have a minimum of an acre so that my dogs would have a space to exercise.

The community of South Yaphank is excited about having a dog park in Southaven Park. This is a facility ideally suited for IR 1467, there are many large fields bounded by trees and bushes where it would be easy to have natural boundaries.

Two years ago the Civic Association had a member of the Probation Department speak at our Civic Association, the civic was very impressed with the work that the Probation Department performs. It was clear at that time that hiring more officers would in the long run save the County money, therefore the South Yaphank Civic Association would ask that you support IR 1450. Thank you.

Applause

P.O. LINDSAY:

John McConnell followed by Joseph Montalmbo (sic). Go ahead, John.

MR. McCONNELL:

Good morning. I support -- my name is John McConnell, member of the South Yaphank Civic, obviously, and I support or we support all that's been mentioned before about the -- to do something about the tick diseases out there, about the sex offenders here, about the dog parks and some of the other things that were brought up. You know, we elect you people to represent us and to do -- you know, to do what's right for the community or different communities.

I would like to bring out a real quick point, because it has bothered us in our community, concerning the dissemination of misinformation; and this concerns the Trap and Skeet, by the way, okay? There was a meeting in July of '05, okay, County Executive Levy said that -- someone asked him, "What's going on with the Trap and Skeet," and he said, "Nothing is going on because we have to resolve the difference with the town," meaning the noise, you know, code violations. Well, after the election, the County started working, you know, in the range to get it ready, so I don't know what transpired there.

The Trap and Skeet is involved in litigation, as you all know, that was predicted. The vendor is suing the Town of Brookhaven, it's now suing the County also and we think it's a bad idea to reopen this. It belongs in a different place, we're not against, you know, the shooting range or whatever. We want to protect the core, this is in the core preservation of the Pine Barrens, move this range.

Also, the Town of Brookhaven has also participated in dissemination of misinformation about the motion about the Pine Barrens; I won't go into details about that. But I support what was going on before concerning what all the residents brought up. Thank you very much. Bye.

P.O. LINDSAY:

Thank you, Mr. McConnell. Joe, come on forward, and followed by Dennis Rogan.

MR. MONTALBANO:

Good morning, Legislature. My name is Joe Montalbano, I represent Laborers Local 66. I would just like to speak on behalf of Resolution 1410. Rather than boring you with statistics on this passing, I just want to talk about a few things.

You know, every day our family goes shopping, they'll go in to a town or to the mall, there's huge scaffolding set up around a building, the building is open and in use, and our family is constantly going through these places. These scaffoldings hold a lot of weight, materials, they have to hold the workers, it has to be a safe environment for the people in the County of Suffolk, it's a very important thing.

You know, the scaffolding accidents in the County and in the country are very high on a lot of projects where there are people that aren't trained in the use of the scaffolding. By passing this resolution, the County would be a safer place for the workers, the families and the kids. Thank you.

P.O. LINDSAY:

Thank you, Joe. I appreciate your brevity. And I have a feeling it was Denise Regan, is that it?

MS. REGAN:

It's true, it is Denise.

P.O. LINDSAY:

Yeah, I'm sorry about that; I didn't make out your handwriting.

MS. REGAN:

Hi. My name is Denise Regan and I've been a full-time resident of Suffolk County for most of my life. In 1976 I had my first bout of Lyme Disease, which at that time they called the Hampton Fever, which I recovered from. Several years later my son, at six years old, got Rocky Mountain Spotted Fever, another tick-borne disease. And having watched a lot of Saturday Afternoon at the Movies and seeing ill children, that when the sun rose they got better, I thought that would happen and it didn't, he was sick for ten days with a 105 fever and it was just horrible.

Now, last year we moved to Shelter -- from East Hampton to Shelter Island three years ago and last year I started, a year ago last December, getting a stiff neck, didn't think much of it; well, by August I had Acute Meningitis caused by Lyme Disease and began a series of {Resuferan Daily Infusion Therapy for Lyme Disease. I also lost my memory, really thought I was going to die, and it cost huge amounts of money for my eight weeks on {Resuferan}. Also, every nurse that came to see me on a daily basis to check my IV said that this is a plague that no one seems to be talking about, and a plague that is costing everybody on many levels, both physical, economic and psychological.

Again, we spray our -- we're very careful and fastidious about our lawns, spraying them, but I happened to go to a meeting at a country club the other day and got a tick bite. So at any rate, I think Four Poster, it seemed to have worked in Colorado for Rocky Mountain Fever, hopefully it will work for us. Killing deer doesn't, it seems that then they find another host and we get things like Hanta Virus which on Shelter Island there have been two incidences of in the past. Please, try to get us the Four Posters. Thank you.

Applause

P.O. LINDSAY:

Thank you, Denise. John Picker followed by Michael Bruno.

MR. PICKER:

Good morning and first thank you for extending the session so we don't have to travel to and fro, we really appreciate it. My name is John Picker, Denise is my wife, and I just want to put some dollars to this real quick for you, this won't take but a second.

Denise said that she was sick most of last year, she became incredibly ill by October, she was on IV therapy for two months. When I totaled up not only what we had paid but the insurance companies had paid for our doctors appointments and IV therapy, it was over \$28,000. That excludes her time from work which if you were to add that to it, you come up with the minimum cost for this disease for one person, one occurrence, was somewhere in excess of \$50,000. We needed to \$150,000 for the Four Poster.

If you do it for no other reason than the pure economics of it, we encourage you to support the Four Poster both in terms of regulations and both -- and also with your financial support. Thank you very much.

Applause

P.O. LINDSAY:

Thank you, Mr. Picker. Michael Bruno. No, no Michael Bruno in the room. Bob Wieboldt? I know he's here, followed by Rebecca Moll.

MR. WIEBOLDT:

I always wanted a chance to be on deck.

P.O. LINDSAY:

I assume you're here to talk about ticks?

MR. WIEBOLDT:

No thanks, or sex offenders, just 1410, that's the resolution that would establish a 32-hour training program for supportive scaffolds.

You know, with all due respect to my friends in organized labor, they all see this as a very good labor safety bill, but they ought to read it. This bill is a copy, almost verbatim, for a New York City proposal that starts at 40 feet and goes up. It has a 32-hour training program, three-quarters or more of which is dedicated towards kind of scaffolds that aren't used at all in low-rise construction; in other words, these are the guys that climb up on sky-scrapers, you know, that hang up 10, 15 stories that occasionally fall down.

So what we've got is a training program that is 32-hours long which is excessive for OSHA training for, you know, scaffolds that would typically be used, pole jacks or ladder-scaffolds on low-rise construction. It's the wrong program. I don't know if it's OSHA approved, I checked the OSHA website and it's not even listed. There's an eight-hour refresher course that they take in New York City, but the New York City bill has something that my friends in labor left out, a four-hour requirement for people that walk on scaffolds and work off of them. What's in this bill is a training program for people who erect scaffolds, move them, take them down and dismantle it; it says not a single word about the people that are up on roofs or working up at the 20 foot level; that's a deficiency, a significant deficiency.

One wonders why the course is being pushed of this kind, because it's been offered in the city and it was offered -- it was enacted in Oyster Bay, again, exempting low-rise, residential construction. There is no point in taking people to a 32-hour course and sitting there learning about scaffolds they'll never work on. If you want to protect workers, you also say something, don't you, about who pays for the course? This bill would say that a worker, in order to do this kind of work and erect a scaffold as part of the course of his business -- you know, in working in a house, for example, or a home modeling -- would have to take a 32-hour course. Does he have to do that on his own time or should the employer be required to provide it? That would be a simple measure.

I think what I'm pointing out is the significant technical errors and deficiencies in the bill as it stands. This industry does not seek an exemption for low-rise construction. What we seek, I think, and I think would help more workers in a shorter period of time, is a duration of eight hours or less, a training program on fall protection as well as setting up scaffolds. Our National Home Builders has a curriculum that takes less than a day that goes through, in English and Spanish if I dare say that here, all the aspects of fall protection working above 20 feet, or actually above 10 feet. We're trying to do this and it's about four hours on fall protection and two or three hours on scaffolding.

OSHA nationwide has a 30-hour training program on all aspects of safety and a 10 hour program. And the law nationwide says that one person, as superintendent of a job site, has to take the course, not every worker. Now, you could be breaking new ground and helping real workers if you mandated for low-rise construction an eight hour course including work on the safety on the scaffolds used in low-rise construction that would cover the workers who work above their heads; there's not a word about those guys in there.

P.O. LINDSAY:

Could you wrap up, Bob?

MR. WIEBOLDT:

Okay, this is only for workers who erect or maintain scaffolds. Further, you could only get the course through union apprenticeship programs or licensed trade schools and an organization like LIBI or the National Association of Remodeling Industry is essentially barred from offering this to our members as we are now doing.

So therefore, we urge you to delay this, rethink about it and pass something within the same context for low-rise residential construction. If you want to imply this for high-risers when they happen like the Court House in Islip, things like that, you may need this kind of training, 32-hours

for scaffold erection and demolition; you do not need it for anything else and you should be protecting the workers who are using it, not just the workers who put it up or take it down. Thank you very much.

P.O. LINDSAY:

Thank you. Rebecca Mowl followed by Joseph Klummer, Klimmer?

MS. MOWL:

Can you hear me okay?

LEG. LOSQUADRO:

Pull it down.

P.O. LINDSAY:

Yeah, you have to speak right into the mike; I'm sorry, Rebecca.

MS. MOWL:

No problem. My name is Rebecca Mowl and I'm with the Long Island --

UNKNOWN AUDIENCE MEMBER:

We can't hear you.

MS. MOWL:

Oh, sugar.

P.O. LINDSAY:

No, not at all. Right there, yeah.

MS. MOWL:

Long Island Federation of Labor?

P.O. LINDSAY:

No, closer to you.

MS. MOWL:

Long Island Federation of Labor.

P.O. LINDSAY:

Yeah, there you go.

MS. MOWL:

Yeah. I just wanted to thank you for this opportunity to come here and speak in support of Local Law IR 1410. We are here to support this piece of legislation because it is important to the safety of workers and important to uphold the responsible safety regulations within the construction industry in Suffolk County.

We applaud this legislation for strengthening the New York State Labor Law, Section 240 which imposes absolute liability on contractors and work-site owners who neglect to provide adequate safety regulations including --

D.P.O. VILORIA-FISHER:

Rebecca, can you yell?

MS. MOWL:

Including design, construction and inspection of scaffolds. We believe it is common sense that

everyone who is working with scaffolds has passed an OSHA training course as provided in this legislation. It is vitally important that economic development in Suffolk County proceeds in a way that protects our safety on the job. That's it.

P.O. LINDSAY:

Thank you very much, Rebecca.

MS. MOWL:

You're welcome.

P.O. LINDSAY:

Joseph Klimmer, are you here; Joseph? No. How about Denna Cohen; is Denna Cohen in the room? Please come forward, Denna, followed by Lisa Tyson.

MS. COHEN:

Good morning. I'm Denna Cohen from Mothers Against Drunk Driving and I'm here to speak to you about under-age drinking. It is something that is very serious, in Suffolk County and all over the state. We need to pass some sort of legislation that makes this a serious crime.

Right now if an under-age person, a person under the age of 21, is drinking and driving, standing on a corner and drinking, nothing happens, they basically get a slap on the wrist. There is a law against under-age drinking; we need to take action. I think these people need to go to jail. If you're 18 and you are walking around the streets waving a gun, you are prosecuted as an adult; if you are 18 and you are drinking you are prosecuted as a child. It makes no sense. Eighteen years old, 16 years old, you are an adult and you should not be drinking and driving. They take away your license for six months? Well, whoopy doo, six months, that's all that happens. It is illegal and that should be it, that should be enough, but as it stands today it's not and something very serious needs to be done about this.

Too many of our young people are dying for no reason at all, other than they're consuming alcohol. Parents are allowing it in their homes, shop-keepers are selling alcohol to under-age people, they need to be prosecuted severely as well. A small fine of \$200 or \$250? Well, big deal, so Dad writes a check, "Leave me alone"; that is ridiculous. We need to protect the community against drunk drivers, no matter what age they are, 18 or 80, it's the same thing.

So please think about this strongly. We all have families, we all have people we love, it's not just me and it's not just the people of Mothers Against Drunk Driving. We all have loved ones and we don't want to lose any one of them to a drunk driver. This past Saturday was just 18 years that my daughter was killed by a drunk driver, 18 years and that hole in my heart still hasn't even begun to heal, it never will, and I don't want anybody else in this room to feel that pain. And you all have the power to do something about it, so do it and save your own families as well as the families of this County. Thank you.

LEG. CARACAPPA:

Thank you.

P.O. LINDSAY:

Thank you, Denna. Lisa Tyson followed by Julie Penny.

MS. TYSON:

Good afternoon; I think it's afternoon, or morning, I don't even know anymore, it's been an eventful morning. So my name is Lisa Tyson, Director of the Long Island Progressive Coalition and I'm here for two things, I'm going to go through the shorter of the two first.

One thing that is being handed around is a packet. We have a project called the Managed Care Consumers Assistance Project, so when someone is denied from their HMO we help appeal that denial through volunteers that we have at our office. For instance, someone was denied a portable

oxygen tank so they could actually leave their home; their HMO denied that and we fought that successfully. Seventy percent of the people who appeal their denials win, the HMO's are denying people with the understanding that this is wrong and if they did appeal they would win but they're doing that to save money. So we're just using this as a service to your constituents; anyone who calls saying they have this problem, we'd love to help them out with that problem.

The other thing that we're here for today is repowering Long Island's power plants. There has been a new coalition formed called RePowerLI, the Coalition to RePowerLI, and the Town of Babylon, Steve Ballone is a member of the coalition, the Sierra Club, Community Health and Environment Coalition of Long Island, and so far we have, you know, 30 organizations throughout Long Island, I think 20 elected officials and now we're reaching out to unions. So everyone says that repowering is the thing to do, but nothing has happened on this issue. There's been so many elected officials, so many organizations calling for repowering for over five years now and not one single megawatt has been repowered.

Repowering, basically there's two ways to repower and it's to basically either build a new power plant on the existing power plant site or to upgrade the existing power plant. We see this as a win/win situation for people, in the areas where they have the power plants, they actually want to keep their power plants because that's paying for a large portion of their property taxes. People in Port Jefferson do not want this power plant to be taken down because that's 50% of their taxes, so they want it; meanwhile, in other areas where there are no power plants, they don't want new power plants. So this is just a win/win situation for the community.

We have sent you, and what you're getting today we have already sent in the past to you, a sign-on letter basically calling for LIPA to conduct a study of the cost, an analysis on repowering for Long Island, to have a citizens advisory panel which really looks into this and says, "From the citizens point of view, does this make sense? We want to support this". And then the third part of it is releasing a study of repowering which is the Lockwood Green Study which was commissioned by KeySpan in 2002, there has been a heavily redacted version in that. And the reason why that's important is because everyone says Port Jefferson cannot be repowered, but apparently in that study it said the opposite, so we want to see this information out there.

So we really need for you to take a different role because unfortunately we do not elect LIPA which, you know, we think there -- that would be a better thing for Long Island because we have more power over LIPA. So we need to gather all of the elected officials, Tom Suozzi just signed on to this last week, we need to gather everyone and fight together. We hope that you join us in this fight. Thank you.

P.O. LINDSAY:

Thank you, Lisa. Julie Penny followed by -- it looks like Mason Haas.

MS. PENNY:

Good morning. Can you hear me?

LEG. CARACAPPA:

No.

LEG. LOSQUADRO:

Lift it up.

P.O. LINDSAY:

There you go.

MS. PENNY:

Good morning. I'm Julie Penny, for the record, from the South Fork --

LEG. ALDEN:

Still can't hear you.

P.O. LINDSAY:

You've got to speak up, Ms. Penny.

MS. PENNY:

Good morning. For the record, I'm Julie Penny from the South Fork Groundwater Task Force and I'm here this morning to express the support of the task force for IR 1511 which is extending the Quarter Percent Drinking Water Protection Program, and also in support of IR 1554 which is a Charter Law to strengthen Water Quality Protection and the Restoration Program. I'm also here to express our opposition to something that isn't on the agenda and that is the spraying of methoprene for mosquitos, and I want to read a brief statement on that.

The South Fork Groundwater Task Force very much opposes any use of methoprene spraying for mosquitos; the spraying is an unnecessary risk. I am attaching a copy of the "Bioaccumulation and Metabolic Effects of the Endocrine Disrupter Methoprene in the Lobster, Homarus Americanus" in which they found that low levels of methoprene had adverse effects on lobster larvae, and a study done by researchers from the Scripps Institute of Oceanography entitled "Larvicide Linked to Frog Deformities" in relation to the spraying of Methoprene in Wilton, Connecticut.

For the last ten years I have been reviewing many various health studies on pesticides and one of the most disturbing revelations is that they are finding that even at extremely small exposure levels, we're talking nanomolars, these chemicals are wreaking devastating havoc on our biology and that of wildlife and our pets; this is especially true of the endocrine disrupters, a class that methoprene falls into.

The old paradigm focused on acute toxicity; how do high levels of contamination affect health? How do they cause cancer? How do they kill directly? How do they overcome the body's defenses, like a massive invading army overwhelming the defenders, simply by brute force and large numbers? Scientists also assumed that there is a threshold level exposure below which no effect occurs; a threshold below which is -- below which it was thought chemicals were safe. Well, the threshold concept has been turned on its ear. The new paradigm of low-exposure levels recognizes that there are other ways that contamination can work and these new bodies of studies have toxicologists alarmed.

In fact, it has incredible --

P.O. LINDSAY:

Ms. Penny, could you wrap up, please? You're out of time.

MS. PENNY:

Okay. In fact, it has incredible implications for the horrifying and unprecedented escalation in the rates of children's learning disabilities, ADD and Autism that is sweeping the nation. As Legislators, your task is to first do no harm; Methoprene spraying is unwarranted. Thank you for your time.

P.O. LINDSAY:

Thank you, Ms. Penny. Mason Haas. Mason Haas? No. Jimmy Rogers?

MR. ROGERS:

Good afternoon, good morning. Jimmy Rogers, DC9 Painters and Allied Trades. I want to speak on behalf of Resolution 1410, the scaffold law.

I spoke at the Public Works Committee meeting, I made a couple of points and I just wanted to share it with the full body here. Since I started ten years ago as a rep going on job sites, a lot of times you'll see scaffolding set up; what it really is is just a platform, there's no guard rails going around it. And in some of OSHA's statistics, one of the main reasons why people fall from a scaffold

is because it's set up the wrong way, there's no guard rails going around and it's just pretty much a platform up in the air.

In our training, we almost try and scare our apprentices and our journeymen into making sure they're safe on the job and erecting things the right way and following -- wearing their harnesses and lifelines and all that stuff, and we have something that's called "Physics of a Fall", I have a copy for everybody if you want to take a look at it. It's pretty interesting, if you fall from different heights, the -- let's say if you're at 25 feet and you're a 180 pound construction worker, you're going to travel at 27 miles per hour and hit the ground at an impact of 10,000 pounds. Even at nine feet, you're going to be going 16 miles an hour when you hit the ground at 3,600 pounds of impact. So the 20 foot height requirement isn't asking too much, 20 feet you're going to get pretty broken up, you might lose your life.

You know, people were talking about maybe having a user certificate or certification. That's good, we would like to have that also, but what good is it if someone has the user certificate and the scaffold that's set up is set up the wrong way? So I'm in full support of this.

I know at the last Public Works Committee meeting, Legislator Schneiderman had some concerns as far as the cost to small mom and pop contractors, residential contractors, constituents of his out east; that's throughout Suffolk County, it's just not out east. And I have the same concerns also, I feel for those contractors. I have friends and neighbors who are non-union contractors, I wouldn't want to see them have a negative impact financially.

The following day I was at a meeting and one of the compliance specialists from OSHA was there and I had asked her what are the costs for this safety training if they didn't come through our program, and she said that they do the training for free, it wouldn't cost the contractors anything. She would get, I guess, a group of contractors together maybe on the east end or in a central location and do the training for them, it doesn't cost them anything. So I don't really think there would be a burden for the contractors.

As far as time, you know, if they would have to miss work, I'm sure it can be done at night where they can go after work. You really can't put a price on safety; everybody wants to go to work, come home at the end of the day in the same way that they left the house in the morning to their families. So, thank you.

P.O. LINDSAY:

Thank you, Jimmy. The last card is Margaret Ribholz.

MS. RIBHOLZ:

Hi. I'm Margaret Ribholz, I work full-time in Suffolk County here on a pediatric floor and I also volunteer with Mothers Against Drunk Driving, and I'm here on the under-age drinking. And why -- it's very important to me that you realize about under-age drinking because not too long ago I had everything in life, you know, the husband, the four children, until an under-age drinker affected my family.

It's -- well, the person that was charged with killing my son had had a crash on the Southern State Parkway a few months before, but he was an alleged drunk driver, he didn't have a prior conviction because it wasn't in the court system yet, so when he killed my son it was a first-time offense. And he did admit to drinking for four days and the couple of hours prior to killing my son.

It's very active out there, a lot of people encourage their children to drink. Right after my son was killed, my youngest was going to go to his junior prom and when I took him to the house that everybody was meeting at, there were kids there and they were drinking and I was very upset by that. And a parent told me, oh, I should relax, you know, they're only Jack Daniel bottles, they're only about 18% liquor or something like that. So they're getting it from the families, some people, it's a very common thing out there, kids are drinking. And like I said, I work on a unit of pediatrics

and I see a lot of kids and they talk to me about what they do and the drinking. They all know it's a misdemeanor, nothing happens, it's a tap on their hand if they get caught driving, pretty much by their families and by the courts. So we need more, we need stuff done.

I never thought it could happen to me and it happened to me. So I ask you to really look closely at drinking and driving because it is a serious crime and young kids don't realize that and they don't -- they know nothing is going to happen to them.

So as far as education, I am a victim's advocate with Mothers Against Drunk Driving and we're in all the schools and we're trying when we go to driver's ed, but we need more help and we need more education and we need these young people that are driving, we're treating them as adults, they should know the rules and they need to understand that there are consequences when they go out and they're drinking. I guess that's what I have to say. Thank you.

LEG. CARACAPPA:

Thank you.

LEG. LOSQUADRO:

Thank you.

P.O. LINDSAY:

Okay, that concludes all of our cards. Is there anyone else in the audience that would like to speak under the public portion; Alex?

MR. STRAUSS:

Yes, my name is Alex Strauss, I'm a retired electrician of 40 years and I'm just listening to this scaffold law. If anybody goes to any construction sites, the unorganized -- the man who speaking before from I guess a --

LEG. ROMAINE:

Builder.

MR. STRAUSS:

-- trade organization was saying the price of cost going on to a small contractor. If you look in the paper, it's these small contractors where people are getting killed because they don't know what they're doing; this here will make it so that they will have to know what they're doing. It's a good law, it will educate the people that don't know.

The people that do know this is not a big deal for them, but it will stop the people that don't know from getting up on the scaffold and getting killed or hurt or maimed, that's the reason why you should have this law in effect. The cost would be nominal. I hope you will pass this. Thank you very much.

LEG. LOSQUADRO:

Thank you.

P.O. LINDSAY:

Thank you, Alex. Anyone else in the audience who would like to speak on any subject? Seeing none, I'll take a motion close the public portion by Legislator Eddington, seconded by Legislator Losquadro.

All in favor? Opposed? Abstentions?

MS. ORTIZ:

Eighteen.

LEG. ROMAINE:

Mr. Presiding Officer?

P.O. LINDSAY:

Yes, Legislator Romaine.

LEG. ROMAINE:

I'd like to make a motion to discharge IR 1482, a Local Law prohibiting sex offenders from residing in close proximity to libraries.

LEG. SCHNEIDERMAN:

I will second.

P.O. LINDSAY:

Okay, there is a motion. Do I have a second? Second by Legislator Schneiderman to discharge. All in favor? Opposed?

LEG. MONTANO:

Opposed.

P.O. LINDSAY:

This is in terms of the discharge.

LEG. ROMAINE:

Roll call.

P.O. LINDSAY:

Roll call on discharging 1482; 1482 is in committee now and do we have -- has it been distributed?

MR. NOLAN:

Yes.

P.O. LINDSAY:

It's been distributed, okay. Roll call. On the issue, Legislator Montano.

LEG. MONTANO:

Are we on?

P.O. LINDSAY:

Yes.

LEG. MONTANO:

Yes, very briefly, I think this issue has come up before. I am glad that Legislator Romaine sent out a notice that he was going to make a motion for discharge, that allows us to at least know that the motion would be made. I have a resolution that I submitted a while back that's in committee requiring that a discharge petition, if it's to be made, should be done as is allowed by our rules. And I'm not saying that this -- what you did is not allowed, I just think that the better rule would be that we adhere to the written petition signed by ten members of the Legislature and that it be filed by either Monday or Friday preceding the meeting so that everyone has notice that a petition to discharge will be made so no one is caught by surprise. And people that have a position on the motion that may be contrary to those that came today have an opportunity to come forward and speak, I think that's the procedure we should follow in the future. This is not something that's improper, but I am against discharge petitions in this fashion. As a general rule, I'm going to vote no on this.

P.O. LINDSAY:

Legislator Cooper.

LEG. COOPER:

I'm going to vote no on this for a different reason.

LEG. ALDEN:

We can't hear you.

P.O. LINDSAY:

Jon, you're not on.

LEG. COOPER:

Can you hear now; no?

LEG. MYSTAL:

Loud.

LEG. COOPER:

I'm going to vote no on this for a different reason. We heard testimony from Laura Ahearn that although well intentioned, we have to be very careful before we consider any expansion of the existing residency restriction laws. If we go too far and it's unreasonable and we create an exclusionary zone in Suffolk County, it's going to jeopardize all of our existing residency restriction laws, and I don't think anyone wants that. So I think it's very important that we consider this --

LEG. SCHNEIDERMAN:

He's debating the bill here.

LEG. COOPER:

-- in committee, not rush into this and weigh the pros and cons.

LEG. LOSQUADRO:

Hey Bill, we're debating the bill.

LEG. ROMAINE:

We're debating the content of the bill.

P.O. LINDSAY:

Yeah, I agree, we're debating the bill. The resolution is just to discharge it at this point in time, the motion. Legislator Viloría-Fisher, you want to talk on discharging the bill?

D.P.O. VILORIA-FISHER:

Yes. When Laura Ahearn spoke before us, I asked her if there would be the preparation of some --

LEG. LOSQUADRO:

Didn't we just say that we're debating the bill?

D.P.O. VILORIA-FISHER:

No, this isn't debating the bill. She said that there would be more information coming on mapping of areas that we have already designated as places where sex offenders could not live, which goes to this particular bill staying in committee so that we can see the maps that are being developed showing where the prohibitions now exist so we don't run into an exclusionary zone issue.

P.O. LINDSAY:

Okay.

D.P.O. VILORIA-FISHER:

So I think it should stay in committee until we get that information.

P.O. LINDSAY:

Mr. Clerk, Ms. Clerk, roll -- oh, did you want to speak, Legislator Romaine?

LEG. ROMAINE:

Briefly, I just would say -- give a few statistics. One, there are hundreds of schools; two, there are hundreds of parks and playgrounds; three, there are 56 libraries. If any mapping study is done that suggests exclusivity by libraries, it obviously -- I think it would go right to the point for schools and parks, something we've already adopted. Thank you.

P.O. LINDSAY:

Okay. Roll call, Madam Clerk. This is to discharge.

*(*Roll Called by Ms. Ortiz - Chief Deputy Clerk*)*

LEG. ROMAINE:

Yes to discharge

LEG. SCHNEIDERMAN:

Yes.

LEG. BROWNING:

No.

LEG. CARACAPPA:

Yes.

LEG. LOSQUADRO:

Yes to discharge.

LEG. EDDINGTON:

No.

LEG. MONTANO:

No.

LEG. ALDEN:

Yes.

LEG. BARRAGA:

Yes.

LEG. KENNEDY:

Yes.

LEG. NOWICK:

Yes.

LEG. HORSLEY:

No.

LEG. MYSTAL:

No.

LEG. STERN:

No.

LEG. D'AMARO:

No.

LEG. COOPER:

No.

D.P.O. VILORIA-FISHER:

No.

P.O. LINDSAY:

No.

MS. ORTIZ:

Eight.

P.O. LINDSAY:

Okay, the discharge fails and it stays in committee.

If we could go to the [Consent Calendar](#), I need a motion to adopt the Consent Calendar.

LEG. MYSTAL:

Motion.

LEG. COOPER:

So moved.

LEG. LOSQUADRO:

Second.

P.O. LINDSAY:

Motion by Legislator Cooper, seconded by Legislator Losquadro.
All in favor? Opposed? Abstentions?

MS. ORTIZ:

Eighteen.

P.O. LINDSAY:

[Resolutions Tabled to June 26, 2007:](#)

2022-05 - Making a SEQRA determination in connection with the proposed Francis S. Gabreski Airport redevelopment of Long Island Jet Center East, Inc., Town of Southampton (Presiding Officer Lindsay). I'll make a motion to table.

LEG. COOPER:

Second.

P.O. LINDSAY:

Second by Legislator Cooper. All in favor? Opposed? Abstentions?

MS. ORTIZ:

Eighteen.

P.O. LINDSAY:

Did you call the vote?

MS. ORTIZ:

I did, 18.

P.O. LINDSAY:

Okay.

IR 1894-06 - Electing a cents per gallon rate of sales and compensating use taxes on motor fuel and diesel motor fuel in lieu of the percentage rate of such taxes, pursuant to the authority of Article 29 of the Tax Law of the State of New York in a fiscally responsible and prudent manner (County Executive). I will make a motion to table.

LEG. COOPER:

Second.

P.O. LINDSAY:

Second by Legislator Cooper. All in favor? Opposed?

LEG. ROMAINE:

Opposed.

P.O. LINDSAY:

Abstentions?

MS. ORTIZ:

Seventeen (Opposed: Legislator Romaine).

P.O. LINDSAY:

IR 1952-06 - Adopting Local Law No. 2007, a Local Law to require proper supervision at hotel/motel swimming pools (Cooper). Legislator Cooper?

LEG. COOPER:

Motion to table, please.

P.O. LINDSAY:

Motion to table, I'll second the motion. All in favor? Opposed? Abstentions?

LEG. SCHNEIDERMAN:

Ms. Clerk, if you'll list me as recusing from that.

MS. ORTIZ:

Yes, sir.

P.O. LINDSAY:

Please list Legislator Schneiderman as recusing himself from that vote.

MS. ORTIZ:

Seventeen (Recusal: Legislator Schneiderman).

P.O. LINDSAY:

IR 2290-06 - Adopting a Local Law No. 2007, a Local Law to require landlords to register with the Department of Probation prior to renting to sex offenders (Browning).

LEG. BROWNING:

Motion to table.

P.O. LINDSAY:

Motion to table by Legislator Browning, second by Legislator Montano. All in favor? Opposed?

Abstentions?

MS. ORTIZ:

Eighteen.

P.O. LINDSAY:

IR 1120-07 - Amending the Adopted 2007 Operating Budget and transferring funds in connection with the provision of Mercury-Free Vaccines (County Executive).

LEG. MONTANO:

Motion.

LEG. STERN:

Motion to table.

P.O. LINDSAY:

Motion to table by Legislator Stern.

LEG. ALDEN:

On the motion.

LEG. SCHNEIDERMAN:

On the motion.

P.O. LINDSAY:

Seconded by Legislator Montano. On the motion, Legislator Alden.

LEG. ALDEN:

Can you just go on the record and say why you're making a motion to table?

LEG. STERN:

Sure. At this point, every indication from the Department of Health is that they have sufficient funds already for the program. In addition, we're coming up now on six months since the beginning of the implementation of the program, the new Commissioner is in the process of responding to a letter of inquiry from my office asking about the program, how it's working and how the funding is going so far, so we hope to get that within the next matter of days.

LEG. ALDEN:

Thank you.

P.O. LINDSAY:

Okay, we have a motion and a second to table. All in favor? Opposed? Abstentions?

MS. ORTIZ:

Eighteen.

P.O. LINDSAY:

1166-07 - Authorizing planning steps for the acquisition under Suffolk County Multi-faceted Land Preservation Program (Zoumas Property), Town of Riverhead.

LEG. ROMAINE:

Motion to table.

P.O. LINDSAY:

Motion to table by Legislator Romaine, I'll second the motion.
All in favor? Opposed? Abstentions?

MS. ORTIZ:

Eighteen.

P.O. LINDSAY:

IR 1431-07 - Amending the Adopted 2007 Operating Budget and transferring funds for certain contracted agencies in the Department of Economic Development and Workforce Housing (Schneiderman).

LEG. SCHNEIDERMAN:

I'll make a motion to table.

P.O. LINDSAY:

Motion to table by Legislator Schneiderman, I'll second the motion. All in favor? Opposed? Abstentions?

MS. ORTIZ:

Eighteen.

P.O. LINDSAY:

1450-07 - Amending the Adopted 2007 Operating Budget and transferring funds to create one additional Supervising Probation Officer and ten additional Probation Officers for the Electronic Monitoring Program (Kennedy). Legislator Kennedy?

LEG. KENNEDY:

Mr. Presiding Officer, I'm going to ask if we can pass over on this resolution at this time. I've been in some dialogue, I want to have an opportunity, if I can, to go ahead and just finalize that dialogue and if we can revisit this in the afternoon?

P.O. LINDSAY:

That's fine.

LEG. KENNEDY:

Thank you.

P.O. LINDSAY:

So we'll pass over 1450, just somebody make note of it that I don't forget that.

LEG. MONTANO:

Do you need a motion?

P.O. LINDSAY:

I don't think so.

LEG. ALDEN:

No, discretion of the Chair.

P.O. LINDSAY:

IR 1477-07 - Appointing Arthur M. Sillman, Jr. As a member of the Suffolk County Vanderbilt Museum Commission (Trustee No. 9) (Cooper).

LEG. COOPER:

Motion to table.

P.O. LINDSAY:

Motion to table by Legislator Cooper.

LEG. HORSLEY:

Second.

P.O. LINDSAY:

Second by Legislator Horsley. All in favor? Opposed? Abstentions?

MS. ORTIZ:

Eighteen.

P.O. LINDSAY:

Budget & Finance:

IR 1515-07 - Authorizing the County Treasurer to borrow cash funds from other County funds for 2007 (Presiding Officer Lindsay). I'll make a motion.

LEG. MONTANO:

Second.

P.O. LINDSAY:

Second by Legislator Montano.

LEG. ALDEN:

Explanation.

P.O. LINDSAY:

Explanation.

LEG. CARACAPPA:

It's housekeeping, proforma.

P.O. LINDSAY:

Okay.

MS. VIZZINI:

This is a fairly straight-forward, proforma annual reauthorization allowing the Treasurer to borrow cash as needed from the Interfunds which is typically paid back with interest.

LEG. ALDEN:

Thank you.

P.O. LINDSAY:

Okay. All in favor? Opposed? Abstentions?

MS. ORTIZ:

Eighteen.

P.O. LINDSAY:

IR 1579-07 - Amending 2007 Operating Budget and appropriating funds in connection with bonding a settlement for a Medical Malpractice case (County Executive). Do I have a motion? I'll make the motion.

LEG. COOPER:

Second.

P.O. LINDSAY:

Second by Legislator Cooper.

LEG. MONTANO:

On the motion.

P.O. LINDSAY:

On the motion, Legislator Alden.

MS. BIZZARRO:

If I may, I just would recommend that everyone go into executive session at this point if you wish to discuss this bill any further, or at all actually.

LEG. ALDEN:

Actually, my comment you wouldn't have to go into executive session.

LEG. MONTANO:

Yeah, mine either.

LEG. ALDEN:

I'm just going to make a suggestion that when we go through the next budget process, we seriously consider putting some money away, just like a normal insurance company would, for these type of settlements rather than go out and have to bond each time we come up with something like this.

P.O. LINDSAY:

I don't think it's necessary to go into executive session, unless we're talking about a specific case; does anybody else have a generic comment? Yes, Legislator Montano, go ahead.

LEG. MONTANO:

Yeah, actually I was going to make the same -- how did you know I was going to make that comment, Legislator Alden?

LEG. ALDEN:

I noticed.

LEG. MONTANO:

Well, there would be some questions that I would have with respect to the settlement but you're right, those should be in executive session so I'm going to defer to that.

MS. BIZZARRO:

Thank you.

LEG. MONTANO:

But I do think that with respect to bonding settlements, I think that's inappropriate.

With respect to a procedure in the office -- and if you think that this question should be asked later, let me know -- generally I would think that a law firm or an insurance carrier would know what the exposure is on a particular case once the case is filed and brought in. So is there -- I know when I was in the Attorney General's Office, we had a review process where we had to indicate what we thought our exposure was on a case at an early stage so that we could set aside, you know, the possibility of having some funds for settlements or for judgments. You know, I think this is one of the things that we're going to be discussing during the Operating Budget. I don't know if you have that process --

MS. BIZZARRO:

We do do that periodically, yes, and that's why we don't bond for all of the settlements or all of the matters that are out there. I'm sorry, I don't know if this is on.

LEG. MONTANO:

That's all right, it's not you, it's the mike, and me.

MS. BIZZARRO:

As I said, we do that periodically and that's why we don't need to go to bonding for all of the matters that we have, but there are some that we must.

LEG. MONTANO:

All right. Well, as I said, I'm going to vote for this but I'm very much opposed to the process of borrowing to pay a settlement.

P.O. LINDSAY:

Legislator Losquadro.

LEG. LOSQUADRO:

Just to follow-up on what Legislator Alden and Legislator Montano were saying, I know we've discussed this in the past and again, this year I think we should seriously look at a reinsurance policy, an overage policy, say in excess of a million or a million five, whatever our historic high is, that we should really seek to get a reinsurance policy to protect us from this type of excess liability.

P.O. LINDSAY:

Okay. Thank you, Legislator Losquadro. Legislator Romaine.

LEG. ROMAINE:

Very briefly. Dittos on the over insurance policy. Dittos on the fact that we should have put this in the Operating budget, this is a failing, because now we're faced with a settlement that we must settle, we have no alternative but to bond.

MS. BIZZARRO:

Legislator Romaine, I would just like to warn you that we need to go into executive session if you're going to touch on this case at all.

P.O. LINDSAY:

I don't think we're --

MS. BIZZARRO:

I think you might be.

P.O. LINDSAY:

-- discussing a specific case.

LEG. ROMAINE:

I'm not, I haven't touched on a case.

LEG. SCHNEIDERMAN:

It's funding, that's it.

MS. BIZZARRO:

Thank you.

P.O. LINDSAY:

Okay.

LEG. KENNEDY:

How much is it for?

P.O. LINDSAY:

Two and a half million dollars.

LEG. KENNEDY:

What's the length of the bond?

LEG. MONTANO:

Five.

P.O. LINDSAY:

Five years.

LEG. KENNEDY:

Five years, two point five?

P.O. LINDSAY:

Yeah.

LEG. MONTANO:

It's about an extra --

MS. VIZZINI:

Three hundred million something thousand.

LEG. MONTANO:

If I may, it's about an extra 300,000 through the cost of the settlement? I guess it would be inappropriate in this session to ask how long the case has been pending?

MS. BIZZARRO:

Yes, everything would be inappropriate at this point. I'd like to say that I think we should just cut off discussion at this point.

LEG. MONTANO:

Okay, we'll respect that.

MS. BIZZARRO:

If you want, I have no problem going into executive session to answer all the questions that you need.

P.O. LINDSAY:

Well, we've already went through an executive session, we'll approve the settlement in Ways & Means, I don't see any --

LEG. MONTANO:

Yeah.

P.O. LINDSAY:

-- sense in going into it again.

LEG. MONTANO:

I don't want to rehash the settlement.

P.O. LINDSAY:

All right, so 1579 is before us. It has a motion and a second. All in favor? Opposed? Abstentions?

MS. ORTIZ:

Eighteen.

P.O. LINDSAY:

Okay, on the Bonding Resolution, 1579A, same motion, same second;
Roll call.

*(*Roll Called by Ms. Ortiz - Chief Deputy Clerk*)*

P.O. LINDSAY:

Yes.

LEG. COOPER:

Yes.

D.P.O. VILORIA-FISHER:

Yes.

MS. ORTIZ:

I'm sorry.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. MYSTAL:

Yes.

LEG. HORSLEY:

Yes.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. ALDEN:

Yes.

LEG. MONTANO:

Yes.

LEG. EDDINGTON:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. CARACAPPA:

Yes.

LEG. BROWNING:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. ROMAINE:

Yes.

MS. ORTIZ:

Eighteen.

P.O. LINDSAY:

Thank you.

D.P.O. VILORIA-FISHER:

Oh, I don't get to vote twice?

MS. ORTIZ,

No, sorry.

P.O. LINDSAY:

Economic Development, Higher Education & Energy:

***IR 1553-07 - Designating Poet Laureate for Suffolk County
(David B. Axelrod) (Viloria-Fisher).***

D.P.O. VILORIA-FISHER:

Motion.

P.O. LINDSAY:

Motion by Legislator Viloria-Fisher. Do I have a second?

LEG. HORSLEY:

Second.

P.O. LINDSAY:

Second by Legislator Horsley. Any comments. All in favor? Opposed? Abstentions?

LEG. ALDEN:

Abstain.

P.O. LINDSAY:

One abstention.

MS. ORTIZ:

Seventeen.

P.O. LINDSAY:

That's just another example of how more efficient we are here than in Nassau County.

Environment, Planning & Agriculture:

***IR 1018-07 - Authorizing planning steps for acquisition of Suffolk County Save Open
Space (SOS), Farmland Preservation and Hamlet Parks Fund (Property of Grace
Presbyterian Church) (Town of Brookhaven).***

(SCTM No. 0200-392.00-03.00-017.000) (Caracappa).

D.P.O. VILORIA-FISHER:

Joe Caracappa.

P.O. LINDSAY:

Legislator Caracappa?

LEG. CARACAPPA:

Motion.

P.O. LINDSAY:

Motion by Legislator Caracappa, seconded by Legislator Viloría-Fisher. All in favor? Opposed? Abstentions?

MS. ORTIZ:

Eighteen.

P.O. LINDSAY:

1144-07 - Adopting Local Law No. 2007, a Local Law to prohibit the sale, introduction and propagation of invasive, non-native plant species (Viloria-Fisher).

D.P.O. VILORIA-FISHER:

Motion.

LEG. COOPER:

Second.

P.O. LINDSAY:

Motion to approve by Legislator Viloría-Fisher, seconded by Legislator Jon Cooper.

LEG. ALDEN:

On the motion.

P.O. LINDSAY:

On the motion. Can't we get him more cord?

LEG. ALDEN:

I'll go -- I'll take Rick's.

LEG. MONTANO:

I don't plan to use it anymore.

P.O. LINDSAY:

That one is in a knot. This is in bad shape here.

LEG. ALDEN:

Can we just adjourn to Hauppauge? This is for the sponsor; have all the objections and the comments been taken into consideration?

D.P.O. VILORIA-FISHER:

Yes.

LEG. ALDEN:

And have you made any significant changes to the bill as was originally proposed?

D.P.O. VILORIA-FISHER:

Yes. As a matter of fact, we had the Public Hearing again because I made so many changes and I've met with representatives of the groups who came here to Riverhead who had concerns, so I made those changes. Joe Gergela came to committee and said that the industry is in full support and the environmental groups who worked with us also said that they were in full support of all the changes and the final bill.

LEG. ALDEN:

So some of the safer sub-species, for lack of a better term, they're going to be allowed to be sold?

D.P.O. VILORIA-FISHER:

Well, they were always allowed, they were on the management list. Part of the problem that the industry had was that we had a "Do Not Sell List" and a "Management List", and they felt that both of those lists going on the web became confusing nationally, you know, people thinking that both of them were "Do Not Sell". And because the "Management List" only consisted of those species that we could -- that within Suffolk County we were not allowed to put in parks or on highways; we didn't need that to be in a resolution, we could just take care of that internally. So once I pulled that off, they were happy with the "Do Not Sell List".

LEG. ALDEN:

Thank you.

D.P.O. VILORIA-FISHER:

Thank you, Cameron.

P.O. LINDSAY:

Okay, we have a motion and a second. All in favor? Opposed? Abstentions?

LEG. BARRAGA:

Opposed.

MS. ORTIZ:

Seventeen (Opposed: Legislator Barraga).

P.O. LINDSAY:

IR 1466-07 - To appoint (reappoint) a member of the Suffolk County Planning Commission (Edward James Pruitt). I'll make a motion.

LEG. COOPER:

Second.

P.O. LINDSAY:

Second by Legislator Cooper. All in favor? Opposed? Abstentions?

MS. ORTIZ:

Eighteen.

P.O. LINDSAY:

I'm sorry, that was a reappointment.

IR 1471-07 - To reappoint a member of the Suffolk County Planning Commission (Jesse R. Goodale, III).

LEG. ROMAINE:

Motion.

P.O. LINDSAY:

Motion by Legislator Romaine.

LEG. COOPER:

Second.

P.O. LINDSAY:

Second by Legislator Cooper. All in favor? Opposed? Abstentions?

MS. ORTIZ:

Eighteen.

P.O. LINDSAY:

IR 1483-07 - Appointing a member to the Suffolk County Water Authority (Jane R. Devine) (Presiding Officer Lindsay).

LEG. COOPER:

Motion.

P.O. LINDSAY:

Motion by Legislator Cooper, seconded by Legislator Mystal.

All in favor? Opposed? Abstentions?

LEG. SCHNEIDERMAN:

Opposed.

LEG. ROMAINE:

Roll call.

P.O. LINDSAY:

Hold them up, abstentions -- or opposed; one, two, three, four; got them all?

LEG. KENNEDY:

Abstention or opposition, what are we at?

P.O. LINDSAY:

That was opposition.

LEG. ALDEN:

Next comes the abstain.

LEG. KENNEDY:

I'll do the abstention.

P.O. LINDSAY:

Okay.

LEG. ROMAINE:

I'll abstain.

MS. ORTIZ:

Oppositions?

LEG. ROMAINE:

Can we do a roll call?

P.O. LINDSAY:

Yeah, roll call. Roll call.

*(*Roll Called by Ms. Ortiz - Chief Deputy Clerk*)*

LEG. COOPER:

Yes.

LEG. MYSTAL:

Yes.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. HORSLEY:

Yes.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

Abstain.

LEG. BARRAGA:

Yes.

LEG. ALDEN:

Abstain.

LEG. MONTANO:

Yes.

LEG. EDDINGTON:

Yes.

LEG. LOSQUADRO:

No.

LEG. CARACAPPA:

No.

LEG. BROWNING:

Yes.

LEG. SCHNEIDERMAN:

Abstain.

LEG. ROMAINE:

Abstain.

D.P.O. VILORIA-FISHER:

Yes.

P.O. LINDSAY:

Yes.

MS. ORTIZ:

Twelve (Opposition: Legislators Losquadro & Caracappa - Abstentions: Legislators Schneiderman, Romaine, Kennedy & Alden).

LEG. ALDEN:

Just on that, this is where there is a breakdown in the way we conduct business. There's a committee where it would have been nice if I had an opportunity to ask her a couple of questions, and yet we're not provided with that because traditionally we just have the people go to the committee and don't show up here. This is a new appointment, this is very important for the future of Suffolk County that all Legislators be comfortable with this appointment. And while I'm generally comfortable with Ms. Devine and, you know, the history that I know of her, I still didn't have the opportunity to ask her any questions because I'm not on this committee.

So I think that that's something that we might want to consider in the future, bringing down new appointments so that everyone would have the opportunity to ask her or he or whoever it is, ask them important questions and then we can all be comfortable when we cast our vote.

P.O. LINDSAY:

The only reply, Legislator Alden, is Ms. Devine's appointment bill has been before us for a couple of months; she was away, we tabled it because we wanted her to come in to committee to be screened. And I would have been happy, if I had known your wish, to see her before the whole body, I would have been happy to bring her in.

D.P.O. VILORIA-FISHER:

And she would have come; she would have come.

P.O. LINDSAY:

So --

LEG. ALDEN:

My point is maybe that should be the norm rather than, you know, have a Legislator ask to have somebody. Because I'll tell you what happens with all the Commissioners, they make appointments to come and see us, that way if I'm not on a committee, you know, I feel a little bit more comfortable because they've come around, I've had an opportunity, whether in public or private, to ask the questions. Whereas here, you know, we never really know until last minute what's coming out of committee and what's not coming out of committee.

P.O. LINDSAY:

I -- you know, if it's the will of this body to have all appointments come before the full body, I will certainly comply with that. The problem is we have so many boards and commissions, it would seriously lengthen our meetings, but if that's the will of everybody, I'd be happy to do it.

LEG. LOSQUADRO:

You can start that at a later date.

P.O. LINDSAY:

IR 1519-07 - Authorizing planning steps for the acquisition under the Suffolk County Multi-faceted Land Preservation Program (Forge River Watershed Property) (Town of Brookhaven) (Browning).

LEG. BROWNING:

I will make a motion.

LEG. EDDINGTON:

Second.

P.O. LINDSAY:

Motion by Legislator Browning, seconded by Legislator Eddington.
All in favor? Opposed? Abstentions?

MS. ORTIZ:

Eighteen.

P.O. LINDSAY:

1600-07 - Authorizing planning steps for acquisition under the Suffolk County SOS (Save Open Space Program) Hamlet Parks component for the Aero World Corp Property, Town of Islip (SCTM No. 0500-177.00-02.00-083.000) (County Executive). I'll make a motion.

LEG. ALDEN:

Second.

P.O. LINDSAY:

Second by Legislator Alden?

LEG. MONTANO:

Alden.

P.O. LINDSAY:

Alden. All in favor? Opposed? Abstentions?

MS. ORTIZ:

Eighteen.

P.O. LINDSAY:

1601-07 - Authorizing planning steps for acquisition under the Suffolk County SOS (Save Open Space Program) Hamlet Parks component for the RD Associates, Inc. Property, Town of Babylon (SCTM No. 0100-177.00-02.00-083.000) (County Executive).

LEG. STERN:

Motion to approve.

P.O. LINDSAY:

Motion to approve by Legislator Stern, seconded by Legislator D'Amaro. All in favor? Opposed? Abstentions?

MS. ORTIZ:

Eighteen.

P.O. LINDSAY:

IR 1602-07 - Authorizing acquisition of land under the Suffolk County Save Open Space (SOS), Farmland Preservation and Hamlet Parks Fund - Open Space Component for the Peipman Property, Forge River Watershed Addition, Town of Brookhaven (SCTM No. 0200-750.00-03.00-037.002) (County Executive).

LEG. BROWNING:

I'll make a motion.

P.O. LINDSAY:

Motion by Legislator Browning, seconded by Legislator Eddington.
All in favor? Opposed? Abstentions?

MS. ORTIZ:

Eighteen.

P.O. LINDSAY:

1603-07 - Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program - Open Space Component - for the Caseo Property, Mastic/Shirley Conservation Area II, Town of Brookhaven (SCTM No. 0200-984.60-03.00-039.000) (County Executive).

LEG. BROWNING:

Same motion.

P.O. LINDSAY:

Same motion? Motion by Legislator Browning, seconded by Legislator Eddington. All in favor? Opposed? Abstentions?

MS. ORTIZ:

Eighteen.

P.O. LINDSAY:

1605-07 - Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program - Open Space Component for the Algieri Property, Mastic/Shirley Conservation Area II, Town of Brookhaven (SCTM No. 0200-984.60-01.00-028.000) (County Executive).

D.P.O. VILORIA-FISHER:

Same motion.

P.O. LINDSAY:

Same motion, same second. All in favor? Opposed? Abstentions?

MS. ORTIZ:

Eighteen.

P.O. LINDSAY:

1606-07 - Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program - Open Space Component for the T & S Builders, Inc. Property - Overton Preserve, Town of Brookhaven (SCTM No. 0200-495.00-05.00-001.000) (County Executive).

LEG. BROWNING:

Motion again.

P.O. LINDSAY:

Motion by Legislator Eddington, second by Legislator Browning.
All in favor? Opposed? Abstentions?

MS. ORTIZ:

Eighteen.

P.O. LINDSAY:

1607-07 - Authorizing the acquisition of land under the Suffolk County Save Open Space (SOS), Farmland Preservation and Hamlet Parks Fund - Open Space Component for the

Bay Avenue Properties LLC Property, Town of Brookhaven (SCTM Nos. 0200-915.00-03.00-001.000 0200-915.00-03.00-002.000 0200-916.00-01.00-003.010, 003.011, 003.012, 003.013, 003.014 p/o 003.015) (County Executive).

LEG. EDDINGTON:

Motion.

LEG. BROWNING:

I will make a motion.

P.O. LINDSAY:

Motion by Legislator Eddington, seconded by Legislator Browning.
All in favor? Opposed? Abstentions?

MS. ORTIZ:

Eighteen.

P.O. LINDSAY:

1608-07 - Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program - Open Space Component for the Graham Estate Property - Mastic/Shirley Conservation Area II, Town of Brookhaven (SCTM No. 0200-984.70-01.00-011.000) (County Executive).

LEG. BROWNING:

Motion.

P.O. LINDSAY:

Motion by Legislator Browning, seconded by Legislator Eddington.
All in favor? Opposed? Abstentions?

MS. ORTIZ:

Eighteen.

P.O. LINDSAY:

1609-07 - Authorizing acquisition of land under the Old Suffolk County Drinking Water Protection Program - [C12-5(E)(1)(a) for the Drago Property - Doxsee's Creek addition, Town of Islip (SCTM No. 0500-271.00-03.00-013.000)(County Executive).

LEG. ALDEN:

Motion.

P.O. LINDSAY:

Motion by Legislator Alden, second by Legislator Barraga.
All in favor? Opposed? Abstentions?

MS. ORTIZ:

Eighteen.

P.O. LINDSAY:

1610-07 - Authorizing acquisition of land under the Suffolk County Multi-faceted Open Space Preservation Program - Open Space Preservation Program - for the Coscia Property - Emerald Estates, Town of Huntington (SCTM No. 0400-168.00-02.00-082.000 p/o) (County Executive).

LEG. STERN:

Motion to approve.

LEG. D'AMARO:

Second.

P.O. LINDSAY:

Motion by Legislator Stern, second by Legislator D'Amaro.
All in favor? Opposed? Abstentions?

MS. ORTIZ:

Eighteen.

P.O. LINDSAY:

1611-07 - Authorizing planning steps for acquisition under the Suffolk County SOS (Save Open Space Program) Hamlet Parks Fund - Hamlet Parks component for the Arthur H. Cotins Revocable Trust Property - Mills Pond, Town of Smithtown (SCTM No. 0800-040.00-02.00-002.000) (County Executive).

LEG. NOWICK:

Motion to approve.

P.O. LINDSAY:

Motion by Legislator Nowick.

LEG. KENNEDY:

Second.

P.O. LINDSAY:

Seconded by Legislator Kennedy. All in favor? Opposed? Abstentions?

MS. ORTIZ:

Eighteen.

P.O. LINDSAY:

1612-07 - Authorizing planning steps for the acquisition under the Suffolk County Multi-faceted Land Preservation Program - Land Preservation Partnership Program - for the Ross School Property/Airport Preserve Addition, Town of East Hampton) (SCTM No. 0300-181.00-01.00-007.000) (County Executive). Jay?

LEG. SCHNEIDERMAN:

Motion.

P.O. LINDSAY:

Motion by Legislator Schneiderman.

D.P.O. VILORIA-FISHER:

Second.

P.O. LINDSAY:

Second by Legislator Viloría-Fisher. All in favor? Opposed? Abstentions?

MS. ORTIZ:

Eighteen.

P.O. LINDSAY:

1613-07 - Authorizing the acquisition of Farmland Development Rights under the Suffolk County Save Open Space (SOS), Farmland Preservation and Hamlet Parks Fund - Farmland

Component for the Farr Property, Town of Riverhead (SCTM No. 0600-080.00-01.00-003.002 p/o - F/K/A 003.001) (County Executive).

LEG. ROMAINE:

Motion.

P.O. LINDSAY:

Motion by Legislator Romaine. Second?

D.P.O. VILORIA-FISHER:

I'll second it.

P.O. LINDSAY:

Seconded by Legislator Viloría-Fisher. All in favor? Opposed? Abstentions?

MS. ORTIZ:

Eighteen.

LEG. ROMAINE:

Would the Clerk please list me as a cosponsor?

MS. ORTIZ:

Yes, sir.

P.O. LINDSAY:

1625-07 - Authorizing the acquisition of Farmland Development Rights under the New Suffolk County Drinking Water Protection Program for the Reeve Property, Town of Riverhead (SCTM Nos. 0600-008.00-02.00-012.004 p/o & 0600-008.00-02.00-012.005 p/o) (County Executive).

LEG. ROMAINE:

Motion.

P.O. LINDSAY:

Motion by Legislator Romaine.

LEG. EDDINGTON:

Second.

D.P.O. VILORIA-FISHER:

Second.

P.O. LINDSAY:

Second by Legislator Eddington. All in favor? Opposed? Abstentions?

LEG. ROMAINE:

Would the Clerk please list me as a cosponsor?

MS. ORTIZ:

Yes, sir; 18.

P.O. LINDSAY:

1626-07 - Authorizing the acquisition of Farmland Development Rights under the Suffolk County Multi-faceted Land Preservation Program for the Zilnicki Property, Town of Riverhead (SCTM No. 0600-043.00-01.00-003.000 p/o) (County Executive).

LEG. ROMAINE:

Motion.

P.O. LINDSAY:

Motion by Legislator Romaine. Second?

LEG. EDDINGTON:

I'll second.

P.O. LINDSAY:

Second by Legislator Eddington. All in favor? Opposed? Abstentions?

MS. ORTIZ:

Eighteen.

LEG. ROMAINE:

Would the Clerk please list me as a cosponsor?

MS. ORTIZ:

Yes, sir.

LEG. ALDEN:

Mr. Presiding Officer?

P.O. LINDSAY:

Yes.

LEG. ALDEN:

I have a request, through the Chair. If the Suffolk County Executive's Office or whoever is handling these, could they give us an update? Because at the last meeting they told us exactly how much money had been spent on purchases this year and this would add to it, a total of acreage, things of that nature. I think it would be important going forward.

P.O. LINDSAY:

Okay. Well, I would --

LEG. ALDEN:

We don't need it now.

P.O. LINDSAY:

No, but maybe --

D.P.O. VILORIA-FISHER:

If I may, Mr. Chair?

P.O. LINDSAY:

Go ahead; Legislator Viloría-Fisher.

D.P.O. VILORIA-FISHER:

Carry Meek-Gallagher and her department have --

LEG. MYSTAL:

We can't hear you.

D.P.O. VILORIA-FISHER:

I'm sorry, I was talking right into the mike. Is that better?

P.O. LINDSAY:

Yes.

D.P.O. VILORIA-FISHER:

Sorry. I have asked the Commissioner of the Department of Environment & Energy to give us an update once a month, and so at the end of this month when we have the Environment Committee she'll bring that and I'll make sure that there is a copy of that forwarded to each Legislator.

LEG. ALDEN:

Okay, thank you.

P.O. LINDSAY:

Thank you, Legislator Fisher.

Health & Human Services:

IR 1514-07 - Designating August as "Medicine Abuse Awareness Month" in Suffolk County (Nowick).

LEG. NOWICK:

Motion to approve.

D.P.O. VILORIA-FISHER:

Getting into those cabinets, aren't you, Lynn?

P.O. LINDSAY:

Motion by Legislator Nowick, second by Legislator Horsley.

All in favor? Opposed? Abstentions?

MS. ORTIZ:

Eighteen.

P.O. LINDSAY:

IR 1566-07 - Appropriating funds in connection with the purchase of equipment for the Environmental Health Laboratory (CP 4079) (County Executive).

LEG. MYSTAL:

Motion.

P.O. LINDSAY:

Motion by Legislator Mystal. Do I have a second?

D.P.O. VILORIA-FISHER:

I'll second it.

P.O. LINDSAY:

Second by Legislator Viloría-Fisher. All in favor? Opposed? Abstentions?

MS. ORTIZ:

Eighteen.

P.O. LINDSAY:

IR 1566A, the Bond Resolution, same motion, same second; roll call.

(*Roll Called by Ms. Ortiz - Chief Deputy Clerk*)

LEG. MYSTAL:

Yes.

D.P.O. VILORIA-FISHER:

Yes.

LEG. COOPER:

Yes.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. HORSLEY:

Yes.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. ALDEN:

Yes.

LEG. MONTANO:

Yes.

LEG. EDDINGTON:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. CARACAPPA:

Pass.

LEG. BROWNING:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. ROMAINE:

Yes.

P.O. LINDSAY:

Yes.

LEG. CARACAPPA:

Yes.

MS. ORTIZ:

Eighteen.

P.O. LINDSAY:

IR 1567-07 - Appropriating funds in connection with the purchase of equipment for groundwater monitoring and well drilling (CP 8226) and approving the purchase of a vehicle in accordance with Section 186-2(B)(6) of the Suffolk County Code and in accordance with the County vehicle standard (County Executive).

LEG. KENNEDY:

Motion.

P.O. LINDSAY:

Motion by Legislator Kennedy.

LEG. COOPER:

Second.

P.O. LINDSAY:

Second by Legislator Cooper. All in favor? Opposed? Abstentions?

MS. ORTIZ:

Eighteen.

P.O. LINDSAY:

Same motion, same second; roll call on the Bond, 1567A.

*(*Roll Called by Ms. Ortiz - Chief Deputy Clerk*)*

LEG. KENNEDY:

Yes.

LEG. COOPER:

Yes.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. MYSTAL:

Yes.

LEG. HORSLEY:

Yes.

LEG. NOWICK:

Yes.

LEG. BARRAGA:

Yes.

LEG. ALDEN:

Yes.

LEG. MONTANO:

Yes.

LEG. EDDINGTON:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. CARACAPPA:

Yes.

LEG. BROWNING:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. ROMAINE:

Yes.

D.P.O. VILORIA-FISHER:

Yes.

P.O. LINDSAY:

Yes.

MS. ORTIZ:

Eighteen.

P.O. LINDSAY:

IR 1628-07 - Amending Resolution No. 1092-2004 to purchase a digital mammography unit for the Marilyn Shellabarger South Brookhaven Family Health Center in Shirley (CP 4055) (County Executive). Do I have a motion?

LEG. BROWNING:

I'll make a motion.

LEG. LOSQUADRO:

Second.

P.O. LINDSAY:

Motion by Legislator Browning, seconded by Legislator Losquadro. On the issue, Legislator Romaine?

LEG. ROMAINE:

Yes. I'm obviously supportive of this, it's vitally important, but I just would remind this Legislature that three, more than three years ago they passed a similar resolution for the Riverhead Health Center, sitting about 50 feet behind where we're sitting today; three years after the fact that digital mammography has not yet been installed.

So the will of this Legislature may mean nothing if we pass this resolution. I hope that it will have a better affect when it comes to this health center than it does for the Riverhead Health Center, we are still waiting.

P.O. LINDSAY:

Legislator Alden.

LEG. ALDEN:

And I don't know if this was brought up in the committee, but do they require any extra modifications or building to accommodate this unit? Because that was what was given to us as an excuse why the digital mammography unit couldn't be put in here.

P.O. LINDSAY:

Well, the Health Committee Chairman is going to answer that question.

LEG. ALDEN:

I appreciate that.

P.O. LINDSAY:

Legislator Mystal.

LEG. ALDEN:

Nice haircut, too.

LEG. MYSTAL:

There were no -- is this on?

D.P.O. VILORIA-FISHER:

Yes, you just have to talk into it.

LEG. MYSTAL:

There were no building requirements for this unit.

P.O. LINDSAY:

A married man has to speak up, you know that, you have to speak up now.

LEG. MYSTAL:

That's right; yeah, you say "I do" and then they say "I don't".

There are no requirements for putting this new unit in the health center at South Brookhaven, unlike Riverhead which requires an extensive unit.

LEG. ALDEN:

Did they give you a timeframe when they felt they could accomplish this?

LEG. MYSTAL:

They said that it should be in place within the year, they said.

LEG. ALDEN:

Thanks.

P.O. LINDSAY:

Okay, we have a motion and a second. All in favor? Opposed? Abstentions?

LEG. SCHNEIDERMAN:

Cosponsor.

MS. ORTIZ:

Eighteen.

P.O. LINDSAY:

Labor, Workforce & Affordable Housing:

IR 1392-07 - Amending the Operating Budget to create a new position in the Suffolk County Department of Public Works (County Executive). Do I have a motion?

D.P.O. VILORIA-FISHER:

I'll make a --

LEG. COOPER:

Motion.

P.O. LINDSAY:

Motion by Legislator Cooper, seconded by Legislator Viloría-Fisher.
All in favor? Opposed? Abstentions?

MS. ORTIZ:

Eighteen.

P.O. LINDSAY:

IR 1599-07 - Amending Resolution No. 459-2007 regarding waiver policy for Civil Service Examinations for Veterans (Cooper).

LEG. COOPER:

Motion to approve.

P.O. LINDSAY:

Motion to approve by Legislator Cooper, seconded by Legislator Mystal. All in favor? Opposed? Abstentions?

LEG. SCHNEIDERMAN:

Cosponsor, please.

LEG. ROMAINE:

Cosponsor.

LEG. STERN:

Cosponsor.

LEG. MYSTAL:

Co.

MS. ORTIZ:

Eighteen.

LEG. HORSLEY:

We'll have 18 cosponsors.

LEG. ROMAINE:

Eighteen cosponsors? Sure.

P.O. LINDSAY:

IR 1614-07 - Authorizing the sale of County-owned real property pursuant to Section 72-h of the General Municipal Law to the Town of Islip for Affordable Housing Purposes (SCTM No. 0500-367.00-03.00-090.000) (County Executive).

LEG. MONTANO:

Motion.

P.O. LINDSAY:

Motion by Legislator Montano.

LEG. COOPER:

Second.

P.O. LINDSAY:

Seconded by Legislator Cooper. Do you have a question, Legislator Alden?

LEG. ALDEN:

Just where it's located.

LEG. MONTANO:

It's your district, if you want to make the motion.

LEG. ALDEN:

I thought this was Tom's district.

LEG. MONTANO:

Tom, you want to do this?

P.O. LINDSAY:

It's in your district, Tom.

LEG. BARRAGA:

I'll move it.

LEG. MONTANO:

Yeah, I'll withdraw my motion.

P.O. LINDSAY:

Okay, Legislator Montano rescinded his motion and instead Legislator Barraga is going to make a motion. And we have a second, right?

MS. ORTIZ:

Yes.

P.O. LINDSAY:

All in favor? Opposed? Abstentions?

MS. ORTIZ:

Eighteen.

P.O. LINDSAY:

IR 1627-07 - Amending the hourly rate for temporary positions in the Suffolk County Classification and Salary Plan (County Executive).

LEG. MYSTAL:

Motion to table.

P.O. LINDSAY:

Motion by Legislator -- to table, by Legislator Mystal and --

LEG. COOPER:

Second.

P.O. LINDSAY:

-- seconded by Legislator Cooper. Did you want to comment, Mr. Zwirn?

MR. ZWIRN:

No, we would ask -- we filed an amended copy, so it has to be tabled.

P.O. LINDSAY:

Okay. We have a motion to table and a second? All in favor? Opposed? Abstentions?

MS. ORTIZ:

Eighteen.

LEG. ALDEN:

And the season will be over by the time we get to it.

P.O. LINDSAY:

Parks & Recreation:

IR 1467-07 - Adopting Local Law No. 2007, a Local Law to amend park rules and regulations relating to dog run areas in County Parks (Stern).

LEG. STERN:

Motion to approve.

LEG. ROMAINE:

Second.

LEG. D'AMARO:

Second.

P.O. LINDSAY:

Motion to approve by Legislator Stern, seconded by Legislator D'Amaro.

LEG. CARACAPPA:

Hold on; on the motion.

LEG. NOWICK:

On the motion.

P.O. LINDSAY:

And Legislator Nowick would like to speak on this subject.

LEG. NOWICK:

Just on the motion, I would like to just get an answer from Counsel. If we do something like this, as --

LEG. LOSQUADRO:

We may collar ourselves?

D.P.O. VILORIA-FISHER:

It might come back to bite us?

LEG. NOWICK:

Okay. We got anymore? And certainly, I understand why the dogs have to run free, but my question is very simple. Do we become more liable because we sanction having an area that's not fenced in? I understand because I actually -- I'm an insurance broker, I understand that we're always liable.

LEG. CARACAPPA:

I can't hear a word you're saying.

LEG. MONTANO:

We can't hear you.

LEG. NOWICK:

I don't know if this is working.

D.P.O. VILORIA-FISHER:

It's working, you have to talk loud into it.

LEG. COOPER:

Yeah, you just have to speak from the diaphragm.

LEG. NOWICK:

I'm not sure if we become more liable if we actually sanction not having a fence. In other words, if a dog gets out of these fake fence areas and bites somebody, are we -- what do they call that? Do we contribute to the negligence because we have sanctioned this or are we liable the same way no matter what?

P.O. LINDSAY:

Mr. Zwirn, did you -- I see you at the mike; do you want to answer that?

MR. ZWIRN:

No.

P.O. LINDSAY:

No; okay, good. Mr. Nolan, would you like to comment on that question?

MR. NOLAN:

Well, this was actually asked in committee. Negligence is always a question of fact, it depends on the circumstances. But it's my opinion that this law would not expose the County, the exposure is minimal.

LEG. NOWICK:

Does -- and I just have to ask this because I went to insurance genius school; does our insurance company concur?

LEG. ALDEN:

We don't have an insurance company.

MR. NOLAN:

Well, we're self-insured. I haven't heard from the insurance people.

LEG. NOWICK:

Okay, so you feel that there is no contributory negligence.

MR. NOLAN:

No, I think if a dog goes off and does something, it's going to be the owner that's going to be on the

hook; that's my opinion.

P.O. LINDSAY:

Okay. Now --

LEG. CARACAPPA:

Mr. Chairman?

P.O. LINDSAY:

Now, Mister --

LEG. CARACAPPA:

Oh, when you have a chance.

P.O. LINDSAY:

Okay, Mr. Zwirn, did you want to -- no?

MR. ZWIRN:

Yes. Our concern, and I'm not sure if the bill was amended, we're concerned that the Commissioner of Parks have discretion in this matter and the bill we were looking at didn't seem to indicate that, and I don't know if there was an amended copy that we haven't -- that we didn't have in front of us, because that's -- as you remember, Commissioner Foley, who has left the County, was adamant about having fenced dog runs. We just want to make sure that the Commissioner of Parks has discretion as to determine, you know, where -- if these are going -- if it's going to happen with a natural boundary, that it's within the Parks Commissioner's discretion to do that.

P.O. LINDSAY:

I'll go to the sponsor; Legislator Stern, you want to answer that?

LEG. STERN:

Yeah, thank you, Mr. Presiding Officer. This legislation merely amends the definition of a dog run so that it can be an area that's actually fenced in with a fence or some other method of segregation; so it doesn't necessarily have to be a chain-link fence, it can be natural boundaries as well. This legislation works in conjunction with the legislation that we passed two sessions ago and that's the legislation that gives the Commissioner of Parks the discretion on where and how to locate individual dog parks; that's where the discretion lies.

P.O. LINDSAY:

Legislator Caracappa, I know you wanted to speak.

LEG. CARACAPPA:

Yeah, it's just I am concerned about the liability issues. Any time we have a fenceless run and a leashless run -- correct; I haven't visited one, but it's leashless as well, correct? Any time a vicious dog -- keep in mind, as loveable as dogs are, and we probably all have them, they're animals and animals sometimes set off a reaction in other animals, and what happens is dogs fight, cats fight, animals fight.

As placid as they may be 99.9% of the time with their owners and around humans, it's unpredictable.

Just recently we saw a Rotweiller attack some people, three people creating serious injuries; I'm sure up to that point in time that Rottweiler was probably deemed non-dangerous and very loving by the family.

UNKNOWN AUDIENCE MEMBER:

No.

UNKNOWN AUDIENCE MEMBER:

That's wrong.

LEG. CARACAPPA:

All right, you had your chance to speak for four weeks on this, I haven't said a word, I've listened to you.

P.O. LINDSAY:

Go ahead.

LEG. CARACAPPA:

You can never tell, and here's an example, just an anecdote. Growing up in my household we had two dogs just before I left the household, there was a Doxin -- a Chihuahua and we had a beautiful Pit Bull. Which of the two would you think was the most vicious?

D.P.O. VILORIA-FISHER:

The Chihuahua.

LEG. CARACAPPA:

The Chihuahua, of course, but you'd never -- you know, anyone who doesn't know wouldn't know and any time anyone walked in the door, they got attacked by that Chihuahua while the Pit Bull sat beautifully and dossil and lovingly. My point is it's too unpredictable to have a leashless, fenceless dog run.

Now, we're trying to provide dog runs and I think that's a great thing; a great thing not only for our owners, the taxpayers, but the dogs, we we try to provide for them. But the County most definitely would be liable in an incident if what happens to those three people happened at one of our dog rungs in a County Park, we most definitely are liable, especially if there are horrific injuries. Now, we all hope that doesn't happen, but let's be reasonable and honest with each other; the fact that it could happen is definitely there. And we have to take, as a responsible government, precautions, even if they're subtle and minimal, to make sure that doesn't happen where dogs can run off, away from their owners from the fenced-in area where they can control something that may happen along these lines. So I'm very, very leary about creating a borderless, so to speak, environment for dogs where anything can happen.

P.O. LINDSAY:

Okay, I've got Legislator Alden and then Cooper.

LEG. ALDEN:

And this is kind of to the sponsor of the bill. Did you envision the Parks Department having the ability, that if we turn up where there's a major problem like, for instance, dog owners not cleaning up after their own dogs and any type of fights that might occur; did you have, in your legislation or in your vision of proposing this, the idea that they would be able to promulgate some kind of rules and regulations to take care of those situations as they become necessary?

LEG. STERN:

Oh, I think that that's the authority that the Parks Commissioner already has. And I would just go to Legislator Caracappa's comments, we all share those concerns, but this legislation and the vision here is not to have fenceless dog areas. This legislation merely gives the Commissioner of Parks the discretion to go through a proper analysis, take every precaution and determine that the area to be set aside for dogs and their owners is properly segregated. This merely changes the definition of what is a segregated area to say it doesn't have to be an actual chain-link fence, it can be some other natural boundry that serves as a sufficient method of segregation. The Parks Commissioner would take all of that into account before determining if this would be an appropriate area.

LEG. ALDEN:

I have one more quick question, and maybe this should go to the Parks Committee Chairwoman. A number of years ago when I was in Parks, and I'm not in Parks now so I didn't get to ask this question, but we had a report from the Commissioner and some of the people that actually work in the parks that there's a tendency for people not to pick up after their dogs. And there's a number of local parks that I visit and I can tell you that a large portion of people's time, park employees, a large portion of their time is spent picking up after dog owners who are irresponsible, and that places a burden on the other people that try to go to the parks with their children or themselves to enjoy, you know, the freshness and the naturalness of the parks. So was that explored when we were looking at this legislation?

P.O. LINDSAY:

Legislator Nowick, go ahead, answer.

LEG. NOWICK:

We did discuss this at one time and I even understand doing that, we discussed it with the Commissioner of Parks. We even made a recommendation that possibly -- I've seen in other states where there are dog parks and there are little boxes with bags on them and they're donated by the dog lovers.

LEG. ALDEN:

There's boxes with bags on them at some of our parks, but people just don't use them, they just allow their dog -- and this is going to give somebody an excuse, "Well, I didn't see him, he was running around, I didn't see him or her, whatever they were doing." So it creates a situation where it kind of ruins the experience for other park-goers.

LEG. NOWICK:

If I may, I do understand that and you're right, that would be a mess. What I don't understand is why doesn't the dog like a fence? I mean, would they know the difference?

LEG. STERN:

I don't know if I look like I can answer that question.

LEG. NOWICK:

No, it's your legislation.

LEG. COOPER:

It's a trick question.

LEG. NOWICK:

I'm just -- what is it?

LEG. COOPER:

It's a stupid question.

LEG. NOWICK:

I'm just trying to understand why not a fence, if it keeps us from being liable.

LEG. COOPER:

I was smiling when I said that.

P.O. LINDSAY:

Legislator Stern, can you answer that question?

LEG. STERN:

I don't know if I can.

P.O. LINDSAY:

You started with a question from Legislator Alden to the Chair of the Parks Committee and she's asking the sponsor the question.

LEG. ALDEN:

And that's okay, because I just have one after this.

P.O. LINDSAY:

Okay, but the bill -- did you want that answered?

LEG. ALDEN:

Yeah, I would like to hear an answer.

P.O. LINDSAY:

Okay. But again, the bill, the way I understand it, just sets -- you know, authorizes the Commissioner of Parks to set aside dog run areas and doesn't spell out the specifics of whether they should be fenced or unfenced or down in a gully or --

LEG. STERN:

It would depend on the particular circumstances of each individual area and so the --

P.O. LINDSAY:

But that discretion is up to the Commissioner.

LEG. STERN:

Absolutely. And the important thing to understand here is that nobody is saying that it should be an unsegregated area, nobody is saying that it shouldn't be "fenced-in". What we're saying is the fence doesn't necessarily have to be a chain-link fence, it could be some natural boundary that serves and accomplishes the same purpose.

LEG. ALDEN:

Right, and I just lastly --

P.O. LINDSAY:

Legislator Alden, go ahead.

LEG. ALDEN:

Lastly, I do agree with Legislator Caracappa that people that have some kind of an attack or even if their dog is attacked, they're going to see deep pockets and the deep pockets are going to go after, unfortunately it's going to be the County of Suffolk.

So having said that, I'm willing to try as a pilot-type of program this and I would hope that the Commissioner would closely monitor the couple of things that I just put on the record and that's people cleaning up after their dogs. And also, if we do have an outbreak of fights and any of kind of damage and things like that, that they would seek the proper remedies or put in place the proper rules and restrictions that would limit the liability on the part of the people of Suffolk County and, number two, make it so that the majority of the people that are going to those parks can enjoy themselves.

LEG. STERN:

If I may, Mr. Presiding Officer, one more comment. I mean, I agree with many of the concerns that Legislator Alden raised and that discretion is always going to be within the purview of the Commissioner of Parks who's always, whoever he or she ultimately is, is always going to make that determination in an ongoing way. But I would say this --

LEG. KENNEDY:

All right, all right.

LEG. STERN:

You know, we want to ensure that our County parks are always open to all of our families, to all of our users, to all of our residents, dogs or no dogs. And because there might be a couple of concerns, I don't think that you can continue to ban use of our County parks with literally hundreds of thousands of families who have dogs in Suffolk County.

Applause

I think it's really a matter of education and we're looking to -- I mean, we have a bill coming up before us that's Legislator Losquadro's bill, 1597, which seeks to provide additional education for residents who use our County parks; perhaps as he goes forward in determining what that legislation is going to entail and how that's going to be developed, how County residents should utilize our dog parks and can clean up after their dogs should be included within that information to be distributed County-wide.

P.O. LINDSAY:

Okay, I've got two more speakers and both of you's are between us and lunch; so Legislator Cooper, act accordingly.

LEG. COOPER:

Just very briefly, I just want to put on the record how honored and thrilled I am to officially pass on the mantle of dog run champion to Legislator Stern and Legislator D'Amnaro as well. But I just wanted to point out that we're not breaking new ground here, there are hundreds, hundreds of dog runs across the nation that are, quote/unquote, fenceless; New York City has several dozen, there are many hundreds across the country. So I think this can be done safely and as the Presiding Officer mentioned, we're simply leaving this to the discretion of the Parks Commissioner to determine whether, when appropriate, we can put in a fenceless run. Thank you.

Applause

P.O. LINDSAY:

Last word, Legislator Kennedy.

Applause

All right, come on hold down the applause. Come on, we've got to get out of here. Go ahead, Legislator Kennedy.

LEG. KENNEDY:

Thank you, Mr. Chair. What I would say is that, you know, I applaud the sponsor's intentions with this, but I think that there's one other entity that we ought to just reference and whom will certainly be a partner with making certain that the -- any configuration. That's Long Island Dog, I've had the privilege and the ability to work with them for the better part of two years, as many of us have, and I know that they are a responsible group that will be willing to step up to make certain that they help provide the presence at these parks so that there's some type of a monitoring effect if there are incidents with particular dogs, and I'll certainly be proactive in helping to make certain that it's not a liability but a success. So I'm in favor of it.

Applause

P.O. LINDSAY:

Okay. We have a motion and a second. All in favor? Opposed? Abstentions?

LEG. CARACAPPA:

Opposed.

P.O. LINDSAY:

One opposition.

LEG. CARACAPPA:

Absolutely.

MS. ORTIZ:

Seventeen (Opposed: Legislator Caracappa).

LEG. CARACAPPA:

If someone gets bit --

LEG. MYSTAL:

Motion to adjourn for lunch.

P.O. LINDSAY:

Would you call -- did you call the vote?

MS. ORTIZ:

Seventeen, yes.

P.O. LINDSAY:

You did call it, okay. With that, I'll take a motion to adjourn for lunch, a second. All in favor?
Opposed? Abstentions?

*(*The meeting was recessed at 12:34 PM and reconvened at 2:35 PM*)
[The following was taken by Lucia Braaten - Court Stenographer and Transcribed by
Kimberly Castiglione - Legislative Secretary]*

P.O. LINDSAY:

Mr. Clerk, call the roll.

(Roll Called by Mr. Laube, Clerk)

LEG. ROMAINE:

Present.

LEG. SCHNEIDERMAN:

Here.

LEG. BROWNING:

(Not Present)

LEG. CARACAPPA:

(Not Present)

LEG. LOSQUADRO:

Present.

LEG. EDDINGTON:

(Present)

LEG. MONTANO:

Here.

LEG. ALDEN:

Here.

LEG. BARRAGA:

Here.

LEG. KENNEDY:

(Not Present)

LEG. NOWICK:

Yeah, here.

LEG. HORSLEY:

Here.

LEG. MYSTAL:

Here.

LEG. STERN:

Here.

LEG. D'AMARO:

Yes, here.

LEG. COOPER:

Here.

D.P.O. VILORIA-FISHER:

(Not Present)

P.O. LINDSAY:

Here.

MS. ORTIZ:

Browning is here.

MR. LAUBE:

Fifteen. (Not Present at Roll Call: Legs. Caracappa, Kennedy and Viloría-Fisher)

P.O. LINDSAY:

All right. We're going to go into public hearings in a minute, but there was a group that couldn't make it this morning for a proclamation. Legislator Losquadro, if you could call them up and do that, I'd appreciate it, quickly.

LEG. LOSQUADRO:

All right. Unfortunately, we're in the small auditorium for this meeting so maybe I'll just have each side stand up. That will probably be easier than trying to pack everybody up here. So if I could ask the boys and girls lacrosse teams from Shoreham-Wading River to stand up.

One of our local newspapers, the North Shore Sun, called these boys and girls in front of you Kings and Queens, and I'm sure all of you guys have seen this and probably will have it framed on your walls at some point. You certainly should, you have a lot to be proud of.

The boys and girls lacrosse teams from Shoreham-Wading River High School won the New York State Championship for lacrosse this year for 2007.

Applause

Legislator Romaine and I both have the privilege of representing the Shoreham-Wading River community so I'll certainly leave some of the details for him. But I will say that this is the first time in Suffolk County history that a school has had the boys and girls State Champions from one school, so they made history for us here in Suffolk County.

I am obviously very proud of them for a number of reasons, not only I'm a representative for this district, I am a graduate of the Shoreham- Wading River school system, I live in the Shoreham-Wading River school system, and my wife, Mrs. Losquadro, who some of you had, is a teacher in the middle school.

So these young men and women that you see before you today have really accomplished something that requires a level of personal dedication and discipline that very few people are able to muster in themselves. So I just want to say congratulations to them and specifically to their two coaches, Mr. Vlahakis and Mr. Rotanz for the wonderful job that they did, and they were both named Coach of the Year by Newsday as well. We have a lot of well deserved honors here, and I'm going to pass the microphone over to Legislator Romaine, and we have plenty of proclamations and certificates we're going to be giving to you outside, but I'll pass the rest of the details over to Legislator Romaine. Thank you.

LEG. ROMAINE:

First of all, my congratulations to all the young men and young women and to their coaches. They've done a phenomenal job. I have the honor of representing about two-thirds of the Shoreham-Wading River School District, all of Wading River and about a little less than half of Shoreham, and it's just a wonderful community with a great spirit.

And I want to mention the boys. Let me start with the boys if I can because you started with the girls and I'll mention the boys. They were the Class C champions for lacrosse in Suffolk County, and this was their seventh year for that. They were the Class C champions for Long Island, and this was their third year for that. And they are our New York State champions. Congratulations.

Applause

To the ladies. This was their fourth consecutive year, something only reached one other time in Suffolk history, as the Class C champions for Suffolk. This was their second consecutive year for the Long Island girls lacrosse Class C championship, and they are our Class C champions for New York State. And they all like to eat at Wendy's. So if you stop in on the Long Island -- excuse me, what was it, New York State throughway, they both got off at the same exit without even knowing it and had some Wendy's.

Guys, great job, congratulations. This is something that really goes down in sports where you see both the girls and the boys team rise to become the County champions, become the Long Island champions, and become the State champions. Tremendous accomplishments and we have proclamations and certificates. We'll do that outside.

Applause

LEG. ALDEN:

I'm sure East Hampton beat them in something.

MR. ZWIRN:

Baseball.

LEG. LOSQUADRO:

Thanks for pointing that out, Ben.

P.O. LINDSAY:

Okay. We're going to open the public hearings. Mr. Clerk, were the advertisements for the public hearings duly advertised?

MR. LAUBE:

Yes, they were.

P.O. LINDSAY:

The first public hearing is the *2007-2008 Suffolk County Community College Budget*. And I have two speakers. First one is Charles Stein.

MR. STEIN:

Good afternoon. Thank you for this opportunity to address the Suffolk County Community College recommended Operating Budget for 2008. Copies of my statement are being passed around. The following is a synopsis of that Operating Budget as recommended by the County Executive.

While we're grateful that our State leaders have provided a 5.9% increase in State based aid in this year's State budget, the County Executive has proposed no increase in County support. With no increase in the County's contribution our students will continue to bear more of a burden, well beyond the original one-third, one-third, one-third funding formula. The recommended budget includes the proceeds of a tuition increase at the \$120 per year level, well below what is needed as a recurring revenue, especially in light of the County Executive's proposal to provide no increase in the County contribution. The recommended budget takes one million -- 1.46 million dollars from the college's reserve fund to provide for expenses rather than providing a recurring revenue stream.

Regarding the reserve fund, there are ongoing discussions with the Budget Office and the Budget Review Office to reach agreement on the amount in the fund. There is a provision for adding \$500,000 to the reserve fund, but the source is unknown since there is no increase in funding from the County.

Only one LPN faculty position has been included of the 11 positions originally requested. The positions requested were primarily in response to issues raised during the Middle States Commission visit earlier this year. An additional position needed for our Veterinarian Science reaccreditation was requested by the Board of Trustees at its June meeting, but it is not included in the recommended budget.

The specific net expenditure reductions to the college's request is about \$1.2 million, consisting of reductions in personnel of about \$763,000, reductions in equipment of about \$383,000, reductions in supplies of about \$140,000, reductions in contractual expenses of about \$52,000, and an increase in employee benefits of about \$173,000.

It is important to note that again this year the recommended budget is not structurally balanced. Recommended expenditures exceed recommended revenue by almost \$958,000. Additionally, the reliance on a one shot revenue by using reserves instead of a recurrent revenue is not in conformance with sound fiscal practice and further deteriorates the reserve fund below the nationally recognized level. By continuing to follow this practice, which was criticized by the Middle States review team, the college will face a more significant problem in the following budget year when revenue will need to increase dramatically to make up for the loss of the one shot that is being recommended in the '07-'08 budget.

It's important to note that the college believes the reductions noted above need to be restored. Our request was carefully considered and significant restraint was incorporated by the college administration and the Board of Trustees. The negative impact of the reductions noted above will be significant and will cause difficulty with the Middle States accreditation team that will be doing a

follow-up visit next year.

This is especially the case with respect to the equipment reductions and personnel requests. In recognition of the Executive's desire for budget constraints, the college established a five-year plan for targeted equipment and included the first year of that plan with our budget. The Executive's reductions of approximately \$383,000 will eliminate about half of that first year plan. Please note that the lack of recurring revenue to meet recurring expenses will ultimately lead to either the necessity of reducing services to our student or the need for a much larger increase in the County's contribution next year.

As the gateway to higher education and good paying jobs for tens of thousands of County residents, we never want to be in a position of being forced to close extension sites, limit enrollment, or eliminate other services that are so vital to the future success of our residents.

Finally, while the narrative of the recommended budget questions the administrative costs of the college, the facts reveal that based on the most recent SUNY data, Suffolk County Community College has the lowest administrative expense per FTE of any community college in the SUNY system. For 2005-2006, the latest full year data available, the SUNY average administrative cost per FTE for all community colleges was \$806. Suffolk County Community College ranked the lowest cost at \$392 per FTE.

The Budget Review Office of the Legislature will be reviewing the Executive's recommended budget. We will be providing information to BRO and look forward to further discussion of the college budget and BRO's recommendations at the meeting of the Economic Development, Higher Education and Energy Committee on August first. Thank you for your time.

P.O. LINDSAY:

Next speaker is Kevin Peterman.

MR. PETERMAN:

Kevin Peterman with the Faculty Association at Suffolk Community College. First of all, I'd just like to thank the Legislature for it's past support both on operating budgets and capital projects and BRO for it's thorough analysis of college budgets. But I don't have the specific facts that Vice President Stein has, but I was taking notice of the County Exec's press release that he sent out on the 19th and talked about our beleaguered taxpayers and the pain of school tax increases.

I just want to make sure we understand on the record that the Suffolk County Community College budget has nothing to do with local property tax and local school taxes. To lump them in I think is creative. Most of the school budgets that passed in May, 94% of them approved, most of them had not double digit increases but 5, 7, 8% in their school taxes, which is a much bigger percentage than what we're talking about here with the County. I find that very creative as I said.

Chuck mentioned Middle States. The report talked about having more counselors. That's in the budget. We need that in wake of what happened in Virginia. I think it's very imperative that those positions not be cut.

I always talk every year about the pie chart. According to the County Exec's adopted budget that he put out, the student share, and this does not include fees, is 36.6%. The State share for this year was 27.4%, and the County share was 25.4%. I can't help but compare ourselves to Nassau as we sometimes do. That is, as you well know, a one campus operation. They have \$190 million budget that they're proposing for next year. That's 15% more than what the College Board of Trustees is asking for. The County contribution to Nassau Community College is almost \$50 million, which is 25% more than what this County puts in for the college.

According to the Newsday article of June 18th, the college officials at Nassau said the County's 3.9%

increase cost the average household \$4.30. Now, I'd like to think that we're pretty similar to Nassau County. I'm sure Budget Review can come up with that number, but if it is anything near that we're talking about a 4% increase of less than \$5.00 a year per household? I don't think that's so bad.

There was an article in Newsday on the 21st talking about Levy's proposed budget. Again, it's just so much less than what Nassau gets. Again, we have three campuses, we are a different county. Obviously we're much longer, we need the three campuses. But we need to support it and we need to do it in a prudent manner.

I'll just give examples since we're talking about school districts or I am bringing up some of the points that were made about school districts. The Sachem School District has over a \$250 million budget. We're not even close to that and we're covering the entire County. I think that's something we need to deal with. We also try and get more out of the State. This past year, this current budget the State has given us an increase of 5.94% in their contribution in FTE aid. That's something that I think the Legislature should be aware of.

And finally, I just want to point out if I can find my notes, that the College Board of Trustees, as you all know, are volunteers and I think that they try to do the right thing as far as the students with regard to tuition and the County taxpayer by going in with a 4% increase. I know of many, many administrators and faculty that would love to see a lot more in the budget. But I think what the County Legislature has done over the last few years has done what I call smart budgeting and smart growth, giving us a 4% increase every year rather than doing cuts and doing some of this other stuff that we had to deal with ten years ago where we had all kinds of zeros all the time.

Again, I want to thank you for your past support and hope that you will consider giving us an increase in your share. Thank you.

P.O. LINDSAY:

I don't have any other cards on this subject. Is there anyone else in the audience that would like to speak about the college budget? Seeing none, we have another budget hearing scheduled for August first, so we're not going to close this hearing. And I'm not going to take a motion and really do anything with it. The hearing will continue on August first.

IR 2579, A Local Law to broaden eligibility under the 72h Transfer Program. I don't have any cards on this subject. Is there anyone in the audience that would like to speak on this subject? Seeing none, Legislator Schneiderman, what is your pleasure on this public hearing?

LEG. SCHNEIDERMAN:

You can close it.

P.O. LINDSAY:

Close? Do I have a second to closing 2579?

LEG. ALDEN:

Second.

P.O. LINDSAY:

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

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

2579 is closed.

MR. LAUBE:

Seventeen.

P.O. LINDSAY:

IR 1056, A Local Law to enact a Suffolk County Homeowners Protection Act. I don't have any cards on this subject. Is there anyone in the audience that would like to speak on this subject? Seeing none, Legislator Alden, what's your pleasure?

LEG. ALDEN:

I'm going to make a motion to recess it because some people said that they were going to come down and speak on it, so.

P.O. LINDSAY:

Okay. Motion to recess and I'll second the recess motion. All in favor? Opposed? Abstentions?

MR. LAUBE:

Seventeen.

P.O. LINDSAY:

IR 1408, A Local Law to improve pool safety and protect against accidental drownings. I have one card, Steve Henaghan.

MR. HENAGHAN:

Good afternoon. Speaking on this bill is very hard because of the nature of the bill. First of all, this was such a tragedy and my deepest condolences to the family of this little boy that drowned that this bill is being named after. What makes it very hard is I'm opposing this bill, and I've come to this public hearing to voice my concerns about the bill.

Again, my deepest sympathies to the family, but the underlying problem wasn't pool safety, it was parental responsibility. I feel very bad for the little boy, but unfortunately, the -- I read from the Manorville Press that he had a history of running out the door and climbing out the windows, and my feeling was that the parents should have put alarms on the doors and windows if they knew there was a problem. And it breaks my heart to know that this little boy got out and drowned, but it's not the responsibility of a neighbor three doors down, it's not the primary responsibility. The primary responsibility lies with the parent. And I'm very sorry that this tragedy happened, but I don't feel that throwing legislation at every tragedy that happens is appropriate.

Again, God bless this little boy, but I am opposed to this bill. I think it's unnecessary legislation. God forbid that the next drowning happens and there are alarms, there'll be more legislation. And, in fact, this article in the Manorville Press stated after the little boy's uncle spoke that he wanted six foot unclimbable fences and covers on in ground when not in use. Mr. Cooper pledged to work on additional legislation incorporating the recommendations made by the little boy's uncle. I just feel that after every tragedy we just can't keep throwing legislation at it. We really do need to look at the underlying problem, and my own feeling was it was parental responsibility. Thank you.

P.O. LINDSAY:

Thank you, Mr. Henaghan. I don't have any other cards on this subject. Is there anyone else in the audience that would like to speak on 1408? Seeing none, Legislator Cooper?

LEG. COOPER:

Motion to recess, please.

P.O. LINDSAY:

Motion to recess. I'll second the recess motion. All in favor? Opposed? Abstentions?

MR. LAUBE:

Seventeen.

LEG. ALDEN:

I have a question on procedure.

P.O. LINDSAY:

Yes, Legislator Alden.

LEG. ALDEN:

I have had people that contacted my office in regard to this subject. I had five of them express that they would not be able to get down to any meeting to put on the record because they work and they asked if I would put these -- their comments on the record, so is that --

MR. NOLAN:

Why don't you give the statements to the Clerk.

LEG. ALDEN:

Just give them to the Clerk at this point? Thank you.

P.O. LINDSAY:

Could the Clerk make sure that those statements are copied and every Legislator gets them? Do we have a night meeting coming up?

LEG. MYSTAL:

August sixth?

MR. LAUBE:

No, it's the second meeting. Hold on.

MS. ORTIZ:

We're checking.

MR. LAUBE:

It is August 21st.

LEG. D'AMARO:

21st.

D.P.O. VILORIA-FISHER:

The 21st if four o'clock in Hauppauge.

P.O. LINDSAY:

Legislator Alden, what I was just inquiring, is we'll be happy to distribute the statements, but we do have a night meeting coming up on August 21st. Maybe it would be more convenient for some of them folks to come down and, you know.

LEG. ALDEN:

I'll ask, but they had indicated that they wanted them in the record.

P.O. LINDSAY:

Okay. We'll be happy to put them in the record.

LEG. ALDEN:

Okay.

P.O. LINDSAY:

IR 1501, A Local Law enhancing the ability of the Wireless Suffolk County Local

Development Corporation to develop a WI-FI Network in Suffolk County and Nassau County. I don't have any cards on this subject. Is there anyone in the audience that would like to speak on this subject? I do not see anybody. May be someone from the Executive's Office, do you wish that this be closed?

MR. ZWIRN:

You can close it.

MR. ZWIRN:

You can close it.

P.O. LINDSAY:

I'll make a motion to close. Legislator D'Amaro will second the motion. All in favor? Opposed? Abstentions?

LEG. BROWNING:

I'm here.

MR. LAUBE:

Seventeen.

P.O. LINDSAY:

J.R. 1510 - A Local Law to establish a prompt payment policy. And I have several cards on this subject. Kathleen Roach, the first speaker, followed by -- looks like Bruce Forsythe. Okay, Kathleen, go ahead.

MS. ROACH:

Good afternoon. My name is Kathleen Roach. I'm the Executive Director of Rainbow Chimes Early Education Programs. Our primary site is in Huntington. We have two satellite sites, one for Western Suffolk BOCES, one for Gurwin Jewish Geriatric Center. They're all not-for-profit sites. And I'm here today to ask you to support the 30-Day Prompt Payment Law that is pending before you.

Our not-for-profit child care program has 75 DSS subsidized children, representing half the enrollment at our Huntington site. We operate a satellite site for Western Suffolk BOCES, where almost every child is DSS subsidized and the baby of a teen mother. We have been providing DSS subsidized slots to Suffolk residents for over 20 years, but there are not nearly enough low income slots available in our community, as we all know from the Newsday headlines about poverty in suburbia. For years, and years, and years, DSS used to pay its child care vouchers within 21 to 28 days, so we felt secure enough to increase the number of DSS subsidized children enrolled to make up for the lack of slots in our area. It turns out this may have been a major mistake. The fact is that we cannot operate our programs properly when DSS is late with its payments.

The operating margins in this industry, especially since we are not-for-profit and take so many DSS children, the margins have always been minuscule. When the County was months behind in payments, we could not pay our bills or fully fund our payroll. KeySpan actually came and turned off the services in our building. I personally loaned the center \$70,000 to tide us over. Gradually, the situation improved a bit from the 60 days payment cycle, but the current delay for payment is still at 45 days, and instead of going down, down, it is going up. Because we truly and honestly could not wait that long for payment, we would absolutely have to close our doors.

We told the DSS Accounting Office about our hardship and we have often been sent the check sooner than the 60 days. And I do deeply, deeply appreciate this, and I am so grateful to the people who make this happen, but it is only right that the providers get their checks in the 30-day period it should be.

We are about to enter the lean summer months, when our BOCES site is all but closing up, and our cash flow will be more critical than ever. Although we turn our vouchers around in one or two days, so that ours will be among the very first processed by DSS Accounting each month, I dread the need to beg all summer long to get a check in time to pay our rent and our payroll.

I do not believe this situation will improve until there's legislation that will ensure prompt payment to all child care providers. Please, please, if I'm begging anyone, I'm begging you to please push this legislation forward so that we can continue to help so many of Suffolk's neediest families and their children. Thank you.

D.P.O. VILORIA-FISHER:

Thank you, Katie.

P.O. LINDSAY:

Bruce Forsythe, followed by Steve Burgdoerfer.

MR. FORSYTHE:

Hi. I'm Bruce Forsythe. I represent Kiddie Academy in Bay Shore. And just to relay what my experience is in dealing with DSS and their payment history, our average is between 50 and 60 days. Rarely we can see something under 50 in the eight years that we've been dealing with DSS. And it just makes it extremely difficult to stay in business and provide the services that we're asked to provide. Thank you.

D.P.O. VILORIA-FISHER:

Thank you, Bruce.

P.O. LINDSAY:

Thank you very much, Mr. Forsythe. Steven. And the next speaker is Katy Liguori.

MR. BURGDOERFER:

Hi. My name is Steve Burgdoerfer, I live in East Setauket. I own the Tutor Time Child Care Centers in Islandia and Ronkonkoma. We care for over 170 Department of Social Services children. We need the Prompt Payment Policy, Number 1510, passed so we can be paid in a reasonable period of time.

I'm contracted with the County and I pay the Suffolk County Living Wage Law. I also abide by the amounts that I'm allowed to charge that are State regulated also, so we're a little different than other industries that are perhaps contracted with Suffolk County. We're told what we're allowed to have for revenue and what our expenses also have to be as far as ratios with teachers and how much we have to pay our teachers. So, as Ms. Roche just stated, our margins are miniscule and there's not much we can do about it. So, if we're paid in a late fashion, it really gets you at the knees. In fact, on Thursday, for an example, this last Thursday, June 21st, we asked about a catch-up voucher that was submitted back from a payment in March, because, usually, if it was running between 45, 50, 60 days, we should have been paid that by now. So we called the County, we talked to a {Keisha} from Accounting. She says, "It's not a priority, you'll get paid in a year." In a year.

Today, I received a BICS report, which is a voucher, okay, for a child that is already under our care, just started a couple of days ago. It's for six -- it starts on June 25th through August 1st. That means I can't submit for payment until August 2nd, skipping two more normal accounting periods. Why? That's more money that I'm basically going to be loaning the County. I don't understand it. Also, it's double work for the County. Instead of this being done on July 31st, which would be the normal end of a period, thus them getting one voucher from us, now they're going to get double paperwork and I'm going to give them probably another 90-day loan on top of that. What concerns me not so much is that it's one child. Notice the date, that's just this week. This week is when a lot of children started, we're out of school and are starting now with our camp program. I'm probably

going to get 30 or more of these, which is going to put us in a stiffer, tougher position.

We need this law passed. I know they've tried to make improvements, but as was stated earlier, we are sliding backwards again. It's gone -- it was down to 42 days, I think it's back up to 45, 46, 47, 48. It needs to turn around. Thank you very much.

D.P.O. VILORIA-FISHER:

Thank you, Steve.

LEG. ROMAINE:

Question.

D.P.O. VILORIA-FISHER:

I have a question.

P.O. LINDSAY:

Yeah, hold on.

MR. BURGDOERFER:

Yes, absolutely.

P.O. LINDSAY:

Legislator Romaine has a question for you, sir.

LEG. ROMAINE:

As someone that runs a business and obviously has to pay their bills on time, and looking at DSS, what do you think the problem is with DSS in terms of these late payments? If could you put your finger on one, or two, or three, or four, or five, or whatever, what do you think the problems are with the late payments?

MR. BURGDOERFER:

I think it's two things. A, I think there's systems that --

LEG. LOSQUADRO:

Lift your microphone up, sir.

MR. BURGDOERFER:

Oh, I'm sorry. I think the systems that are being used by the department now are antiquated.

LEG. ROMAINE:

Systems in terms of computers?

MR. BURGDOERFER:

Computers, how we generate invoices, how we do billing, as a person that's in business.

LEG. ROMAINE:

Right.

MR. BURGDOERFER:

I couldn't operate my business the way they are, just --

LEG. ROMAINE:

So let me ask you this. Do you think it would be beneficial for the County to hire a Systems Analyst to go in there and analyze what we're doing now to see if they could make improvements?

MR. BURGDOERFER:

I think you would -- what could be of benefit, because I think that not only would it save time, but I think it would save money, because I think we would need less people to do the job if we could update our systems.

LEG. ROMAINE:

Well, I see our Deputy Budget Director is here in the audience, and I hope that he will carry that message back. There he is, he's hiding.

MR. KOVESDY:

Be my pleasure.

MR. BURGDOERFER:

I guess I was a tool for that.

LEG. ROMAINE:

I'll tell you, those type of pro forma things -- I served as County Clerk for 16 years, and one of the things we tried to do is figure out how we could make technology make the process move a lot faster. And we always had people in and we were always analyzing, "What can we do." And this is something the County should be doing on a regular basis with such pro forma things as DSS payments. And what's the second thing that you think is the --

MR. BURGDOERFER:

The second issue is that if we can't change the systems, I think we're light on the manpower.

LEG. ROMAINE:

Manpower.

MR. BURGDOERFER:

I don't think there's enough people in the positions to process the work. And I think, as we discussed it a couple of meetings ago, I think when someone's in that position, as soon as a better position is open, then they're out the door, Okay, and then it takes a long time to backfill that position in.

LEG. ROMAINE:

Because they're stressed out because of the amount of work they have that they can never clear their desk, it's constantly a pile.

MR. BURGDOERFER:

I would say that's probably accurate.

LEG. ROMAINE:

Are you aware, although our Chief Deputy County Executive did not believe at the time, that there were any vacancies in Social Service, our Budget Review Director pointed out that there was 167 as of the last meeting, which is a considerable number for one department to have.

MR. BURGDOERFER:

I would agree.

LEG. ROMAINE:

Thank you.

MR. BURGDOERFER:

I have the handout of that one.

P.O. LINDSAY:

Legislator Kennedy --

LEG. KENNEDY:

Thank you.

P.O. LINDSAY:

-- has a question as well.

LEG. KENNEDY:

Yeah. Thank you, Mr. Chair. Steve.

MR. BURGDOERFER:

Yes.

LEG. KENNEDY:

We have talked about this for the better part of a half year.

MR. BURGDOERFER:

Correct.

LEG. KENNEDY:

And we've heard a variety of different things about the need to go ahead and create a hierarchy in DSS in the Accounting Unit. We've had representations by the Commissioner, by the Budget Office. We've also been told as recently as last Health and Human Services meeting about a firm date for roll-out of a new program, Kinder Track or --

MR. BURGDOERFER:

Kinder Track I think is one of them.

LEG. KENNEDY:

Okay. Now, we've got a representation from the Commissioner that that was going to be out, available and deployed by September 1. By my thinking, I think that's around 60 -- 58 days away. Has there been any -- do you know anything about it? Has there been any dialogue, is there any advanced work, and will that make this situation better?

MR. BURGDOERFER:

That would be a tool in making it better? Do I think it's the end-all, catch-all? No, but I think it's a step in the right direction. But, as far as the timing of that step, that step's not going to happen September 1st. No, they have not even notified child care agencies to make sure they're online to even interact with that, with that kind of a program. So I know, just based upon that information not being given out to the industry that we're talking that this is well down the road. And from secondhand information that I have, not direct information, the supervisors that were going to be looking over that program, their positions are open right now.

LEG. KENNEDY:

Well, like Legislator Romaine said, I guess I'm going to try to send a message to the Chief Budget Director as well. We desperately need some accurate information here from the Administration, because it seems no matter what we do, we're getting hype, mumbo and jive when it comes to trying to go ahead and solve this very real problem. So please come back with something real, so that we don't keep having to hear from these people that it's not getting solved. Thank you.

LEG. ROMAINE:

Just remember the phrase, that you can't dazzle them with brilliance.

P.O. LINDSAY:

Okay. Legislator Vilorio-Fisher.

D.P.O. VILORIA-FISHER:

Steve, you mentioned something one of the previous times that you testified, and I just wanted to ask you about that, because we've thought of seasonal workers perhaps being a help. I believe you said that when you are most busy, which is in the Fall when you're getting the new entrance, that the staff is pulled from this program and put into the HEAP Program.

MR. BURGDOERFER:

No. I think it's, from what my understanding is, is that it's the same staff, it's just that pile of work gets a lot deeper, because now they have to process all the {heating} payments.

D.P.O. VILORIA-FISHER:

The same staff is handling both programs?

MR. BURGDOERFER:

They're handling both, yes.

D.P.O. VILORIA-FISHER:

Okay. Thank you. I just wanted to clarify that. I remember that you had mentioned --

MR. BURGDOERFER:

No, I don't think they're actually being pulled, I just think they're just given additional work.

D.P.O. VILORIA-FISHER:

They're being given additional work.

MR. BURGDOERFER:

Yeah.

P.O. LINDSAY:

Legislator Barraga. Legislator Barraga, did you have a question?

LEG. BARRAGA:

What I find interesting, for example, in the case of this particular child, you have to carry this child for almost like five weeks before you can put any paperwork in for compensation.

MR. BURGDOERFER:

That's correct.

LEG. BARRAGA:

Yet, the next compensation period is normally what, every two weeks?

MR. BURGDOERFER:

No, it's once a month.

LEG. BARRAGA:

Once a month.

MR. BURGDOERFER:

Right. So there would be one at the end of June that this will miss, and there'll be one at the end of July that this will miss.

LEG. BARRAGA:

So you miss two.

MR. BURGDOERFER:

Correct. I don't understand.

LEG. BARRAGA:

It has nothing to do with accounting or computers, or anything else, it's just the -- it's a policy position they take?

MR. BURGDOERFER:

I don't know if it's a policy. I would think, if you had a computer and a system, that you wouldn't allow an 8/1 end date, that you'd have it always end on a period ending date of 7/31, at the worst, if not, 6/30.

LEG. BARRAGA:

It would seem to me that whatever the next period is, if it's a week or two weeks from the time you take the child, that's when you should be able to put in for the compensation.

MR. BURGDOERFER:

Correct, knowing that now, after August 2nd, I'm going to have to wait 55, 60 days on top of that. You know, we'll be talking about, you know, what we're having for Thanksgiving by the time I get paid.

LEG. BARRAGA:

So you're talking like 90-day float for the County.

MR. BURGDOERFER:

Exactly. It's a no-interest loan.

LEG. BARRAGA:

Yeah. I mean, if there's anybody here from the Administration, I'd like to get an explanation as to why he has to wait 35 days to put in for compensation. This has nothing to do with personnel or computers, it's just something -- it's a lag time. It's like giving a free float to the County of 35 or 40 days. That's totally unnecessary.

P.O. LINDSAY:

Thank you, sir.

MR. BURGDOERFER:

You're welcome.

P.O. LINDSAY:

Legislator Mystal. Hold on, I'm sorry.

LEG. MYSTAL:

No, no, no. No, I don't want to talk to him, I just --

P.O. LINDSAY:

We're not going to debate the bill.

LEG. MYSTAL:

No, no, no, no, no.

P.O. LINDSAY:

No? If you have a question for the speaker --

LEG. MYSTAL:

No, no, sit. You can sit, you can sit, you can sit.

P.O. LINDSAY:
Legislator Mystal.

LEG. MYSTAL:
You just want to give Legislator Barraga a little --

P.O. LINDSAY:
We're not --

LEG. MYSTAL:
I have asked that question of the Social Services.

P.O. LINDSAY:
We're not debating the bill. Okay.

LEG. MYSTAL:
No, I'm not debating, I just wanted to answer. I just want to give him an answer. I've asked that to -- from DSS, and the answer they give me usually is that the child have to be certified by the State before they get their money. So they wait for the child to be certified, which takes about anywhere from a month to two months for the child to be certified by the State and then they start the child in the process. And that's one of the problems that they are having is that --

[NEGATIVE RESPONSE FROM AUDIENCE]

P.O. LINDSAY:
Okay.

LEG. MYSTAL:
That's the excuse that they're giving. I'm not saying --

P.O. LINDSAY:
No, no, I'm not going to get into debating bill.

LEG. MYSTAL:
Okay.

P.O. LINDSAY:
We have about ten more cards on this subject. Why don't we listen to everybody. Kathy Liguori. This time is for us to listen to the public. And Kym Laube is next.

MS. LIGUORI:
Again, my name is Kathy Liguori. I am the owner/operator of Tutor Time Child Care Learning Centers of Medford and Middle Island, and I live in the Town of Nesconset. I want to thank you for listening to my testimony once again, as a Suffolk County advocate for the child care industry.

The last General Meeting that we were here in Hauppauge was quite enduring. And I have to tell you, I've been working in the child care industry since 1995, and during that time, I've been labeled many things from Kentucky Fried Kids to a pain in the blank, but I have to tell you, I have never been labeled to feel discriminated as being a business buffoon in front of my face in the well respected public forum as this and on public record. And for that, I have two words for Mr. Sabatino, not nice.

Since the Spring of 2004, a report was published by the Rausch Foundation, a child care industry, an integral part of the Long Island economy. It was published at that time stating that the child care industry was a 612 million dollar industry run by twenty-six hundred small businesses calling for

over -- caring for over 74,000 children with 17,000 employees. Seventeen thousand employees, more than other important and respected industries such as aircraft and new residential construction.

The indirect and induced effects to the local economy were also noted, but what does equate to for Suffolk County -- it equates to approximately 37,000 children, eighty-five hundred employees. And it's stated that the child care industry contributes directly to growth in jobs and income, and draws in Federal and State dollars into the local economy, and has regional economic linkages that are greater than most other Long Island industries. According to that report, the calculated revenues paid by the government subsidy would equate to a Suffolk County expense of approximately 30.6 million dollars, serving an estimated population of forty-five hundred children. 30.6 million dollars, that's a lot of interest.

We have learned that 80% of the DSS payroll is subsidized by the State, and after the recommendations of Budget Review, 167 positions are still vacant. That in itself is morally indefensible. We are the early care and education industry of Suffolk County. We're an economic engine that is a forceful part of the economy, yet we're classified as just another social service mouth to feed. That mindset of our leadership in the County must change.

Many other counties in our State follow your lead when it comes to laws that benefit the public, so let's think about that when we think about child care. Please, take the first step in the right direction and vote for Resolution 1510, Prompt Payment Law, and please consider it to be available to all child care providers, both noncontracted and contracted, as the New York State Child Care Block Grant provides.

I ask you to protect all of your constituents, both tall and small.

And most recently, I learned of some very disturbing news, that a child care provider submitted their monthly BICS voucher on the first of the month. They were set up a computer system to list their attendances, as they've done previously, as I do, as many other providers do on a computerized printed out Excel form nice and neat. It was returned to them on the 18th of this month saying they can't read the attendance sheet and to please redo it manually. I don't know what's going on in the Department of Social Services. I don't know why Steve just arbitrarily received this change of policy and procedure, but there's a message being sent, so we need to send a message. We need to be paid promptly. We cannot operate our monthly budgets and adhere to payrolls when policies are going to arbitrarily change. So again, as I said last time, I beg you, and on my knees if I have to. We need this law passed. We need to protect child care. Thank you very much.

LEG. LOSQUADRO:

Thank you, Kathy.

P.O. LINDSAY:

Legislator Viloría-Fisher has a question.

D.P.O. VILORIA-FISHER:

Kathy, the change of policy and procedure, can you just explain that?

MS. LIGUORI:

I'm sorry, I really made an assumption, but which one are you referring to --

D.P.O. VILORIA-FISHER:

You just said --

MS. LIGUORI:

-- Steve's or the other provider?

D.P.O. VILORIA-FISHER:

Steve's. Just the date, is that change?

MS. LIGUORI:

Usually, you know, what happens is, and if I may expand on the comment that Legislator Mystal had made about getting a certification from the State, the State funds us these students. The County is the administrator for this New York State block grant of the 30.6 million dollars. They have to have checks and balances in place, so what they need to do is be sure that based on the poverty level of the child or the parents, actually, that they're improved, that they meet those income eligibilities and they give a letter of approval. That's what we receive either as a contracted provider or a noncontracted provider. We receive a letter of approval, giving a case number, parent name, child name, and the duration of care that they're certified for, and then we receive that billing on a monthly basis. It comes a long, long form, it's a fan, it's a generated report. If they meet -- don't meet that cutoff line to get on the regular BICS roster, you get a back-billing. You get a separate form to bill for, and then they're just -- their name is added to the next general form. What's happening here now is a change of procedure. This is the first time that this has ever occurred. It's the first time that I've ever even heard of it myself, that they're now say, "Here's a student. You're going to serve him in June for that week?" You can't bill him in July for that June. July will come, you'll serve him, you won't be able to bill in August, you'll now have to wait until September 1st, until the end of August, when the services are provided. So it's arbitrary, it's just arbitrary. You can't budget that way. If you don't get your payroll check, will you be able to pay your mortgage?

D.P.O. VILORIA-FISHER:

Thank you, Kathy.

MS. LIGUORI:

Thank you.

P.O. LINDSAY:

Kym. And after Kym is Mike Stoltz.

MS. LAUBE:

Good afternoon, Presiding Officer Lindsay and the other Legislators. Speaking on behalf of the Quality Consortium, which represents over 26 drug and alcohol prevention and treatment programs, as well as the Executive Director of the HUGS Program. I'd like to honor my support and voice my need to push you to make into law Introductory Resolution 1510-2007.

I just want to talk briefly about how HUGS has been impacted by the process in which we go through. Last year alone, in 2006, I personally went for almost four complete months without receiving a paycheck, and I did that in order to keep my organization afloat. That was because of the six-and-a-half months it took my agency to be refunded -- to be -- to receive payment from the voucher we put in. If I was a single parent with my children, I wouldn't have been able to survive, and I would have needed to walk out of this line of work, this work that I absolutely believe in with all my heart.

This particular year, just last week, my County contract was executed. It is June 20 -- I think it was June 22nd, the day that it was actually executed. That's a contract that goes back to January 1st. I've vouchered and submitted payment back in March and I have still not received payment again, and once again, I am faced with making tough decisions about not accepting payroll, not paying bills, and hoping that my agency stays alive.

We maxed out our credit line, and because we're not a large organization, we don't have a very large credit line. That's already been maxed out. There's no reimbursement for the interest that I will pay on that credit line that is there. Other contract agencies within the Quality Consortium in the drug and alcohol treatment field have the same experience with the delay in receiving payments.

We have a big problem with our field with workforce development and trying to talk people to go

into this line of work. And when you look at these issues like this, it makes me wonder, "Gosh, why would they?" The fight to the fight to the fight to the fight, no matter where we go just to help people. Passion gets me through every day, and many of you know, because I've said before that the HUGS Program, not only am I the Executive Director, but I was out on that campsite when I was 16 years old and my life changed as a result of it. I always every day am grateful for that opportunity when I was 16, and every day when I walk into the office am reminded that I need to give back. I am one of the most incredibly passionate people when it comes to drug and alcohol prevention. However, I have been questioning lately where am I getting the fuel for my passion? How am I going to continue to fight the fight where every step I turn, I just seem like I'm not being supported on the other end? It's acceptable, it's a fair expectation that we should get reimbursed within a timely manner.

My contract was delayed because I received a COLA this year. For HUGS, that COLA was \$116. That was my cost of living increase, and that's why it is now the late end of June and I'm not -- have no idea when my payment is coming in next.

So I thank you. I ask -- and I applaud you for being one of the most aware groups that I know on issues as it refers to not-for-profits and drug and alcohol prevention, so thanks.

P.O. LINDSAY:

Wait, Kym. Legislator Kennedy has a question for you.

LEG. KENNEDY:

Thank you for coming out to go ahead and share, obviously, what's not something that's just a problem with one segment of our contract agencies, but, apparently, this is endemic. How many agencies does the Quality Consortium represent?

MS. LAUBE:

I'm going say 26. I believe that it is.

LEG. KENNEDY:

About 26 agencies?

MS. LAUBE:

Uh-huh.

LEG. KENNEDY:

And is each one of your member or agencies experiencing a similar type of a situation to what you're relating to us?

MS. LAUBE:

The only ones that are not are ones that are also supported through their town. If it's a town-based program, then no. But if they are County contract, yes. Many of them have different -- the treatment agencies specific do have other -- you know, other areas of revenue, but, however, that doesn't -- that doesn't make up for this.

LEG. KENNEDY:

When it comes to dealing with us, this seems to be the norm.

MS. LAUBE:

Correct.

LEG. KENNEDY:

Thank you.

D.P.O. VILORIA-FISHER:

I just have a question.

P.O. LINDSAY:

Legislator Viloría-Fisher.

D.P.O. VILORIA-FISHER:

Kym, you spoke to the issue of executing the contract, and I received -- I've been getting many calls since I introduced this and that's a big problem. Once the contract is executed, how long does it take to get paid?

MS. LAUBE:

Well, that's -- I will let you know when my check is in the mail, because I'm really not sure. I know I vouchered in March.

D.P.O. VILORIA-FISHER:

But you don't just represent yourself, you're representing the Consortium. So, in the Consortium, other people whose contracts have been executed, what's the average?

MS. LAUBE:

Most of us aren't sure, because those contracts just came through within this last 30-day period, so I don't have a number to give you, because we all were held up because we all received the COLA.

D.P.O. VILORIA-FISHER:

So, although we put it in our Operating Budget that those contract agencies were to be supported during the Year 2007, contracts for those agencies have not been executed until the past 30 days, is that what you're saying?

MS. LAUBE:

That is my understanding. And I would like to go back to the QC and get in documentation form from them each before I answer definite affirmative on that. I want to give you the most accurate information I can, and I promise you, I will follow up on that.

D.P.O. VILORIA-FISHER:

Okay. And these are not, N-O-T, as Paul Sabatino often says, these are not child care providers.

MS. LAUBE:

Correct.

D.P.O. VILORIA-FISHER:

These are people who are dealing with substance and drug abuse issues.

MS. LAUBE:

Correct.

D.P.O. VILORIA-FISHER:

Thank you.

P.O. LINDSAY:

Okay. We got Mike Stoltz, followed by Edna Guarino.

MR. STOLTZ:

Thank you, Mr. Presiding Officer. I'm Mike Stoltz. I'm here representing today the Suffolk Coalition of Mental Health Service Providers. And I apologize, I have a little asthma going on here. I want to thank the Deputy Presiding Officer for introducing this bill. If it can help any segment of

the nonprofit and the human service group, that is a good thing, and we certainly support it.

Our coalition is a coalition of about 24 mental health agencies, most of whom receive some form of contracted payments through Suffolk County. And unfortunately, it's our view that this bill will not help most of our agencies other than to bring light to this issue, which is a very important step in and of itself. Why won't it help us? It depends on this is a prompt payment bill. A prompt payment bill requires the presence of a contract, and as Ms. Laube said, that is a -- that is a major problem. And, in fact, this is not just a problem that the Levy Administration has faced, this has been a long tradition in Suffolk County, going through the Gaffney Administration, back to the Halpin Administration, of contracts that could take four, five, six months to actually come into play before you can start the reconciliation process, the claiming process and the vouchering process.

Our coalition has joined a larger group called the Smart Government for Strong Families Group that has been funded through the Health and Welfare Council of Long Island in partnership with the Suffolk Community Council and a number of other agencies that contract through five or six different departments of government. It's our goal to measure the impact of late contracting and late payments on our agencies, among the things, as my colleague, Ms. Laube, said, the fact that we have to go to our donors to say, "Would you, please, help, help us raise money," give us money so that you can -- we can pay for the interest that the County has made us incur, because we can't get our bills paid in any kind of reasonable type. That's not exactly a really sexy kind of thing to go to your donors for, to say, "Please, help our cause, so we can make payments that the County should have been able to give us."

Our coalition is also looking at -- we've laid out already the 30 or 40 steps that exist and a process for any nonprofit agency to contract and receive payment from Suffolk County. And we lastly want to take that kind of process that we've identified and work with you and the County Executive's Office, and perhaps the other departments, meaning the Office of the Comptroller and the Office of the Treasurer, to see if there's a way that we could reduce 30 or 40 steps down to something reasonable, say seven or eight. This would not be the first municipality that would be successful at reducing the number of steps involved in prompt contracting and prompt payment. In fact, Nassau County, and I know everybody hates to hear comparisons with Nassau County, but now do get their contracts done in the -- in December, and by December the 30th, all nonprofits, the County Executive gives out his -- their first quarter advances, and that's been happening for a couple of years now. But they had to go through a very difficult process, just like we're recommending, and had a coalition called the Fight for Families Coalition that worked with the Legislative Branch and the Executive Branch, and all those other departments, to be able to look at a reasonable way of doing business.

Unfortunately, while this County has a wonderful bond rating, one of the things that's not been kept into account is how well the County pays its bill. That's not a part that helps determine this County's bond rating and probably should, because it affects a great deal -- a great number of people.

So in sum, we hope that you do pass this bill, but that you recognize that it's only a first step to studying and remedying a process that's been a long and unstoried tradition for a couple of decades now. Thank you.

P.O. LINDSAY:

Before you go, Mike, Legislator Kennedy has a question.

LEG. KENNEDY:

I'll keep it simple.

P.O. LINDSAY:

Good.

LEG. KENNEDY:

Thank you. It's my constituent from the great 12th Legislative District.

When you look at this lag in payment, particularly in the mental health area, there's a variety of different streams of funding. There's a significant block that comes to mental health providers like yourself that originates at the State level and is passed by and through the Health Department. Is that coming timely or is that -- so that's 100% State pass-through.

MR. STOLTZ:

Hundred percent State money.

LEG. KENNEDY:

That's not coming to you either?

MR. STOLTZ:

When the County has the responsibility to shepherd this money and to administer and to look at it, it's handled in the exact same way as County money is, with the exception of the claiming process. Hundred percent County money, if you have a -- if you have just a County contract, you have what's called line item budgeting. So after you have a contract in place, it's handled differently. That would mean if I have a line item County contract, every issue, if I want to hire a staff person, if I want to send my staff to a conference, things like that. If I want to buy a thousand dollars in computers, every issue I have to raise to my host department. With State contracting, with pass-through dollars, we don't have line item contracting.

But there's a whole lot of other issues that kind of enter this. There was a year in which the Legislature voted us, the human services agencies, a two-and-a-half percent COLA that even included matching, enhancing State contracts. Unfortunately, the impact of that was that it would also convert those -- it would convert all hundred percent of the State dollars, plus the COLA money, into line item budgeting and line item contracting. So most of us said thank you, but it's -- you know, for some of us, if you've got \$20,000 or \$25,000 in a COLA, it would cost you \$40,000 to administer it, so we said thank you, and it wasn't going to work for us.

So we really need to step back and look at the whole process, get past blaming issues, and be able to say, "What's a better way to do business here?"

LEG. KENNEDY:

How many members in your coalition, Mike?

MR. STOLTZ:

Twenty-four.

LEG. KENNEDY:

Twenty-five. Okay, thank you.

P.O. LINDSAY:

Legislator Viloría-Fisher.

D.P.O. VILORIA-FISHER:

Thank you for coming down, Mike. I was recently speaking with Jack O'Connell from Nassau County -- O'Donnell.

MR. STOLTZ:

Health and Welfare Council of Long Island.

D.P.O. VILORIA-FISHER:

Right.

MR. STOLTZ:

Right.

D.P.O. VILORIA-FISHER:

And he's left, but I believe Gwenn -- I can't remember her last name.

MR. STOLTZ:

O'Shea.

D.P.O. VILORIA-FISHER:

But do you think that -- were they instrumental in developing the Nassau County program, so that the contracts could be executed more efficiently?

MR. STOLTZ:

They helped facilitate a multi-dimension -- multi-service coalition called the Fight for Family --

D.P.O. VILORIA-FISHER:

Okay.

MR. STOLTZ:

Fight for Families Coalition.

D.P.O. VILORIA-FISHER:

Okay. So they were the pivotal point?

MR. STOLTZ:

Correct. And that's where --

D.P.O. VILORIA-FISHER:

Okay.

MR. STOLTZ:

That's where the Hagedorn Foundation came back to the Health and Welfare Council and said, "Let's look at your Suffolk members and partner with the Suffolk Community Council and other -- and other coalitions and organizations and say, "Let's do the same thing in Suffolk." And it took a few years, but it was successful.

D.P.O. VILORIA-FISHER:

But it hasn't been a success in Suffolk yet.

MR. STOLTZ:

No, we've just started in Suffolk.

D.P.O. VILORIA-FISHER:

You've just -- yes.

MR. STOLTZ:

Correct.

D.P.O. VILORIA-FISHER:

Gwenn indicated to me that she would be willing to work with Suffolk, but --

MR. STOLTZ:

Absolutely.

D.P.O. VILORIA-FISHER:

So you've begun with her.

MR. STOLTZ:

We've begun that process, yes.

D.P.O. VILORIA-FISHER:

Excellent. Good. Thank you, Mike.

P.O. LINDSAY:

Thank you very much.

MR. STOLTZ:

Thank you.

P.O. LINDSAY:

Edna Guarino, and on deck is Christine Epifania.

MS. GUARINO:

Ladies and Gentlemen, my name is Edna Guarino. I represent Family Day-Care in Suffolk County. Ladies and Gentlemen, thank you for the time given to speak my mind.

P.O. LINDSAY:

Edna, you've got to -- you've got to really get close to that, we're having a hard time hearing you.

MS. GUARINO:

I have spent numerous hours in the past two weeks going over the minutes of meetings and budget reviews, covering the span of 2004 through 2007. After doing so, I realize that the reason all the providers suffered so badly is the County Executive's freeze on hiring. A freeze on hiring means no new position would be opened up. It does not mean that the current 167 vacated position that you have allocated in the budget for this year were not to be filled. This has caused the day-care providers untold harm. Did he sign off when that 20% of personnel opened up in the Accounting Division? No, Ladies and Gentlemen, he did not. This created a backlog that they have been trying to work their way out of for quite sometime. His actions has caused the providers hundreds of thousands of dollars, monies that had been wasted given away to banks among the other lawsuits that you've heard testified to. He has left our County wide open for numerous lawsuits.

A hundred and ninety-eight thousand dollars was spent on a computer program for Accounting over a year ago. The hold-up on implementing it is once again the lack of personnel in the Accounting Unit. I know the policy of keeping staffing levels down in order to generate a fund balance has led to severe staffing shortages throughout all of DSS. As a taxpayer, I demand to know where are the monies that you allocated in the budget? Where are they, Ladies and Gentlemen, because they're not being spent the way you said for it to be spent.

Your Budget Review Office recommended reinstatement of the automatic refill policy for staff positions vacated during the year, providing DSS with a stable and consistent level of staffing necessary to protect our County's most fragile population, as well as to conserve taxpayer dollars spent on public programs. I say to you today, Ladies and Gentlemen, please revisit and reconsider reinstating the automatic refill policy. It is desperately needed at this time.

From 1979 to 2007, DSS has had a 123% increase in overtime and temporary salaries, topping the scale at \$1,880,000. As a taxpayer, I would rather have that monies put into several key positions throughout the department than to have it -- as well as those monies that you've already allocated in the budget for the year, as seeing it go for temporary positions.

The County Executive asked for a waiver on a pay-as-you-go basis. Upon receiving that waiver, land acquisitions kicked into full gear, and we providers feel that this has been done at the expense of those who service this County and its most needy families. He thought nothing about borrowing monies to pay back over the years, costing taxpayers of our County more monies than necessary, and that he would not replace the vacated positions in order to pay those who service this County.

Ladies and Gentlemen, many areas years, when I joined the Navy, we had to learn military government as well as our government. Our forefathers had the wisdom to put into place a checks and balance system. We feel it is time you check the unbalanced in our County government. This can be done by passing I.R. 1510. And by doing this, you can make certain that those who service this County are treated with decency and respect, and know that no one person would ever be able to cause as much damage as this County Executive has, and at the same time protect this County's most needy children. Thank you.

D.P.O. VILORIA-FISHER:

Thank you, Edna. Edna, I wanted to just ask you a question. You said that there was \$198,000 spent on a computer program; are you talking about the KinderTrack?

MR. GUARINO:

Yes, ma'am.

D.P.O. VILORIA-FISHER:

Okay, I just wanted to clarify that. Thank you, Edna.

LEG. ROMAINE:

Question.

P.O. LINDSAY:

Legislator Romaine.

LEG. ROMAINE:

Yes. You indicated that the County had spent money on temporary salaries and overtime as opposed to hiring the authorized positions. How much was that amount again?

MS. GUARINO:

That was a hundred -- \$1,880,000.

LEG. ROMAINE:

So 1.8, almost \$1.9 million was spent on temporary salaries and overtime instead of spending the authorized, budgeted, taxed-for funding for the positions that are currently vacant?

MS. GUARINO:

Yes, sir.

LEG. ROMAINE:

Thank you.

MS. GUARINO:

You're welcome.

P.O. LINDSAY:

Okay. Christine?

MS. EPIFANIA:

Epifania.

P.O. LINDSAY:

Okay, thank you for helping me with that.

MS. EPIFANIA:

Thank you. It's a pleasure to be here and address you today. I'm the Executive Director of Alternatives Counseling Centers, we are here in Riverhead and also on the east end of Long Island. I am also here as a member of the Quality Consortium, we represent the non-profit drug treatment centers on Long Island.

I'd like to read a statement that Catholic Charities asked me to read here today. "Like the child care providers who have spearheaded the prompt contracting issue, other not-for-profit agencies like Catholic Charities and Pedersen-Krag and the other Quality Consortium agencies suffer when payments are delayed. These delays force agencies to borrow money at unreimbursed interest rates which places additional financial burden on agencies struggling to maintain services in light of already inadequate levels of government funding. The bottom line, agencies are forced to divert funds from program services to these additional administrative costs.

When I became the Executive Director of Alternatives, I didn't know I was going to have to sign in the name of the organization, because it's in the organization's name, for a \$250,000 line of credit; that is about one-third of my budget. Once a year that credit line must be paid off for 30 days in order for the bank to continue to give it to me. I sweat, so to speak, to make sure I have a 30 day period that that could happen. Why is this; because of late payments? Sometimes, yes, but the system is much more broken than that and I want you to consider this. Getting your voucher in is the end of the process. Before that process, there are numerous steps, resteps, resteps, resteps, I could go on for ten minutes saying that, in order for a contract to get approved. In 2006, I had three contracts, by the time we went back and got all the approvals we needed to get as our living budget, which is what we have to have as non-profits, got changed over the year. Whether it's that we've got to come back to the Legislature or we're negotiating with the County, the process is broken and inefficient.

More of my time is spent in redoing work and having the CFO of our agency revoucher. We had to revoucher \$80,000 because of changes in the contracting process; this is just inefficient. It's a waste of our time, I would believe that you would think it was a waste of your time. It's a waste of the monies and effort that are being used that could be focused towards the treatment services that we are needing to provide to the residents of Suffolk County.

So I would like to see this bill passed that is before you, but I challenge you to really think broader than this. Because you heard my colleague Kim and I spoke to her the other day and jokingly I said: "Gee, Kim, I really would like to have a raise and vacation," she said, "I'd like to just get paid." We shouldn't be saying that here. These services are much too important.

In terms of substance abuse in Suffolk County, we've seen what's going on with the DWI laws, we've seen more and more people coming out of the criminal justice system that we are servicing, the non-profits are servicing. We don't have the margin of error. We feel often that we are micromanaged in this area and I would ask only one thing, that you ask the County to be as precise with us as we are asked to be with them. We're in this to make it work, but you need to help us make this work, because you can't really afford to have us all leave the field. And we don't want to do that, we're non-profit babies, we're here and we've had our careers here because we believe in what we're doing.

So we need your help right now. Please broaden your thinking and take the challenge a step higher. Thank you.

LEG. ROMAINE:

Question.

D.P.O. VILORIA-FISHER:

I have one question.

P.O. LINDSAY:

Christine, there's some questions for you.

MS. EPIFANIA:

I'd be glad to.

D.P.O. VILORIA-FISHER:

Christine, I just met somebody at lunch who said to me that she's the Director of a youth services and she had to put \$8,000 on her own personal credit card. Have you ever had to borrow -- lend your organization money, personal money in order to get to that -- in order not to be penalized with that ceiling of credit?

MS. EPIFANIA:

No, I haven't had to do that, but we work with a community bank that has been very, very community-oriented in working with us. So I haven't had to do that, but I know other agencies have.

D.P.O. VILORIA-FISHER:

The other woman I just met was at Comsewogue Youth Services, she had to put 8,000 on her personal credit card.

MS. EPIFANIA:

You know, you think of that when you're facing a closing door and that can happen.

D.P.O. VILORIA-FISHER:

Thank you.

P.O. LINDSAY:

Legislator Romaine.

LEG. ROMAINE:

Yes. You said your urge the County Legislature to work with you and the other not-for-profits.

MS. EPIFANIA:

That's right.

LEG. ROMAINE:

Specifically, other than Legislator Fisher's bill which I'm supporting, specifically, what other changes would the not-for-profits -- and by the way, if you don't have a ready answer that's okay. What other changes would the not-for-profits advocate that would make sense, that would be fiscally prudent for the County, that we could benefit by enacting? And I want you to think about that, I don't expect an answer today, but perhaps you could meet with your colleagues. There's 18 of us, 17 colleagues of mine and myself, and all caring, compassionate people that I'm sure if you had something that made fiscal sense and was prudent and required the County to live up to its obligations, it would get careful consideration from this body.

We can only direct, we're not the Executive Branch; we don't administer County government, we set policy, so we can establish policy. We can only hope, and I say hope in every meaning of that word, we can only hope that the Executive will administer the policies we establish.

MS. EPIFANIA:

Well, I thank you for that. And I, as well as Kim, will bring this back to the Quality Consortium and

we will ask them to prepare a paper to you.

LEG. ROMAINE:

Sure.

MS. EPIFANIA:

And therefore, we can get the varying experiences we've had across Suffolk County and from at least the perspective of the non-profits, what might be some solutions.

LEG. ROMAINE:

Thank you so much.

MS. EPIFANIA:

Thank you.

D.P.O. VILORIA-FISHER:

Can I just follow-up on that, just very quickly? Christine, you heard the conversation that I just had with Mike Stolz regarding working with the Long Island Health and Welfare Council; are you a part of that or are you working with that group at all?

MS. EPIFANIA:

We connect, we all connect at some point.

D.P.O. VILORIA-FISHER:

Okay, because we -- I mean, to answer Legislator Romaine's question, and I'm asking you if you're on it because that is where we're going, trying to see if we could somehow streamline the execution of the contracts, because that's a big problem.

MS. EPIFANIA:

Good.

P.O. LINDSAY:

Reverend Tom Goodhue. Hi, Tom.

REVEREND GOODHUE:

Hi. I'm Tom Goodhue, the Executive Director of the Long Island Council of Churches, and I thank you for hearing us out. One thing I appreciate about this Legislature is you at least always give the impression you're really listening, which is not something we preachers always experience.

The Council of Churches is the largest ecumenical and interfaith organization in the region and we do a lot of services with people in need, the vast majority of whom are sent to us by County agencies. I would bring you the good news which is we actually get reimbursed very quickly. We are supporting this bill not because we expect it to benefit us, but we expect it to benefit other agencies where that is an issue. We receive reimbursement, once we're able to submit vouchers, in less than 30 days, that's great. Our problem is, as is the case with the mental health agencies, is it takes a very long time often to get the contracts in the first place.

We received the contract for 2006 in February of this year, so obviously we couldn't submit vouchers, we were reimbursed very quickly once we can do so, but it took more than a year to get the contract.

I think the reimbursement is quick because ours is a pretty simple contract; it basically says DSS will send us several thousand people in desperate need and they'll give us a couple of thousand dollars to help them, and that's about the extent of it. So the processing is pretty quick. The contracting process, though, for us and for a lot of the other agencies that we depend upon to help our clients, really needs to be improved, too. But even anything you can do to tackle the process of

speeding the reimbursement will help the other people that we depend upon to provide the services that we don't. Thank you.

LEG. ROMAINE:

Mr. Presiding Officer?

P.O. LINDSAY:

Thank you very much, Tom. Legislator Romaine.

LEG. ROMAINE:

Just by point of reference, and I certainly welcome any calls into my office. We're drafting a companion bill to Legislator Fisher's prompt payment bill which is a prompt contracting bill, that will spell out how contracts will be drafted and what the timeframes are and provide more precision in terms of getting contracts. Because I've heard a number of horror stories, including from Cornell Cooperative Extension, about the amount of time that it takes to get a contract and, therefore, they can't even get paid for services that they're rendering without a contract.

REVEREND GOODHUE:

Yeah. I would say in our case the aggravation is at least as big of a problem as the cash flow. I mean, we'll sign contracts three times and have them be lost every time before finally one of them is ever executed.

LEG. ROMAINE:

Altered or needed to be -- that's why I am putting together a timeframe bill for contracts that will be a companion bill to the timeframe bill that Legislator Fisher has for payments.

REVEREND GOODHUE:

Thank you.

P.O. LINDSAY:

Okay, thank you very much, Tom.

D.P.O. VILORIA-FISHER:

Thank you very much.

P.O. LINDSAY:

Kevin Knomweller? How's that?

MR. HUNDMUELLER:

Hundmueller. Yes, very good, thank you. Again, I'd like to thank the Legislature for the opportunity to speak. I've been in child care helping not-for-profits for almost 30 years in various degrees, consulting, a lot of areas. Currently, I am the CFO at Little Flower Children Services in Wading River.

So I thank some of the people in the room because this is not just about child care providers, it's about the not-for-profit industry that contracts with Suffolk County. And I'd like to just take a second to apologize ahead of time, for those who know me personally, those who may know me in County government, those may know me in Albany or in Connecticut or in Massachusetts, I'm a straight shooter and for anything I say, I already apologize. And I'm pretty straight-forward, so please do not take it personally, I'm just trying to get to the truth.

I think that the point here is we have a tendency to -- people like me who have degrees and many of us have degrees, we make it so complicated, and I try to always keep it simple when I run companies, keep it simple because I'm stupid, and that's really the way it kind of works. This is not about excuses. I mean, I don't like chocolate ice cream, so when someone tells me they don't have the funding, good; they don't have the staffing, good. I don't like chocolate ice cream, when they

don't have the manpower, they don't have the dollars, good, I don't like chocolate ice cream. Give me another excuse. I'm not going to get into the excuses why, who has money, who doesn't have money, what the Department of DSS is doing, who should hire, what are the budget issues; you know what? That's your job, that's Suffolk County's job. It's not our job to get involved in the minutia. I know you're asking us the questions, it's your job to do that, okay? Our job is to run businesses, our job is to provide service.

As you well know, I think every one of the not-for-profits that we contract with, you hold them in high regard; if you don't, you should. Because if we didn't do it and provide the services at a much reduced cost, the County budget would be completely out of whack, I think everyone in this room knows that. There are Legislators probably sitting in this room that are really thinking that maybe they won't vote for this bill. And Legislator Fisher, I thank you for bringing this bill before the thing, because there are people really sitting here saying, "Maybe I won't vote for this because of politics or the party I belong to or who I owe a favor to," or whatever those myriad of issues. And as I said, I'm not a fan of government anymore after 30 years of fighting you guys, I'm just not.

So I guess the question really becomes are you going to do the right thing? Is -- are you going to hold yourself accountable to a level of regulation and law that you hold and you legislate on other people? If I went to my employees and said, "Dear sir, Dear Lady, I will pay you in 62 days," I would be in violation of Labor Law, that's law. That law was enacted by a governmental body, but yet that -- those bodies in government -- I mean, government doesn't even get audited by an independent auditor which is another joke and a half. But regardless, okay, regardless, you don't hold yourself or the County, Suffolk County DSS doesn't hold themselves accountable to the same level of responsibility. There are clerks working around, this poor lady is carrying all these bundles, we probably don't pay her what some of us make, and I'm sure if you said to her today, "I'm sorry, you know, honey, we're going to pay you 62 days from now, you're not getting your paycheck tomorrow," she wouldn't go home and ask her donors to help her meet her bills. And I'm sure if any of us went home tonight and told our spouses that we weren't getting paid promptly, which is one week after you provide service by Labor Law, we would all -- every one of us in this room, every one of us, even those who are not listening to me, every single one of us would have a horrible night, every one of us; our spouse would not accept it. Why do we accept it?

So here's the question, a simple question. When you go home tonight and you put your head on the pillow, are you going to do the right thing? And four weeks later, 30 days is not a week like in payroll. I have staffing problems, I have funding issues, I have vacations, I have staff turnover, we all do; it's not the issue. That's your job, run a business. Here's the issue; are you going to vote and put down on paper a level of responsibility that you hold others to; are you going to do the right thing? Thank you.

D.P.O. VILORIA-FISHER:

Thank you, Kevin.

Applause

P.O. LINDSAY:

Tamika Oliver.

MS. OLIVER:

I'm actually Tatyana Reyes, Tomika had given me the time since I came in late from work from taking care of children that are paid by the County, and I was not able to find employees saying, "Okay, can you please come and cover me." They usually look and go, "Tatyana, when are we getting paid?" "As soon as I get my check," "And that is when?", "I'll let you know after the meeting that I'm having today", that was my answer.

Many times I don't know when I'm getting a check. And that and -- you know, I will expect some employees to at least have the respect and say, "You know what, I'll pay you in two weeks. I

apologize I don't have the money now." With the County, we don't even have that. They just decide, "Well, today we're running 45 days late," tomorrow you run 60, a month, two, three months and we don't even get a phone call or a letter saying, "We apologize, please expect a check in two months instead of 45 days or 30 days or 21 days." We never know when we're getting paid.

I also want to tell Ms. {Kate}, I went to her office because as we -- as I spoke in the last meeting, my house went in foreclosure, she was able to call some of the vendors like LIPA and say, "You know what, we haven't paid the bills, please extend the time until she gets her check." But this is on a regular basis that I have to call LIPA or water or someone to say, "I'm sorry, I don't have my money to pay you this month." I think they're running on 45 days or 50 days this time, and it's on a monthly basis or every other month. At the end, who really -- they look at me and they go, "Again they haven't paid you?" "Yeah, again they haven't paid me, I'm sorry." So they don't believe me anymore. I felt -- I said, "You know, Ms. Kate, this time, I appreciate it, but you call because every time I call they go, "Again?" "Yes, again, they haven't paid me." So this is an ongoing process. It is not just that, "Okay, today I didn't get my check"; no, I never know when I'm going to get it on top it. It's not, "You're getting paid in two weeks," it's "You're getting paid whenever we feel like it or whenever we hire more staff."

Now, also in -- I serve two day cares here in Suffolk County and one in Nassau County. In Nassau County, you get paid every two weeks. I don't have any compassion even for day-care -- for the day-care people asking to be paid in 30 days. Why in Suffolk County we need 30 days on top of the 30 days that we have to wait to get a voucher? So we ask -- I serve for the month of June, I get it at the end of the month, so for June 1st, I'm not going -- I'm getting -- I'm billing you in July and then I'm not going to get paid in September or October. So 30 days we still asking for it. That I think is a lot because on those 30 days I pay interest every two weeks, I pay interest. So I think after the two weeks, I should be able to tell the company, "You bill the DSS for it," because why do I have to pay for the interest that if I get my money on time I will be able to pay? When the house went into foreclosure, I received my check -- thank you, Ms. Kate -- she was able to call -- I received my check, I paid my bill and they said, "Okay. Now, is the \$5,000 for the foreclosure fees, the interest and everything else that they put in there?" I said, "The what? How much, 5,000?" So now the money that I was supposed to get to pay my house is not anymore, the \$12,000 that I have to pay is the \$9,000 bill because of the bill that the lawyers fee and everything that went to foreclosure. Who is responsible for that fee; me? That's my whole month.

So I think if that happened to any of you, I'm sure then something will be done. But because you guys are not in our shoes, then it goes to many of you, I really don't care. When we don't feel the pain until we're there. At this time, I'm asking you, please, feel the pain of all of us that are on this side asking you for help. We're not asking you to give us money. The only thing we're asking you for is please pay us on time so we can pay our bills. We don't even go to you and give me children. No, I think that's our job. Like they were saying that was part of my job, my job is to serve the children, my job is to make sure that I have my employees. I go under New York State that I'm licensed, that I'm proper with all my things. So your job should be at least that we have the funding so we can also manage our business correctly, but if we don't even have that, we can't even pay it. Like he said, I show Ms. Kate a letter where I did get fined for not paying my employees on time. I show, I said, "Ms. Kate, right here is it." Do I pay because I don't want to? No, I don't pay because I don't want to, I think every single employee deserves their salary.

P.O. LINDSAY:

Ms. Oliver, could you wrap up, please? You're out of time.

MS. REYES:

And I just don't have it. So kindly, please pass the law, we need it.

D.P.O. VILORIA-FISHER:

Tamika, we feel your pain.

MS. REYES:

Thank you very much.

P.O. LINDSAY:

Okay, I do not have any other cards on this subject. Is there anyone else in the audience that wants to speak on 1510?

D.P.O. VILORIA-FISHER:

Did you want to call Allen up?

P.O. LINDSAY:

Yes, please come forward. There's another man in the back, go right ahead.

MR. KOVESDY:

Sure. Good afternoon. Allen Kovesdy with the County Exec's Office.

I just wanted to give you some additional information, I've been taking notes.

First, all the positions that were vacant in the Social Service Accounting Unit and the Office Systems Analyst that was mentioned at the last meeting have been released. There are no vacant positions that are still pending the County Executive's signature since the last meeting in that unit. The comments that you took back were given and all the SCINS that the department had presented for that particular unit were signed off on, number one.

Number two, the County Executive has a group which Judy Pannillo, the Suffolk Community Council Director, I'm on it and a few other people with the County Attorney, that meets two or three times a year and goes over contract problems, seeks ways to expedite contracts. So I would -- I really don't have an answer to these people's problems, but we do have a group that meets on a regular basis that goes over ways of expediting contracts, especially the line item contracts. And if you get a hold of Judy, she gets a hold of the Chief Deputy County Executive and we do meet on a regular basis to try to expedite contracts. So there is a mechanism for you to deal with if the contracts need to be expedited.

The third thing is I will go back and try to get answers as far as the people whose contracts have taken an inordinate amount of time. I can say from the County Attorney's standpoint, over the last two or three years there's been close to a 1,000 additional contracts that the Legislature has put in the budget that have to be done with the same level staff that the County Attorney does and each contract takes an inordinate amount of time. So while their staff has remained constant, the workload in the County Attorney's Office has gone up expeditiously.

I'll take back, I have three pages of notes and I will follow-up on all the comments that the people have made. I'll check with the Health Department on the mental health contracts, I'll call the Commissioner, I'll find out why somebody told this gentleman it would take a year to get paid and I'll get back to him directly and I'll take the information back. I really can't defend some of these comments here, but I will take the information back and I'll make sure that the SCINS in this area are at least reviewed as expeditiously as possible.

P.O. LINDSAY:

So the implication, Allen, is this is all the Legislature's fault.

MR. KOVESDY:

No, not the Legislature --

P.O. LINDSAY:

Because we added a 1,000 new contracts; is that the implication of that comment?

MR. KOVESDY:

No. No, sir. I was just --

P.O. LINDSAY:

If we added 1,000 contracts, how many did we delete? How many did we take over here with the CSI's and the member items that you guys don't have to process anymore?

MR. KOVESDY:

You're absolutely right.

P.O. LINDSAY:

So don't give me that baloney.

MR. KOVESDY:

I didn't mean to give you baloney, sir. I was just trying to point out that over the last few years, especially in the area of the youth contracts, that the youth contract, the Youth Bureau especially has got hundreds of additional contracts. I apologize if I didn't state that correctly.

P.O. LINDSAY:

And I'm telling you you're adding contracts but you never take into account the contracts that were deleted.

MR. KOVESDY:

Okay, fair enough, sir. But I'll take back all the information.

P.O. LINDSAY:

Thank you. Legislator Kennedy.

LEG. KENNEDY:

Not yet, Allen; no, you're not getting away that easy.

MR. KOVESDY:

Okay.

LEG. KENNEDY:

It goes back now three or four months ago when we -- we are being invited by you to continue to micromanage and administer a department that apparently I guess can't get out of its own way. Having said that, I spoke directly about the funding for the accounting staff and the fact that that accounting staff is somewhere in the range of 70 to 80% offset; is that correct?

MR. KOVESDY:

Yes, actually 69%.

LEG. KENNEDY:

Okay, 69% offset. We also spoke about the creation of a hierarchy in that accounting unit probably about three or four months ago, and the fact that you've got, whatever it is, five, six, seven, eight Account Clerks which are grade 11's. And if you would go ahead and mark up to a Senior Account Clerk or a Principal Account Clerk, people wouldn't have to leave to get the promotions that they study, sit for the exams, pay the money and pass for. And I was told, "Gee, that's a good idea, we'll do that." How does that happen?

MR. KOVESDY:

I don't know the answer, John.

LEG. KENNEDY:

How can you not know?

MR. KOVESDY:

You asked me a question, I'll get you the answer; I don't have the answer in front of me.

LEG. KENNEDY:

All right, the answer is almost irrelevant. Come back and say it's been done, that's the issue, so that we don't have to keep talking about supervisors and other folks going to get a crummy 30, 40, \$50 raise because they took the test so that they could go ahead and go on. That's what will fix it, some of it.

P.O. LINDSAY:

Legislator Eddington.

LEG. EDDINGTON:

Allen, it's obvious that you lost the coin toss and you had to come here today.

MR. KOVESDY:

I realize that. And I wore a pink tie, too, I'm really in trouble.

LEG. EDDINGTON:

And I just want to tell you that I know all 18 members would agree with me; this is not about you. The frustration is because these Ladies and Gentlemen have been coming to us over and over again and we're guaranteed that it's going to go down and we hear it goes back, now we hear the positions are filled. I think what we're really saying is we need to see some results. So please just bring that back. This is not aimed at you at all and I don't want you to have a heart attack here or anything, just you know what we're saying.

MR. KOVESDY:

I'll get it back to the two Commissioners;

LEG. EDDINGTON:

Thank you.

P.O. LINDSAY:

Okay. Thank you, Allen.

D.P.O. VILORIA-FISHER:

Oh, I had a question for Allen.

P.O. LINDSAY:

Oh, I'm sorry, Legislator Viloría-Fisher.

D.P.O. VILORIA-FISHER:

Actually, Allen, Jack kind of preempted some of what I was going to say. Because I think the great umbrage that we're seeing here at the horseshoe at you for possibly casting aspersions at the Legislature should have been directed two weeks ago at Mr. Sabatino who disrespected the people who are in the public, and they were disrespected by him.

Applause

And I was cutoff when I tried to dress him down and he's the one who was out of line. You're trying to answer questions and bring the message back. You said that all positions in accounting units have been signed off on; does that mean that there are bodies in those positions?

MR. KOVESDY:

No, it means that -- honestly, the positions that you had mentioned last time, you had mentioned a computer person and I think two or three Account Clerks; those SCINS we got signed.

P.O. LINDSAY:

They're not filled yet.

D.P.O. VILORIA-FISHER:

And How soon will there be bodies on the chairs?

MR. KOVESDY:

I don't know, but I would have to ask -- I would have to ask Janet where they are in interviewing the people.

D.P.O. VILORIA-FISHER:

Okay. And you also mentioned a group that meets a couple of times a year or maybe every quarter, but I happened to have had dinner with Judy Pannullo last week and she was expressing the same frustration to me that I'm hearing from all of these people. So I think she's been trying to work with the department but spinning her wheels and this is why we've decided that it has to be done legislatively, that our hand has to be forced and we can't have people like Tanika who says not only is it three months late, but there's no warning that it's going to be late, so it's about disrespecting people.

MR. KOVESDY:

There is two ombudsman -- I shouldn't really be speaking for Judy, but we do have two Ombudsman, one in the County Exec's Office, Denise Williams who handles one area, and all the financial -- I shouldn't say this -- complaints are supposed to come through me to get to the departments. If they -- if we don't get these, you know, we really can't act, but it was set up, you know, when we met with Judy that there were two liaisons with the committee, Judy Pannullo calls me occasionally, to deal with problems, not the problems of this magnitude but with these problems. So there is a mechanism in place that's supposed to deal with it, especially large groups.

D.P.O. VILORIA-FISHER:

Can I ask you this about the mechanism, though, Allen? Doesn't the department know when it hasn't paid a bill for 183 days? Does there have to be a complaint for them not to -- I mean, I pay my bills, I sit down with my checkbook, I have my bills, and I know yours is in bigger terms but you have employees and bigger systems than I have when I'm paying my bills -- but I know if I haven't paid my CitiCard, you know? Doesn't the County know when it hasn't closed, the system; is it just an open --

MR. KOVESDY:

The departments wouldn't know the timeframe of where -- the department should know where the timeframe of a contract is.

D.P.O. VILORIA-FISHER:

That's what I'm saying, there shouldn't have to be a complaint for the County to know that it's 180 days in arrears in paying a voucher.

MR. KOVESDY:

No, they should know, they should be able to give the vendor a direct answer.

D.P.O. VILORIA-FISHER:

But there is -- so there is a mechanism. And do you have a red alert when you see that there is an account that hasn't been paid in 90 days or 100 days?

MR. KOVESDY:

No, the Budget Office only hears when a vendor gets us on the telephone and calls or if they call somebody.

D.P.O. VILORIA-FISHER:

But maybe there should be, maybe there should be somebody watching or, you know, a computer alert when there is an outstanding bill that hasn't been paid, you know, 60 days out, it hasn't been paid. And this is why I introduced this law, because there have to be brakes put on this, okay, to make the County accountable.

MR. KOVESDY:

You know, I understand. On a personal basis, I've been with the County for a while, there are thousands upon thousands of vouchers. And I know from the Health Department last year, all their early intervention checks and vouchers come in at once and these particular vouchers, which are for hundreds of thousands of dollars, takes weeks on-end to verify and, you know, the vendors in that area are concerned also because they have to float money.

D.P.O. VILORIA-FISHER:

Well, actually, I had a vendor, an early intervention provider who told me that her business was in trouble because it was so delayed.

MR. KOVESDY:

Yeah, there are hundreds of -- right, there are hundreds of thousands of dollars of those but those take an inordinate amount of time to check each child, to take the attendance sheet and to check the particular services.

So it's a problem, I'll take it back, I'll see if I can expedite what's going on, find out where the bogs on the contracts are and so forth and I'll deal with the Commissioners through our office; that's the best I can do for you. I want to give you an honest answer. Mr. Lindsay, I'm sorry if I was out of line.

P.O. LINDSAY:

That's all right, you woke me up.

MR. KOVESDY:

I will get you the specific answers and that's the best I can do. And I'll be here next time to, you know, try to help out.

D.P.O. VILORIA-FISHER:

Thank you, Allen. You still weren't as far out of line as Paul last time.

MR. KOVESDY:

Okay. Thank you.

P.O. LINDSAY:

Thank you. Please come forward, sir, identify yourself.

MR. VASQUEZ:

I'm Jerry Vasquez and I'm with the Smart Government for Strong Families Coalition.

D.P.O. VILORIA-FISHER:

We can't hear you.

P.O. LINDSAY:

You've got to speak up right into it and raise your voice.

MR. VASQUEZ:

I'm Jerry Vasquez -- can you hear me now?

P.O. LINDSAY:

Yup.

D.P.O. VILORIA-FISHER:

Yes.

MR. VASQUEZ:

-- with the Smart Government for Strong Families Coalition, a group that was mentioned by a number of the speakers. It's a coalition of non-profits that have contracts with Suffolk County government in the range from small agencies to large agencies; they're youth agencies, they're mental health agencies, they're child care agencies. This group has come together, sponsored by the Health & Welfare Council of Long Island, for the expressed purpose of looking into the contract issue and to recommending ways to improve the process.

The coalition came together last spring. At the moment, we are in a kind of data gathering phase, documenting the contracting process, assessing the fiscal impact on agencies and government, among other things, and then also examining or looking into alternatives, models that Suffolk County could look at to consider and adopting.

What I've learned over the last few months is that as you all have heard, as people here have expressed so clearly, that the process is broken. The problem is broad, the problem is deep, it affects everybody. It's costing everybody a lot of money; the agencies, the clients, government. My concern with the proposed legislation, the prompt contract legislation was that if we didn't address the rest of the problem, that what we could end up having is kind of a rust bucket that we apply some paint to, but it's still a rust bucket. And so I'm really pleased to hear Legislator Romaine's proposal to put together a contracting piece, I think that that addresses my concern with that. And one of the things that I'd love to do is to be able to work with you on that, our coalition that is, for our coalition to work with you on this.

LEG. ROMAINE:

I'll get you a business card, give me a call.

MR. VASQUEZ:

Great. Thank you.

P.O. LINDSAY:

Are you done, sir?

MR. VASQUEZ:

Yes, that concludes my remarks.

P.O. LINDSAY:

Okay, thank you very much for coming forward.

MR. VASQUEZ:

Thank you.

P.O. LINDSAY:

Okay. I don't have any other cards on this subject, I think we've covered the audience. What would you like to do, Legislator Viloria-Fisher; what do you want to do with 1510?

D.P.O. VILORIA-FISHER:

Motion to close.

LEG. ROMAINE:

Second.

P.O. LINDSAY:

Motion to close, seconded by Legislator Romaine. All in favor? Opposed abstentions?

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

IR 1511, a Charter Law extending and accelerating the Suffolk County 1/4 percent Drinking Water Protection Program for environmental protection. I don't have any cards on this subject. Is there anyone in the audience that would like to address us on this subject? Seeing none, Legislator Cooper.

LEG. COOPER:

Motion to recess, please.

P.O. LINDSAY:

Motion to recess. I'll second the motion. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

IR 1512, A Local Law to strengthen County policy enhancing zoning and building code enforcement by Suffolk County Towns and Villages. I don't have any cards on this subject. Is there anyone in the audience who would like to address us on this subject?

MR. ZWIRN:

Close.

P.O. LINDSAY:

Close, okay. I'll make a motion to close.

LEG. EDDINGTON:

Second.

LEG. EDDINGTON:

Second.

P.O. LINDSAY:

Seconded by Legislator Eddington. All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen.

P.O. LINDSAY:

IR 1532, A Local Law to establish a Legislative Grant Notification Requirement. I have no cards on this subject. Anybody in the audience want to address us on this subject? Seeing none, Legislator Romaine?

LEG. ROMAINE:

Motion to close.

P.O. LINDSAY:

Motion to close. Do I have a second? We have a motion to close, do I have a second?

LEG. SCHNEIDERMAN:

Second.

P.O. LINDSAY:

Second by Legislator Schneiderman. All in favor? Opposed? Abstentions?

MR. LAUBE:

Fourteen.

P.O. LINDSAY:

IR 1542, A Local Law prohibiting sex offenders from residing in close proximity to senior housing. I have no cards on this subject. Is there anyone in the audience who would like to speak on this subject? Seeing none, Legislator Schneiderman, what is your pleasure?

LEG. SCHNEIDERMAN:

Motion to close.

P.O. LINDSAY:

Motion to what?

LEG. SCHNEIDERMAN:

Close.

P.O. LINDSAY:

Close. Do I have a second to the closing motion? Do I have a second to the closing motion?

LEG. ROMAINE:

Second.

P.O. LINDSAY:

Second by Legislator Romaine. All in favor? Opposed? Abstentions?

MR. LAUBE:

Fourteen.

P.O. LINDSAY:

IR 1554, A Charter Law to strengthen the Water Quality Protection and Restoration Program. I have no cards on the subject. Anybody in the audience want to speak on this subject? Seeing none, Legislator Schneiderman -- come on, fellas. Come on, get in the game, will you? I think I'm talking to myself.

LEG. SCHNEIDERMAN:

Motion it close.

P.O. LINDSAY:

Did you make a motion to close? Use the microphone, please.

LEG. SCHNEIDERMAN:

Motion to close.

P.O. LINDSAY:

Thank you. Do I have a second?

LEG. CARACAPPA:

Second.

P.O. LINDSAY:

Thank you. All in favor? Opposed? Abstentions?

MR. LAUBE:

Thirteen.

P.O. LINDSAY:

IR 1623, A Local Law to reduce the emission of pollutants from diesel-fueled motor vehicles operated by or on behalf of Suffolk County. I have no cards on this subject. Is there anyone in the audience? Please come forward, ma'am.

MS. JACOBS:

Good afternoon. My name is Kasey Jacobs, Program Coordinator with Citizens Campaign for the Environment. CCE strongly support IR 1623, which would substantially reduce emissions in the County through the use of ultra low sulfur diesel and retrofit technology for on road and non-road vehicles.

Similar legislation has already been passed and enforced nationally statewide in Nassau County, Westchester County and New York City. By passing IR 1623 the County will have taken a proactive step in addressing critical health concerns of residents as well as reducing harmful greenhouse gas emissions that increase the County's contribution to global climate change. In the absence of federal leadership on climate emissions, it is up to local governments to take action.

In addition, last year Suffolk County signed on to the New York Metropolitan Air Quality Initiative along with the County's of Nassau, Putnum, Rockland, excuse me, New York City, Westchester the New York State Department of Transportation, the Federal Highway Administration and the EPA and committed to reviewing and converting to ULSD and retrofit technology. Also in this agreement, biodiesel for the County was mentioned, and as we all know two weeks ago, thanks to Legislator Losquadro, that was passed. These two bills are complimentary to one another and together fully ensure the Suffolk County on road and non-road vehicle fleet is as safe as currently possible for human health and the environment.

CCE believes that it is unacceptable that according to the EPA all of Long Island fails ozone and fine particle health standards. High levels of ozone can result in chest pain, congestion and coughing, and studies have found out 7% of hospital admissions in the summer can be attributed to smog. I've already testified before about the health concerns so I'm not going to continue to bore you all on that, but you definitely know, I'm sure, that diesel emissions is very harmful to human health.

USLD is the cleaner option currently available for diesel fuel vehicles. USLD reduces emissions of {nox} and the EPS found that by using these technologies in this bill, particulate matter can be reduced by 60 to 90 percent.

I know there have been discussions about the retrofit timetable for this legislation. The timeline for the retrofits is sufficient, essential and unquestionably attainable. It gives Suffolk County more time than the other counties committed to this to convert their fleets and is flexible so that DPW has ample time to accomplish the much needed goal.

So in conclusion, CCE definitely supports Legislator Cooper's bill for USLD in the County, so please pass 1623.

P.O. LINDSAY:

Thank you very much. Kasey, I apologize. I did have your card in front of me and I --

MS. JACOBS:

All right, no worries.

P.O. LINDSAY:

Thank you very much.

MS. JACOBS:

Thank you.

P.O. LINDSAY:

Is there anybody else in the audience that would like to address us on IR 1623? Seeing none, Legislator Cooper?

LEG. COOPER:

Motion to recess.

P.O. LINDSAY:

Motion to recess. Do I have a second?

LEG. LOSQUADRO:

Second.

P.O. LINDSAY:

Second by Legislator Losquadro. All in favor? Opposed? Abstentions?

MR. LAUBE:

Fifteen.

P.O. LINDSAY:

Mr. Clerk, in the hearing on the budget '07-'08 is set for two o'clock on the August first or is that a typo?

MR. LAUBE:

It is two o'clock.

P.O. LINDSAY:

Two o'clock. It is two o'clock. Oh, that's on the Ways and Means Committee. I see. Economic development. I thought it was -- okay. All right. I'd like to set -- a motion to set the date for the following public hearings. Wednesday, August first, 2007 at 2:00 in Rose Caracappa Auditorium, Hauppauge, New York, the 2007-2008 Suffolk County Community College budget. Setting date for the following public hearings, Tuesday, August 7, 2007, 2:30 P.M. at the Rose Caracappa Auditorium, Hauppauge, New York, IR 1674, A Local Law correcting technical error contained in the Suffolk County Section A 424. That's it. I need a motion to set those dates.

LEG. MYSTAL:

Motion.

P.O. LINDSAY:

Legislator Mystal, seconded by myself. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

Okay. Going back to the agenda. Legislator Kennedy, are you ready to move on 1450 yet?

LEG. KENNEDY:

Mr. Chair, thank you for bringing that matter up. Yes, as a matter of fact, I am. After a full amount of dialogue for the better part of the day I think it is time to go ahead and bring this issue to the forefront. I'd like to make a motion to approve.

LEG. LOSQUADRO:

I'll second that.

LEG. KENNEDY:

And I am pleased to have the opportunity to go ahead and expand on an initiative that there are many, many of my colleagues have tried desperately and vigorously to advance. This was a pilot project that apparently, I guess, has come a long way and has done very, very well, and I think it's important that we be able to send a message out there that we will take every step and every effort that we can to protect the safety and well-being and health of all our community. So I'm proud to make the motion.

LEG. EDDINGTON:

On the motion.

LEG. ALDEN:

Second.

P.O. LINDSAY:

Okay. We have a motion by Legislator Kennedy and seconded by Legislator Losquadro. On the question, Legislator Eddington.

LEG. EDDINGTON:

Well, actually, I had requested in my Public Safety the Director, John Desmond, to come here. I was told that in June he would make a full report. I directed him in two occasions to be here today. I got no phone call and no notification.

P.O. LINDSAY:

I apologize. He did call me this morning and told me that he couldn't make it today and that the report that we were looking for was not complete.

LEG. EDDINGTON:

Yeah. I spoke to his office and I said even if it's not complete, I want enough information here so we can make an intelligent judgment if he doesn't agree with this legislation. And since he has not reported to me or given me any information, and since I was part of the test of this operation and I can validate that they work, I am going to support Legislator Kennedy.

D.P.O. VILORIA-FISHER:

I have a question for the sponsor.

P.O. LINDSAY:

Legislator Vioria-Fisher has a question for the sponsor, but I also would like Budget Review, I don't know where you are, if you're in earshot. I have a number of questions on it. But Legislator Vioria-Fisher.

D.P.O. VILORIA-FISHER:

Thank you, Mr. Chair. Legislator Kennedy, there have been some questions that I've heard floated out there regarding the issue that -- of real time location of the different people who will be electric

-- who will have this electronic surveillance. And you and I spoke about a very critical issue, which is those people who are being -- who are under surveillance because there is an order of protection out against them.

Suffolk County has always been very proactive in protecting victims of domestic violence who have these orders of protection, and so I would see that as a critical piece in this, and I would be very happy to support a portion of this that would cover domestic violence issues where you have orders of protection. And I was hoping that we could begin at that point and work our way to the broader -- the broader implications of what you're introducing. And I was hoping that we could be -- that we could work on an amending to this to just whittle it down a little bit so that it covers those which really are location sensitive which is orders of protections. Because as you know, many cases of sexual predators are within the same family, so knowing that the sexual predator is in a particular location, being his home, doesn't necessarily protect those people who we're trying to protect, the children and the family. However, with an order of protection, that is very, very site specific with regards to where the person is, the perpetrator is.

LEG. KENNEDY:

Absolutely, absolutely. And as a matter of fact, you bring up a good point. When we're in this area, unfortunately we are dealing with individuals who engage in behaviors that are -- we all find most heinous and truly despicable. And the resolution as it sits now, as you know, will allow for the expansion of the technology to go to those repeat DWI offenders as well as to sexual predators, which coincidentally may have orders of protection that are issued as a result of the disposition of the matter before the courts.

And I also need to take a moment to go ahead and thank my colleague and mentor Legislator Alden, who really was the proponent and the driving force for this to come forward in the first instance. But I think the point that really needs to be made with this, and I would be happy to engage in some dialogue with the Probation Department to make sure that there is a focus with this technology where there are orders of protection that are in place.

The sad reality today is that Probation Officers cannot make this GPS technology available for the courts to go ahead and order as a process of probation due to the constraints that exist in the department right now. We've seen that it works. It is a success. Anecdotally we have heard about the interventions that have occurred already, the cases of criminal behavior or activity that haven't occurred because of our proactive stance. So I truly do believe that, you know, the time is here, we need to take the action now. We can refine it going forward if we need to expand the definition, but there is a sense of urgency. We do need to do it now.

D.P.O. VILORIA-FISHER:

John, that can be done. If this were to pass that can be refined even after the passage of this? I'm looking at the resolution and it looks like it's broad enough that you can do that after?

LEG. KENNEDY:

Absolutely. I believe that what we have is we have priorities that are contained within this, but I will give you a commitment. I will correspond with Director Desmond and ask that the technology be specifically considered to be applied where orders of protection are in place as well with sexual predators, absolutely.

D.P.O. VILORIA-FISHER:

But orders of protection that are not sexual predators, would that be covered as well? Is that too far afield? Is this only for sexual predators?

LEG. KENNEDY:

No. I believe that it can be utilized really actually in any time. When a judge sits there and has the tool at his discretion, he can order it.

D.P.O. VILORIA-FISHER:

Can I just ask the same question of Counsel, because I've read the legislation and it looked like it was narrow and wouldn't include the orders of protection unless we named it. But can you tell me, George, would the Probation Department be able to tailor it?

MR. NOLAN:

Well, the whereas language in the resolution talks about the sex offenders, the levels two's and three's and that's --

D.P.O. VILORIA-FISHER:

So does that limit? Is that limiting?

MR. NOLAN:

Well, once the money is approved I suppose administratively the department could do some things with the money, but the resolution itself talks about level two's and three's sex offenders and that's what it is intended for.

D.P.O. VILORIA-FISHER:

But does the money have to be used only for that or do they have the discretion if we reached out to have them include the domestic violence? Because that results in women getting killed by their spouses.

MR. NOLAN:

There is a resolved clause that says it should solely be used for the Probation Department's Electronic Monitoring Program for the last quarter of 2007. If it comes under that, what we are speaking about --

D.P.O. VILORIA-FISHER:

With the electric monitoring.

MR. NOLAN:

Then they could.

LEG. KENNEDY:

Okay.

LEG. ALDEN:

Just --

P.O. LINDSAY:

Legislator Alden.

LEG. ALDEN:

I have one question because I think we amended the original pilot program to include one's because we did hear some testimony that there are some one's, level one's, that would be appropriate, that they're very dangerous also.

But in answer to Legislator Viloría-Fisher, I think that we use monitoring on even DWI and other people of that nature. So if we increase the capability I think we increase it across the board.

D.P.O. VILORIA-FISHER:

Okay.

LEG. ALDEN:

And if you thought for any minute that there might be a restriction on it, I would be more than

happy to cosponsor something that would, you know, expand it or make it clear that we want it across the board. Because there's other levels of -- even somebody that's gone out and driven drunk a couple of times and hurt somebody or killed someone, that's an appropriate monitoring or appropriate use of our resources, I believe, also.

P.O. LINDSAY:

Okay. I -- first of all, what's -- what are we using for an offset here?

MS. VIZZINI:

This offset is Public Works repairs to buildings, adopted as 2.4 million. They've only expended half of that last year. We only expended a million seven in total. So this is, you know, it's a policy decision for you, repairs to buildings or Probation Officers.

P.O. LINDSAY:

So it would use up all of our offset money.

MS. VIZZINI:

It is unlikely that we will expend this particular line item, but as Mr. Kovesdy so eloquently said it in Budget and Finance, it's really not a question of offset, it is more a question of the fund balance.

[The Following was taken by Alison Mahoney and Transcribed by Lucia Braaten]

P.O. LINDSAY:

And the number in this bill for these 11 people are for half a year?

MS. VIZZINI:

128,449, 22% reimbursed.

P.O. LINDSAY:

So it's only 128,000 for 11 positions?

MS. VIZZINI:

Yes, for the remainder of this year.

P.O. LINDSAY:

Okay. And what's the total for the whole year?

MS. VIZZINI:

It would be roughly four times that.

P.O. LINDSAY:

Oh, so it's only for a quarter. That's what I was getting at.

MS. VIZZINI:

Right.

P.O. LINDSAY:

I thought --

MS. VIZZINI:

These are predominantly civil service positions for which the list must be requested.

P.O. LINDSAY:

Okay.

MS. VIZZINI:

SCINS must be approved.

P.O. LINDSAY:

So to fund these on an ongoing basis, we'd probably need another half a million dollars a year.

MS. VIZZINI:

It's based -- yes, this is based on filling it for the last quarter of the year.

P.O. LINDSAY:

Okay. And the other question that I have is how many vacancies do we have in Probation now?

MS. VIZZINI:

We have about -- last time we looked, we had about 17 vacancies.

P.O. LINDSAY:

Okay.

MS. VIZZINI:

Nine of them are positions that the Legislature added for the Sexual Offender Unit, which was also predicated on filling it at the end of the year.

P.O. LINDSAY:

Okay. So my point is what assurances, if we add these --

LEG. MYSTAL:

That they'd be hired.

P.O. LINDSAY:

-- that any SCINS are going to be hired? You know, I mean, you have vacant position. You could actually fill them now, if there was a will to add 11 positions there.

MR. ZWIRN:

They weren't funded.

MS. VIZZINI:

That's not a question I can answer.

MR. ZWIRN:

No.

P.O. LINDSAY:

I know that. It's kind of a rhetorical question, but maybe Mr. Zwirn can answer it.

MR. ZWIRN:

I can try. I know that some of the position in the 2007 budget in Probation were put in, but were not funded. So there are vacancies there that were not funded. And with respect to the offset, I am advised that in 2006, we did exceed the amount of money that was used in this account, and that we expect to also exceed that. We had to go in and use actually 2007 money to finish -- I got it backwards? Well, that's not the first time. Let me just turn around and I'll talk this way and maybe it will be better.

MR. KOVESDY:

I'm sorry. The 2006 we did underfund. They stopped paying the bills if October, and one quarter of '06 funds ran into '07. That's why this is not a viable offset, because this year we're going to pay five quarters payments in 2007. We didn't fully pay all of '06 in '06. They stopped paying the bills

in '06, and '06 bills have been paid in '07. That's why this account is no good. I got the -- the Department of Public Works gave me this information, so that's the reason. We did seriously underfund it last year, but the underfunding in last year is going to be paid this year. Thank you.

LEG. KENNEDY:

Mr. Chair.

P.O. LINDSAY:

Wait a minute, wait. I'm not done yet.

LEG. KENNEDY:

Okay. I'm sorry.

P.O. LINDSAY:

I didn't yield the floor.

LEG. KENNEDY:

Okay, sir.

P.O. LINDSAY:

I mean, you're so anxious to talk. What did you want to say?

MR. KOVESDY:

I was just explaining why they hadn't -- why you were -- why you didn't spend the money in '06 and why you will spend the money '07.

P.O. LINDSAY:

So your projections are that we're going to spend the whole. 2.4.

MR. KOVESDY:

This account, Buildings and Maintenance, will be completely spent in 2007.

P.O. LINDSAY:

Okay. I just really, you know, want to make a statement under this. It's not that I'm unsympathetic to this. I think it's a good program. I think it's a program that could work very effectively, that in the long run, if fully implemented and manned properly, could probably save us money. Instead of sending probation officers out to knock on doors, you could have someone monitor the whereabouts of people just by sitting in an office, or at least that's the rationale. But I'm just not in the mood to put more positions in the budget when we haven't filled the positions from last year, to increase the amount of turnover savings at the end of the year, and in the process deplete an account that we use for offsets. And if Mr. Kovesdy is right, we're going to need to maintain our buildings. So I don't think I can support this. But Legislator Kennedy.

LEG. KENNEDY:

Thank you, Mr. Chair. I understand your reticence. And, as a matter of fact, like you, I share the same level of frustration about trying to go ahead and implement policy, be it to protect victims of crime, or be it to go ahead and deliver service in a health center, or be it to cut trees or bushes in a park. However, I'm left to do only what I can do, which is, as a Legislator, to try and implement policy and direct an administration, who apparently cares little for what I do. Nevertheless, I continue to do it. And, as a matter of fact, I rely on my Budget Office Director, who's told me I have a viable and good offset, when the first one I had, snow money, I got told was no good, despite the fact we didn't spend a hell of a lot of snow money. So I'm inclined to want to be able to go ahead and move this bill, and I'll be happy to go ahead and stand anyplace, anywhere, anytime and call on the Exec to do what we've directed him to do. That's the ability that I have, and so this is the way I am trying to deal with an issue that is something that apparently all our constituents want us to be

proactive and vigorous on and not the hear about our budget issues and budget woes. They want to be protected, they want to be safe. This is what I can do to try to do that, sir.

P.O. LINDSAY:

Legislator Losquadro, and then you're next.

LEG. LOSQUADRO:

Thank you. It has been alluded to before, this electronic monitoring isn't just the GPS, the electronic monitoring unit also covers the SCRAM Program, which is for the DWI, which I put in, but one of the things that I think is being overlooked here, and I know I had fully intended this when I put in the SCRAM legislation, was that much in the way that some of the other programs that are in place, the offender is required to cover a portion or all of the costs. I just did a memorializing resolution supporting a State bill, that hopefully will get movement on, which will allow us to recover funds from these individuals who are given the privilege of being out of incarceration, on probation, and a condition of that is to have to abide by one of these programs. If we can recover some money from that, which we do with other programs, and I think we should be able to do with these electronic monitoring programs as they become more prevalent, this is something that's going to be a moot point, because this is going to be offset not only by the 22% aidable, but we're also going to be recovering money from the individuals who are on this program, and I don't think that's a real heavy lift. I think that's something we're probably going to be seen in short order, because the precedent has already been set for that. And as electronic monitoring, as I said, becomes more prevalent, we should be able to do that, and we should be able to recover that money so that it doesn't come out of our pocket.

So I think this is something we absolutely should expand. We've seen very good results. And this really becomes truly a mechanism for behavioral modification and something that we don't see in really any other program that you can implement, because it is truly that eye in the sky. It's the knowledge in that individual's head that whatever they do, that information is going to be reported to someone, no matter what time of day, no matter what that action is, and I think its something that we need to undertake.

P.O. LINDSAY:

Legislator Alden.

LEG. ALDEN:

I want to just go back a little bit in history when we first did the pilot program, and I truly believe that these individuals are not individuals that can be fixed. So short of keeping them in jail for the rest of their lives, I don't think we're going to be able to modify their behavior or convince them to be good contributing members of society. So that's one of the reasons why I brought forward this original pilot program.

The other thing that really concerns me now, and I think we all have to think long and hard about this, is there was a memo that was sent to the Judges by our Probation Department that informed the Judges that they would not be able to use this monitoring in any cases that came before them, because we've reached our maximum or our capacity, which means that anyone that's arrested and goes to jail and is going to be released, there's no way in the future that we can impose this type of monitoring. So those people that can -- went and committed these, and they are heinous crimes, they will come back out and they will delve right back into what they did before. And even Level 1's, and I didn't believe it at first, but -- because I thought more like in the statutory rape end of it, but there are Level 1's that are as dangerous as a Level 3, which is a violent convicted felon.

So what we're doing now is if we don't extend this, if we don't increase the capacity, we're going to let that order or that memo that went to the Judge, we're going to let that be controlling right now in Suffolk County, so that anyone that comes before a Judge, they don't have that tool and they won't have it in the future. So the people that are released into society will not be monitored, not in this manner. They won't have that 24 hours. We will not have the ability to see where they are or

to restrict where they go in a very efficient, I think, manner. So it's not something that I think we can ignore, and if it doesn't pass today, it's something that, you know, I think all of us, it's incumbent on all of us to work on either finding another offset, or clearing up whatever problems we have with not extending this program, because this program is canceled as to new sex offenders. They'll be released, they won't be monitored.

P.O. LINDSAY:

Legislator Romaine.

MR. ROMAINE:

The first obligation of any government is public safety. This resolution clearly indicates that there isn't sufficient staffing to administrate the Probation's electronic monitoring. We're talking about Level 2 and 3 offenders. We're talking about the SCRAM Program, which Legislator Losquadro referenced. We're talking about transferring \$128,449. What's in question? Well the offsets might be the wrong offsets. Okay?

LEG. SCHNEIDERMAN:

They're always the wrong offsets.

LEG. ROMAINE:

They're always the wrong offsets, as Legislator Schneiderman says. Well, why -- let's not do this, because we see that we have 17 vacancies, some which are funded and some which aren't, and there's no guarantee if we create new position that they'll be funded. We have the ability any day we want, any minute of that day that we want to get this Executive to fill whatever position we want, if we unite as a team. That is a bogus argument. We have the ability to have that behavior such as we want, but we don't want that and we allow it.

This is Probation. We're talking about electronically monitoring some of the most dangerous citizens that exist out there that pose a public safety risk to the residents of Suffolk County. If this is the wrong offset, then let them replace the offset that we took with something else. If they won't fill these positions, let's join as 18, because I guarantee you, if we stand, this Executive will fill that position, because not to do that would be a dereliction of duty, and I don't believe the Executive would do that. I believe in his good will and I think he will work with this Legislature and I am prepared to work with him, but we must join together. This is a bill that deserves to be passed. Public safety is the first obligation of any government. Thank you.

LEG. MYSTAL:

Bravo.

P.O. LINDSAY:

Okay. Mr. Zwirn, did you want to weigh in on this?

MR. ZWIRN:

Yeah, just briefly, in that the County Executive knows that his obligation is public safety, as is the Legislature. We also have obligations to pay for every plan, every bill, every program that we suggest, if it comes from the Legislature, it comes from the County Executive. And despite, you know, my good friend, Ed Romaine's, rhetoric here today, the County Executive is the Chief Budget Officer for this County. He's been elected by the people of this County to manage that. And without getting too political, he's also the figurehead for every party in Suffolk County. It didn't happen by accident.

MR. ROMAINE:

We love Steve.

MR. ZWIRN:

He must have done something right somewhere along the way.

LEG. KENNEDY:

Hey, I'm unique there, Ben.

MR. ZWIRN:

And Legislator Kennedy. Let me respond to Legislator Kennedy.

LEG. KENNEDY:

You're talking to a deaf ear.

MR. ZWIRN:

Legislator Kennedy, with all due respect, you said the County Executive doesn't like what you do and won't work with you. And you know that ten minutes ago we had a conversation, or earlier today, where you thanked me and asked me to thank the County Executive for all that he has done for you and for your district in the -- and I'm just saying that's what -- you made a blanket statement. I just wanted to get that on the record, because it's not true, because the County Executive will work with every member of the Legislature. That's his job and that's his obligation and he does it. We're working on a CN right now for Legislator Romaine, and we know the County Executive and he have had their difference.

LEG. LOSQUADRO:

No.

MR. ZWIRN:

The point is this --

MR. ROMAINE:

Ben, the County Executive has worked with me and I will say that, and I said the County Executive will do the responsible thing.

P.O. LINDSAY:

He has the floor. He has the floor, Legislator Romaine.

MR. ZWIRN:

But I just want to just make that point. And the fact is that this is not an indication the County Exec doesn't support the program, but when we have a program such as this, when you have positions that are not funded that are already in the budget, the County Executive is concerned that we have the money to pay for this. Now you're going to have a program that's going to run six months. We're working on the budget for next year. If we don't get 300 million dollars in sales tax revenue, then a lot of this is going to be moot. I mean, the contract agencies that were here today, if we don't get that money, we're going to have a different conversation in a couple of months.

But the fact is, if we come up with a proper offset -- the County Executive has worked with the Legislature. When you set policy on sex offenders and where they can live, the County Executive followed through and we think we did it in a good way following the policy set by this board and we will continue to do that. So I think when we get a little caught up in some of the rhetoric, the County -- we're all on the same side. The County Executive and the County Legislature all want to protect the people of the this County and also try to protect them in their pocketbooks. So that's the balance we tried to hear today and that's my only point.

P.O. LINDSAY:

Okay. And here's -- before you go, because I want to nail this down, so you aren't opposed to this program and you aren't opposed to implementing the program, but you are opposed to the offset that we're using, and you're willing to put -- hire the people and sign the SCINS into this program?

MR. ZWIRN:

The County Executive said to me earlier today that he would try to work within the Probation Department, might have to shift things around, he might have to take something away from another part of the department to try to make this program work within what -- within the budget that they have now.

P.O. LINDSAY:

So he's going to staff it within the position -- you know, you keep alluding that all those position aren't funded, but some of them are funded.

MR. ZWIRN:

Some of them are funded, yes, that's correct.

P.O. LINDSAY:

So, between transferring and using some of the funded positions that are in the budget already, you intend to fill this unit?

MR. ZWIRN:

Yes.

P.O. LINDSAY:

Okay.

LEG. ALDEN:

Immediately?

P.O. LINDSAY:

And when are we going to get this report from Probation, Mr. Desmond, about -- what was the report that you wanted, Jack, the numbers, the hard numbers on how many people --

LEG. EDDINGTON:

Yeah. I wanted the statistics on how successful it is for sex offenders, because I've been hearing different things. I wanted to know the difference between real time reporting and like a weekly or a biweekly checkup. There's a lot of information conflicting and I wanted to make sure that we were going to do it appropriately.

P.O. LINDSAY:

Can we be assured that we'll have that report by August to make a better judgment on this?

MR. ZWIRN:

Yes, I believe. I think the problem is, is that the report is not -- from what I understand, the report is not finished, so the information would be incomplete, and that's the only reason it's not -- hasn't been presented already.

P.O. LINDSAY:

But we will have that information when we resume in August?

MR. ZWIRN:

I believe so. If not, I will contact you.

P.O. LINDSAY:

Okay. I'm going to make a motion to table based on that. Do I have a second to the tabling?

LEG. SCHNEIDERMAN:

Roll call.

P.O. LINDSAY:

Roll call? I can't get a second. Jesus Christ, wake up. I don't have a second, so the motion fails. We have a motion to approve and a second. All in favor? What?

MR. ROMAINE:

Roll call.

LEG. LOSQUADRO:

Call the vote. Just call the vote.

P.O. LINDSAY:

Jack, yeah, guys, what do you want to do? We have a motion to approve and a second; am I correct, Mr. Clerk?

MR. LAUBE:

Yes, you are.

LEG. ALDEN:

Roll call.

P.O. LINDSAY:

Roll call.

(*Roll Called by Mr. Laube - Clerk*)

LEG. KENNEDY:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. COOPER:

Yes.

LEG. D'AMARO:

Yes.

LEG. STERN:

Pass.

LEG. MYSTAL:

Yes.

LEG. HORSLEY:

Pass.

LEG. NOWICK:

Yes.

LEG. BARRAGA:

Yes.

LEG. ALDEN:

Yes.

LEG. MONTANO:

Yes.

LEG. EDDINGTON:

Yes.

LEG. CARACAPPA:

Yes.

LEG. BROWNING:

Yes.

LEG. SCHNEIDERMAN:

Yes, and cosponsor, please.

MR. ROMAINE:

Yes.

D.P.O. VILORIA-FISHER:

Yes.

P.O. LINDSAY:

Pass.

LEG. STERN:

Yes.

LEG. HORSLEY:

Yes.

P.O. LINDSAY:

Yes.

MR. LAUBE:

Eighteen.

LEG. COOPER:

Cosponsor, please.

LEG. KENNEDY:

Thank you. Thank you.

MR. ROMAINE:

Congratulations on unanimous support, John.

LEG. ALDEN:

Am I on as cosponsor?

MR. LAUBE:

I can check. If you're not, I'll make sure you're on.

P.O. LINDSAY:

Okay. We're on Page 9 of the paper sheet. ***IR 1494, under Parks and Recreation, approving the purchase of vehicle and appropriating funds in connection with the purchase of heavy duty equipment for County parks.*** Do I have a motion? Come on, let's get back in it. We've got a big agenda.

D.P.O. VILORIA-FISHER:

Motion to approve.

P.O. LINDSAY:

Motion by Legislator Viloría-Fisher, seconded by Legislator Barraga. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

1494A, the pending bond resolution, same motion, same second. Roll call.

MR. LAUBE:

Legislator Lindsay.

P.O. LINDSAY:

I didn't make the motion.

MR. LAUBE:

Oh, who was the motion? I'm sorry. I know it came from that area.

P.O. LINDSAY:

The motion was made by Legislator Viloría-Fisher and seconded by Barraga.

MR. LAUBE:

That explains it, that explains it.

(*Roll Called by Mr. Laube - Clerk*)

D.P.O. VILORIA-FISHER:

Yes.

LEG. BARRAGA:

Yes.

LEG. COOPER:

Yes.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. MYSTAL:

Yes.

LEG. HORSLEY:

Yes.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

Yes.

LEG. ALDEN:

Yes.

LEG. MONTANO:

(Not Present)

LEG. EDDINGTON:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. CARACAPPA:

Yes.

LEG. BROWNING:

Yes.

LEG. SCHNEIDERMAN:

Yes.

MR. ROMAINE:

Yes.

P.O. LINDSAY:

Yes.

MR. LAUBE:

Seventeen (Not Present: Legislator Montano).

D.P.O. VILORIA-FISHER:

And I would just like to thank the County Executive's Office for the changes they made in that; Ben, thank you.

P.O. LINDSAY:

1544 - Authorizing use of Long Island Maritime Museum property by Friends of Bradstock for a Music and Arts Festival Fundraiser. I make the motion.

LEG. EDDINGTON:

Second.

P.O. LINDSAY:

Second by Legislator Eddington. All in favor? Opposed? Abstentions?

MR. LAUBE:

Seventeen (Not Present: Legislator Montano).

P.O. LINDSAY:

1565 - Appropriating funds in connection with restoration of West Neck Farm, Huntington (CP7096).

LEG. COOPER:

Motion.

P.O. LINDSAY:

Motion by Legislator Cooper. Do I have a second? Do I have a second? Huntington, second?

MR. ROMAINE:

Second.

P.O. LINDSAY:

Second by Legislator Romaine. All in favor? Opposed? Abstention?

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

1565A, the accompanying bond resolution, same motion, same second. Roll call.

(*Roll Called by Mr. Laube - Clerk*)

LEG. COOPER:

Yes.

MR. ROMAINE:

Yes.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. MYSTAL:

Yes.

LEG. HORSLEY:

Yes.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. ALDEN:

Yes.

LEG. MONTANO:

Yes.

LEG. EDDINGTON:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. CARACAPPA:

Yes.

LEG. BROWNING:

Yes.

LEG. SCHNEIDERMAN:

Yes.

D.P.O. VILORIA-FISHER:

Yes.

P.O. LINDSAY:

Yes.

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

1571 - Authorizing additional space for the Long Island Maritime Museum. I'm going to make a motion to table. This is still pending before Parks Trustees.

LEG. COOPER:

Second.

P.O. LINDSAY:

Second by Legislator Cooper. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

1576 - Amending Resolution No. 50-2007 regarding park fees for veterans.

LEG. HORSLEY:

Motion to approve.

P.O. LINDSAY:

Motion to approve by Legislator Cooper, second by Horsley. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

1597 - Establishing a program for responsible outdoor recreation in Suffolk County.

LEG. LOSQUADRO:

Motion to approve.

P.O. LINDSAY:

Motion to approve by Legislator Losquadro. Do I have a second?

LEG. COOPER:

Motion --

LEG. STERN:

Second, as long as it contains information about using dog parks as well.

LEG. COOPER:

A motion to table.

MR. MONTANO:

I didn't hear what you said.

P.O. LINDSAY:

He wants information about dog parks.

LEG. LOSQUADRO:

Actually, I can -- I can address that. The --

P.O. LINDSAY:

But you seconded the motion, right?

LEG. COOPER:

Motion to table.

P.O. LINDSAY:

Motion to table. Do I have a second to the motion to table?

LEG. MYSTAL:

I'll second it just for the matter of discussion.

P.O. LINDSAY:

Legislator Mystal seconds it. We have a motion to approve and a motion to table. Maybe we should start off with an explanation on what this bill does.

LEG. LOSQUADRO:

I'll be happy to. One of the things that has frustrated me has been the way that our patrons treat our parks in comparison to some of our State parks, and more particularly, I visit a lot of our national parks. So I look to a model, a federal program called "Leave No Trace". Now I've referenced that in this bill, but specifically in response to what the County Attorney's Office said, this is open, an open selection process. The program that was referenced in there was just as a model, and the Parks Department can -- for this bill would go out, look at some of the different programs that are out there. I don't want them to reinvent the wheel, I want them to take the best of what's out there and look to seek to put some new educational materials in place for our patrons to act in a more responsible fashion.

When I visit our national parks, every trailhead, every sign that you go to has a component that tells you about why you shouldn't go off the trail, why you should stay on the marked trail, you're going to do damage to the wildlife, you're going to do damage to the undergrowth, and, consequently, people treat our national parks much better. I would like to see our Parks Department implement a similar program here.

And the reason that I reference this one particular program of "Leave No Trace" is it's a national program, it's already in place in national parks, state parks. In fact, the New York State Department of Environment Conservation has adopted this program. And there is federal funding available to implement programs like this. And yes to Legislator Stern, a program like this does have a component about how you should act responsibly when having your pets in -- on parklands. So this is really -- I spoke to the acting Commissioner for the Parks Department, addressed the concerns that she had. They are not here today, because this is something that they are now willing to work with and they think that we can come up with a better program than what we have now by moving

forward with this.

P.O. LINDSAY:

Is there any funding connected to this yet, or you don't know what the funding levels are going to be?

LEG. LOSQUADRO:

No. This is just -- is seeking for them to go out and --

P.O. LINDSAY:

Do some exploration, okay.

LEG. LOSQUADRO:

-- look for a program for more responsible behavior in our parks.

P.O. LINDSAY:

Okay.

LEG. LOSQUADRO:

And then they would come back to us if they were to find something and want to implement something.

P.O. LINDSAY:

All right. Legislator Cooper.

LEG. COOPER:

So Just to clarify, it's possible, then, that the nonprofit, the not-for-profit would provide the funding for the signage and the pamphlets, and what have you, or would that be the County that would have to provide all the new signage? I'm just, because --

LEG. LOSQUADRO:

I don't think your mike's on, Jon.

LEG. COOPER:

My understanding is that --

MR. MONTANO:

We can't hear you.

LEG. COOPER:

I'm sorry. My understanding is that the resolution provides -- my understanding is that the resolution provides for \$300 in funding, and I didn't see how we could accomplish anything for that amount. So I was unsure as to whether it was the non-profits that would be providing the --

LEG. LOSQUADRO:

That's simply to make application for some of these programs with the not-for-profits to have -- they will assign someone to work with you to develop a customized program for your park system. So it's really a very nominal investment to get the project started, for them to go out and solicit some of these not-for-profits groups, to have someone work with you to customize a program for your park system. But again, we're what you would call a front country park system, not a back country park system. We're not, you know, huge, vast tracks of open wilderness, these are all, you know, front country parks. And all of those programs are somewhat standard and just really have to be customized to the local environment, and that's really all that -- that money would be, you know, just to work with one of these not-for-profits to customize a program, and then the Parks Department would then seek to apply for grants for any of that signage, and they would come back

to us with a cost estimate, number one, which not-for-profit they wanted to partner with, if any, and what the cost would be to implement it, including any grant moneys that they were able to obtain.

LEG. COOPER:

So the Legislature would have another bite at the apple.

LEG. LOSQUADRO:

Absolutely.

LEG. COOPER:

Okay. Okay, that addresses my concern. Thank you.

LEG. MYSTAL:

Do you want to withdraw the table.

LEG. COOPER:

Yeah.

P.O. LINDSAY:

Maybe we could even sell the signage, advertisement, you know, "Hooters in the Woods", or something.

LEG. LOSQUADRO:

Those are owls, right?

P.O. LINDSAY:

Yeah, that's it. Okay. We have a motion to approve and one to table.

LEG. MYSTAL:

The table has been withdrawn.

LEG. COOPER:

Well, as a result of your latest comment, I withdraw my tabling motion.

P.O. LINDSAY:

Okay, okay. All right. So a motion to approve and a second. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

1619 - Amending 2007 Capital Program and Budget and appropriating funds for the reconstruction of the bulkhead at Timber Point Marina Police Marine Bureau.

LEG. ALDEN:

Motion to approve.

P.O. LINDSAY:

Motion the approve by Legislator Alden.

LEG. EDDINGTON:

Second.

LEG. NOWICK:

Second.

P.O. LINDSAY:

Second by Legislator Eddington. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

1619A, the accompanying Bonding Resolution, same motion, same second. Roll call.

(*Roll Called by Mr. Laube - Clerk*)

LEG. ALDEN:

Yes.

LEG. EDDINGTON:

Yes.

LEG. COOPER:

Yes.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. MYSTAL:

Yes.

LEG. HORSLEY:

Yes.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. MONTANO:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. CARACAPPA:

Yes.

LEG. BROWNING:

Yes.

LEG. SCHNEIDERMAN:

Yes.

MR. ROMAINE:

Yes.

D.P.O. VILORIA-FISHER:

Yes.

P.O. LINDSAY:

Yes.

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

J.R. 1624 - To exempt deployed or mobilized, for other than required two week duty, active duty, military personnel from paying County parks daily fees. Legislator Horsley?

LEG. HORSLEY:

Motion to approve.

P.O. LINDSAY:

Motion to approve, second by Legislator Mystal. All in favor? Opposed? Abstentions?

D.P.O. VILORIA-FISHER:

Cosponsor.

LEG. MYSTAL:

Renee, co.

MR. LAUBE:

Eighteen.

LEG. ROMAINE:

Would you list me as a cosponsor?

MR. LAUBE:

Yes, sir.

PUBLIC SAFETY

P.O. LINDSAY:

Okay. *1572 - Reappointing Donald J. Nimphius as a member of the Suffolk County Vocational, Education, and Extension Board.*

LEG. LOSQUADRO:

Motion to approve.

P.O. LINDSAY:

Motion to approve by Legislator Losquadro. Second? I'll second it. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

1578 - Creating an Underage Drinking Task Force. Legislator Stern?

LEG. STERN:

Motion to approve.

LEG. MYSTAL:

Second.

P.O. LINDSAY:

Motion to approve, second by Legislator Mystal. All in favor?

LEG. EDDINGTON:

On the motion.

P.O. LINDSAY:

On the motion.

LEG. LOSQUADRO:

Cosponsor on this one.

P.O. LINDSAY:

Who -- oh, Legislator Eddington. I'm sorry, I didn't recognize your voice.

LEG. EDDINGTON:

I would just like to ask Legislator Stern to consider one thing. I have a lot of young men that are in the service and overseas right now in my area, and I can remember during the Vietnam conflict being old enough to serve and die, but not old enough to vote. So I would like to have some work done now, because we have young men going over there that can die and serve, but can't buy a drink or have drink. So I'd like to add that into your research to find -- in fact, I'd volunteer to help you out.

LEG. MYSTAL:

Do what? I don't understand. He's asking the sponsor --

P.O. LINDSAY:

Legislator Mystal I recognize.

LEG. MYSTAL:

I don't understand what exactly you want to do, research in what? They're underage, they can't drink, period, end of story. I don't understand the reason.

LEG. EDDINGTON:

Can I respond?

P.O. LINDSAY:

Legislator Eddington. I'm sorry.

LEG. EDDINGTON:

What I'd like to do is investigate if there's something that we can do or how we can work it out, because I am concerned. We're not taking just -- if you just take 21 year olds and send them overseas, I'm saying that we have people that they can drink on base overseas, but when they come back here on leave, because we know they're being two or three times deployed, they cannot -- it's a whole change, and yet we have to either then prepare them, talk to them, make them aware. But if you're over there fighting and you can have a drink on your off time, you come back here and you can't, there's a situation that could arise, and I'd like to do some proactive research on how to deal

with the young men and women coming back, whether it's through education or legislation, whatever. Okay?

LEG. LOSQUADRO:

Okay.

LEG. EDDINGTON:

That's all.

P.O. LINDSAY:

Okay.

LEG. LOSQUADRO:

Say yes.

LEG. CARACAPPA:

Say yes.

LEG. STERN:

Well, first of all, you know, who can -- who can drink legally or not is certainly a matter of State Law, but the issue raised by Legislator Eddington is one among many, certainly, that any task force could take a look at and make recommendations, and do background research, and certainly report back on what, if anything, you know, should be done regarding that issue.

P.O. LINDSAY:

Okay. Mr. Clerk, we have a motion and a second?

MR. LAUBE:

Yes, you do.

P.O. LINDSAY:

All in favor? Opposed? Abstention?

MR. LAUBE:

Seventeen (Not Present: Legislator Horsley).

P.O. LINDSAY:

1586 - Approving the reappointment of Scott Davonski as a member of the Suffolk County Fire, Rescue and Emergency Services Commission. I'll make a motion.

LEG. EDDINGTON:

Second.

P.O. LINDSAY:

Second by Legislator Eddington. All in favor? Opposed? Abstentions?

MR. LAUBE:

Seventeen (Not Present: Legislator Horsley).

P.O. LINDSAY:

1587 - Approving the appoint of Richard Gimbl as a member of the Suffolk County Fire, Rescue and Emergency Services Commission. I'll make a motion.

LEG. EDDINGTON:

Second.

P.O. LINDSAY:

Second by Legislator Eddington. All in favor? Opposed? Abstentions?

MR. LAUBE:

Seventeen (Not Present: Legislator Horsley).

LEG. ALDEN:

Just for the record, that's another appointment that possibly should have come in. It's an original appointment.

P.O. LINDSAY:

Well, you want -- did we call the vote?

MR. LAUBE:

Yes, 17.

P.O. LINDSAY:

We called -- I'm sorry.

LEG. ALDEN:

That's okay.

P.O. LINDSAY:

I'm sorry, Legislator Alden. Public Safety, they didn't -- this fellow didn't --

LEG. EDDINGTON:

He came in.

MR. NOLAN:

He came in.

P.O. LINDSAY:

He came in.

MR. NOLAN:

He's saying he should come in --

P.O. LINDSAY:

Oh, he should come before the whole body. Okay.

1588 - Approving the reappointment of Anthony LaFerrera as a member of the Suffolk County Fire, Rescue and Emergency Services Commission. Same motion, same second, same vote; all right with everybody?

MR. LAUBE:

Seventeen (Not Present: Legislator Horsley).

P.O. LINDSAY:

1589 - Approving the reappointment of Norman Riley, Jr., as a member of the Fire -- Suffolk County Fire, Rescue and Emergency Services Commission. Same motion, same second, same vote.

MR. LAUBE:

Seventeen (Not Present: Legislator Horsley).

P.O. LINDSAY:

1590 - Approving the reappointment of Drew Silverman as a member of the Suffolk County Fire, Rescue and Emergency Services Commission. Same motion, same second, same vote.

MR. LAUBE:

Seventeen (Not Present: Legislator Horsley).

P.O. LINDSAY:

1591 - Approving the appointment of Richard Sorrentino as a member of the Suffolk County Fire, Rescue and Emergency Services Commission. Again, he came in for an interview, but --

LEG. MYSTAL:

Yeah. Same motion.

P.O. LINDSAY:

All right. And next time around, we'll -- you know, I don't know, maybe, Legislator Alden, we can vent on who you would want to see before the whole body and who is suitable to go to committee. Same motion, same second, same vote.

MR. LAUBE:

Seventeen (Not Present: Legislator Horsley).

LEG. STERN:

Mr. Clerk, cosponsor.

P.O. LINDSAY:

1592 - Approving the reappointment of Edward Tully as a member of the Suffolk County Fire, Rescue and Emergency Services Commission. If anybody wants to sponsor any of these, speak up, you know.

LEG. MYSTAL:

Same motion, same second, same vote.

P.O. LINDSAY:

Same motion, same second, same vote.

MR. LAUBE:

Seventeen (Not Present: Legislator Horsley).

P.O. LINDSAY:

1593 - Approving the reappointment of Craig Zitek as a member of the Suffolk County Fire, Rescue and Emergency Services Commission. Same motion, same second, same vote.

MR. LAUBE:

Seventeen (Not Present: Legislator Horsley).

PUBLIC WORKS & TRANSPORTATION

P.O. LINDSAY:

All right, Public Works. Counsel tells me 1359 we do not have a bond on, so I'm going to have make a motion to table.

LEG. COOPER:

Second.

LEG. KENNEDY:

Second.

P.O. LINDSAY:

Second by Legislator Cooper. All in favor? Opposed? Abstentions?

MR. LAUBE:

Seventeen (Not Present: Legislator Horsley).

P.O. LINDSAY:

1410 - Adopting a Local Law establishing regulators for supported scaffolds -- regulations for supported scaffolds. Do I have a motion?

LEG. KENNEDY:

Motion.

LEG. MYSTAL:

Motion.

P.O. LINDSAY:

Motion by Legislator Kennedy, second by Legislator Nowick.

LEG. ALDEN:

On the motion.

LEG. SCHNEIDERMAN:

On the motion.

P.O. LINDSAY:

On the motion, Legislator Alden.

LEG. ALDEN:

And through the Chair, anybody that can answer this, did anybody take those comments that were made by Bob Weiboldt into consideration? Because it sounded to me like those comments were --

D.P.O. VILORIA-FISHER:

Valid?

LEG. ALDEN:

Were fairly valid. And I don't mind supporting this today if we could still be open to maybe making it better, and if -- I don't know if those are something that would make it better or make it worse, but I think it should be looked at.

LEG. CARACAPPA:

We asked about it at the committee.

P.O. LINDSAY:

Let Legislator Nowick, and I know Legislator Caracappa had some concerns when the bill was originally being discussed.

P.O. LINDSAY:

Oh, I'm sorry Legislator Schneiderman.

LEG. SCHNEIDERMAN:

Yeah.

LEG. NOWICK:

Well, I think I was --

LEG. SCHNEIDERMAN:

I would actually like to see this tabled just one cycle, because I have some concerns about the way it's written and how it will affect the residential home construction industry, which is a major part of our economy. Originally, this bill was at 40 feet and then it got amended to 20 feet. At 40 feet, it's over the height of most of the homes. Most of the towns have two story limitations, often a 32-foot limitation on home construction.

What I'm concerned is that sending these guys, even if the class is in Riverhead, to spend 32 hours at a class that's really mostly focused on the skyscraper type of scaffolds really isn't fair and they're going to lose a lot of their time. A shorter class, maybe an eight-hour class, might be more appropriate, or exempting residential construction, as a lot of the other similar laws have done, I think makes sense. My fear is if this goes through as is, that a lot of these guys simply are going to limit their scaffolds just under 20 feet, and then they'll start putting ladders up, and it will create actually a dangerous situation for some of these guys in an effort to avoid going to this class. And if the County Executive is willing to entertain any one of these types of modifications, I think we'd end up with a better bill. Maybe even include a provision that the people who are working on the scaffolds also get some training.

LEG. ALDEN:

That's not unreasonable.

P.O. LINDSAY:

Legislator Nowick.

LEG. NOWICK:

Yeah. And I also had a question, I don't know if anybody could clarify. I thought that Bob Weiboldt said that the only training course would come from the unions, but I'm reading here that a course, pursuant to the United States Department of Labor, is OSHA. Is that -- does that only -- that course only come out of the unions, or can you get that course others places. And I'm not sure. I just thought I heard two different sides of that. Maybe Counsel --

MR. NOLAN:

Well, it says an OSHA program conducted pursuant to a New York State Department of Labor apprenticeship program, or conducted by an educational institution or school licensed or registered by the New York State Department of Education, so there's two possible avenues.

LEG. NOWICK:

So there -- so you could do this in a school --

MR. NOLAN:

Right.

LEG. NOWICK:

-- as well as the Labor Department, as well as possibly Labor Union.

MR. NOLAN:

Right, there's two ways to do it, there's an educational institution that offers the type of program described, or through an apprenticeship program.

LEG. NOWICK:

And just for my clarification, and also because I agree with Legislator Alden, I wanted to listen to

what Bob Weiboldt was saying, is this only training for people that build, start to build buildings? I don't understand what the two different --

MR. NOLAN:

I think what he was saying is this bill applies to people who work on putting together the scaffolds, who build them.

LEG. NOWICK:

Oh, this is just for people that build them.

MR. NOLAN:

The original bill did have a component that said, if you worked on a scaffold, you'd have to take a different training course, I think it was eight hours or sixteen hours, but that was dropped out of this bill while it was being amended.

LEG. NOWICK:

So this is just for people that build the scaffolds.

LEG. SCHNEIDERMAN:

Anyone who puts up a scaffold 20 feet or higher would -- or maintains that scaffold, has to take a 32-hour class.

LEG. NOWICK:

Okay. And the way Mr. Weiboldt would like it to read is for both -- for both sides, whether you build them or work on them, is -- did I understand that?

LEG. ALDEN:

Yeah, that's what he said.

LEG. SCHNEIDERMAN:

Well, he'd like to, I think, shorten the hours for a residential. You know, you have a lot of these small companies that build a few houses a year that this could be a real hardship for. I think he'd like to offer -- have some kind of shorter class. I think he was suggesting today an eight-hour class for the residential home builder, and also extending it, so that the people who are on these scaffolds have some training in terms of working on a scaffold, fall protection, what type of safety equipment they should be wearing.

LEG. NOWICK:

Okay. That's what I thought I understood. Thank you.

LEG. SCHNEIDERMAN:

You know, again, I want to support this bill. I think this is an important worker safety bill. I just would like -- I think it's capturing a whole industry that it wasn't meant to capture, and we haven't really studied the impacts on it. Just a little more time I think would help.

D.P.O. VILORIA-FISHER:

Yeah, Mr. Chair.

P.O. LINDSAY:

Legislator Viloría-Fisher.

D.P.O. VILORIA-FISHER:

I also had some questions as I looked at my notes from Bob Weiboldt and Jimmy Rogers, because it was my understanding that what Bob Weiboldt was proposing was that the existing legislation refers to the building of scaffolds, and that it seems to be overkill to require that everyone who works in and around a scaffold should have to have the training, the 32-hour training that's required to build

the scaffold, but, rather, he thought that it would make more sense to have the fall protection course, which is an eight to ten hour course. I'm reading my notes, which were done quickly, but is that the difference?

MR. NOLAN:

I think I remember him saying something like that. He was -- he's not here, so I can say he was a little all over the place, but I do remember him saying that.

D.P.O. VILORIA-FISHER:

Okay. So that seems to be something that we should be looking at as a modification here, that the people who are the actual people who are not only just -- not everyone who works around the scaffold, but those who are building the scaffold should have to go for that more extensive training, if it's over 20 feet.

MR. NOLAN:

This is a -- I should point out, this is a County Executive bill.

D.P.O. VILORIA-FISHER:

Right.

MR. NOLAN:

So, you know, the changes would have to come, any changes --

D.P.O. VILORIA-FISHER:

Well, we're just putting this on the record, you know.

P.O. LINDSAY:

But just to -- the bill is clearly designed for the builders of the scaffold, and especially on, you know, big commercial buildings. You know, that's a company unto itself that just comes and scaffolds out the whole job. You know, other times, the workers that are actually doing the work, if it's a small scaffold, they'll build it themselves. And the other observation is, you know, a 20 foot scaffold, you know, you'd probably go work on a 26-foot house, which is a pretty substantial house.

D.P.O. VILORIA-FISHER:

But it says here in the requirements, it says, "It is unlawful for any individual to erect, dismantle, repair," etcetera, "or to be on any supported scaffold assisting in the erection, dismantling, repair maintenance or modification of any supported scaffold within the County of Suffolk, unless such individual has been issued a supported scaffold certificate." So that just means someone on the scaffold who's helping to build the scaffold.

MR. NOLAN:

Of take it down or --

D.P.O. VILORIA-FISHER:

Or take it down.

P.O. LINDSAY:

Okay we have a motion to approve.

LEG. SCHNEIDERMAN:

I made a motion to table.

P.O. LINDSAY:

You make a motion to table. Is there a second to the tabling motion?

LEG. ALDEN:

I'll second it.

P.O. LINDSAY:

Seconded by Legislator Alden. Any other comments? Go ahead.

LEG. ALDEN:

One request through the Chair. If there's a representative of the County Executive's here, if they would -- if they could tell me whether they did take these into consideration or if they would take them into consideration if we --

LEG. CARACAPPA:

We asked that during committee.

MR. NARDELLI:

Hi. I don't know where Ben Zwirn -- my name is Frank Nardelli, I'm a County Executive Assistant. I know the County Executive wants to have the bill approved in its present form. And just to comment on what Bob Weiboldt said this morning, OSHA does offer a 10-hour training program, but it's construction safety. Out of that 10-hour training program, there's about maybe an hour that is attributed to scaffold erection. The 32-hour program from OSHA, which is offered by New York State Educational Institutions and the Apprenticeship Programs through the building trades is what is reflected in the bill, and we actually have commitments from IBEW Local 25, who has offices on the East End, to open up their doors free of charge to train these individuals, give them the certification free of charge. On the West End of the Island, we have Labor's Local 66, which is where I come from, I'm from the building trades, I'm still a member there. They will open up their doors and also train the workers for the 32-hour certification.

LEG. ALDEN:

My question was actually is there anything that is in Mr. Weiboldt's testimony that is valid or should be looked at, or is it all just fluff, or you don't need to look at?

MR. NARDELLI:

I'd rather not comment on that, because I didn't have the liberty to discuss it with the County Executive.

LEG. ALDEN:

Okay. Well, that was a question, if you could find that out, and maybe if we could skip this for just a minute or until we get an answer from the County Executive.

LEG. CARACAPPA:

Mr. Chairman?

LEG. MYSTAL:

It's going to be a long night.

P.O. LINDSAY:

You still want to --

LEG. CARACAPPA:

Just quickly. I asked all these questions of Ben Zwirn in the committee. I had the same concerns as Legislator Schneiderman. We asked him directly if he would be willing, between the committee day and tonight, to possibly have a CN and make those subtle changes that would protect the people that Legislator Schneiderman was concerned about, and just as his representative just added, that they're not willing to do that, so the bill is in its current form. It's either going to have to be tabled, or approved, or killed

LEG. ALDEN:

Okay, because just to point out that this was tabled -- was it tabled or was it amended?

MR. NARDELLI:

No, no.

LEG. ALDEN:

Has it been amended?

MR. NARDELLI:

It was discharged without recommendation.

LEG. ALDEN:

Wasn't there the public hearing, and then between the public hearing, there was amendments made.

LEG. CARACAPPA:

They did change it.

LEG. ALDEN:

This was amended.

LEG. CARACAPPA:

They lowered the footage; correct, Counsel?

MR. NARDELLI:

Oh, you're right, correct, it was amended. Originally, it was a 40-foot height requirement. It was amended and brought down to a 20-foot height requirement, you're right, correct.

LEG. ALDEN:

And then that was the only amendment that was made?

MR. NARDELLI:

That was the only amendment, yes.

LEG. ALDEN:

You're sure?

MR. NARDELLI:

Yes.

LEG. SCHNEIDERMAN:

But that was before the hearing or after?

MR. NOLAN:

That might have been the only change after the public hearing. There were other changes during the course of the process --

LEG. ALDEN:

Yeah, because I have a stack of paper in the office that was faxed over about this thick on different --

MR. NARDELLI:

I'm not aware of my --

LEG. ALDEN:

You know, like different versions or different amendments to this bill since it was first filed.

LEG. SCHNEIDERMAN:

So what was the change that came after the public hearing?

LEG. CARACAPPA:

The height requirement.

MR. NOLAN:

Originally, it was 40-foot -- applied to 40 foot scaffolds and that was reduced to 20 feet.

LEG. SCHNEIDERMAN:

After the hearing? That's --

MR. NOLAN:

No, no, I'm sorry.

LEG. SCHNEIDERMAN:

That's a substantial change.

MR. NOLAN:

It was changed prior to the public hearing, but it was -- it was the last change made, was reducing it from 40 to 20.

LEG. SCHNEIDERMAN:

Okay. So the hearing was on the bill in its current form.

MR. NOLAN:

That is correct, because that would have been a -- that would have been another dilemma.

P.O. LINDSAY:

Okay. Legislator D'Amaro and then Kennedy.

LEG. D'AMARO:

All right. Thank you. If this is on. One of the points that was made, Frank, if you know, during the public portion was that the course that individuals would have to take on scaffolding would be teaching about scaffolds that really are not used in the construction industry here, not prevalent here on Long Island. Do you have any knowledge about the actual course that is being mandated by this bill?

MR. NARDELLI:

The course is regarding traditional scaffolding and other forms of scaffolding that are used in all types of commercial and residential construction. You know, whether it's this County, Nassau County or New York City, scaffolding is scaffolding. And this bill actually, with the 20-foot height requirement, would mandate that the fourth frame, which would be 20 -- I'm sorry. After the 18th, 20 feet, it would require that it would be guided -- mandated by the law.

LEG. D'AMARO:

Right. But my point is that let's say you use scaffolding that never reaches -- that is -- well, it wouldn't apply to scaffolding under 20 feet; correct?

MR. NARDELLI:

Correct.

LEG. D'AMARO:

All right. So, if you use a scaffold that's between, let's say, 20 and 30 feet in the regular course of your business, the point he was making was that the course, the 32-hour course that you take does

not touch upon the type of scaffolding that most, I guess, construction industry scaffold people here in Suffolk County actually use. That was one point that he made. And the other very --

MR. NARDELLI:

I don't -- I don't find that to be true. I mean --

LEG. D'AMARO:

So do you have some knowledge of the course material and what it actually teaches and what --

MR. NARDELLI:

No, I'm not an --

LEG. D'AMARO:

He had actual names of scaffolding, which I don't recall, you know.

MR. NARDELLI:

Well, the types of scaffolding are listed in the legislation.

LEG. D'AMARO:

In the bill that we're considering? It's funny, I didn't see that and I didn't see the height requirement either. So maybe online there's not the corrected copy.

Another point that he made, which was made here today as well by some of my colleagues, that the bill only applies to those who construct or take down scaffolding, not to the actual users.

MR. NARDELLI:

Correct.

LEG. D'AMARO:

So I question whether or not that should be expanded. And another issue was whether or not the employee who is actually building the scaffolding or using it, if it's amended, should pay for the course. Is that done -- do you have to pay for this instruction, this course, or is it something that can be done free of charge?

MR. NARDELLI:

Well, through the apprenticeship programs, you know, the union apprenticeship programs, you don't have to pay for it. And, as I said, Local 25 and Local 66 are willing to teach the 32-hour course free of charge. If you went to SUNY Suffolk or SUNY Old Westbury for the course, you would probably have to pay for it.

LEG. D'AMARO:

All right. But this bill -- that course would be available free of charge if you were in the apprenticeship program, but, if not --

MR. NARDELLI:

No, that's not true. They're willing to open up their doors for anyone that's willing to take the course.

LEG. D'AMARO:

Okay. And -- okay.

MR. NARDELLI:

It's specific to the scaffold erectors. Anything over 20 feet in height, anyone erecting the scaffolds will have to have the OSHA certification, which --

LEG. D'AMARO:

Do you think, if this bill is passed, that there is also room to do a second bill that would cover perhaps the lower type scaffolding, would address the course, would address who can give the course, and would address those not only building the scaffolds, but using the scaffolds. Is there room to do that, or does this bill try to encompass all of that.

MR. NARDELLI:

Perhaps, but I'd rather not comment, that's up to the County Executive.

LEG. D'AMARO:

Thank you. Okay, thank you.

P.O. LINDSAY:

Legislator Vilorio-Fisher.

D.P.O. VILORIA-FISHER:

Frank, I'm looking at the bill and it does name the different types of scaffolds in the definitions, and I thought that Legislator D'Amaro's question was going to be regarding a second bill that might cover the person who's working on the scaffold that Mr. Weiboldt alluded to in that 10-hour fall safety, because that physics of a fall was pretty impressive numbers that was given by Jimmy Rogers. Do you know if the County Executive is contemplating a follow-up with that kind of worker safety?

MR. NARDELLI:

I haven't discussed it with him, but people that are trained with the OSHA certification that erect the scaffolds will be trained in all aspects of it, and that would be including guard rails and toe boards, which would keep people that are working below the scaffold or passersby from being struck by fallen objects. When I was in the building trades, I myself was struck by a fallen brick that was -- from a scaffold that was erected by someone that was not certified that did not put the toe boards on the scaffold. So would it be beneficial to have a user certification for anyone working on the scaffold? Yes, it would. But, again, I have not discussed that with the County Executive.

D.P.O. VILORIA-FISHER:

And I'm talking about the construction worker, the person who should have the harness, the things that Jimmy mentioned this morning.

MR. NARDELLI:

Correct.

D.P.O. VILORIA-FISHER:

Okay.

P.O. LINDSAY:

Okay. We have a motion to table and a second. Roll call.

MR. MONTANO:

To table?

P.O. LINDSAY:

Yeah, we have a tabling motion and a motion to approve.

(*Roll Called by Mr. Laube - Clerk*)

LEG. SCHNEIDERMAN:

Yes, to table on cycle.

LEG. ALDEN:

Yes.

LEG. COOPER:

Pass.

LEG. D'AMARO:

No.

LEG. STERN:

No.

LEG. MYSTAL:

No.

LEG. HORSLEY:

No.

LEG. NOWICK:

To table, yes.

LEG. KENNEDY:

No.

LEG. BARRAGA:

No.

LEG. MONTANO:

Pass.

LEG. EDDINGTON:

No.

LEG. LOSQUADRO:

No to table.

LEG. CARACAPPA:

Pass.

LEG. BROWNING:

No.

MR. ROMAINE:

No.

D.P.O. VILORIA-FISHER:

No.

P.O. LINDSAY:

No.

LEG. COOPER:

No to table.

LEG. MONTANO:

No.

LEG. CARACAPPA:

No.

MR. LAUBE:

Three.

P.O. LINDSAY:

Okay. And the motion to approve, all in -- can I just do all in favor, opposed?

LEG. ALDEN:

Well, actually, on the motion to approve.

P.O. LINDSAY:

Yeah.

LEG. ALDEN:

I would hope that we would work on weeding out what might be considered fluff from the other comments that came in here, that we're not 100% supportive of this law, because common sense tells me that, you know, if you train the people that put the stuff up, but you don't train the people that are using it, you're leaving out a major portion of that. And also, now we're imposing on people that are probably not the highest paid workers in the world, we're imposing on them to go out and get a 32-hour course, you know, and pay for it, because this bill really does not address that. So we're putting a burden on people that probably can't afford it, we're not really covering all the safety features that we maybe should have, and I think there's some valid point in here that either should be looked at or, you know, disposed of.

D.P.O. VILORIA-FISHER:

Cameron, that's why I have the second bill.

LEG. ALDEN:

So I hope there is a second bill, because I'd like to help work on it even.

P.O. LINDSAY:

Go ahead, Legislator Schneiderman.

LEG. SCHNEIDERMAN:

I would have certainly appreciated a little bit more time with this tabling motion to try to work out some of those potential gray areas. But I'm certainly going to support the bill, because it's a worker safety bill, but I'm going to make a prediction that out in my neck of the woods, you're not going to see scaffolds over 20 feet, and, you know, there's got to --

MR. STRAUSS:

Yes, that's an OSHA violation.

LEG. SCHNEIDERMAN:

No. They'll set up ladders on the 19-foot scaffolds to cover those areas. So I don't know that it's going to do out on the East End what it's intended to do in terms of promoting worker safety, but it will in other areas, particularly with big commercial projects, and for that, in that aspect, I always have supported this. It was the unintended consequences that I was trying to avoid.

P.O. LINDSAY:

Okay. Everybody is all talked out?

LEG. CARACAPPA:

I hope so.

P.O. LINDSAY:

We've got a motion to approve and a second. I'm not going to call a roll. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

LEG. MYSTAL:

Renee. Renee, cosponsor.

P.O. LINDSAY:

1433 - Amending the 2007 Capital Budget and Program and appropriating funds in connection with traffic signal improvements at CR 111 and Halsey Manor Road (CP5054).

MR. ROMAINE:

Motion.

P.O. LINDSAY:

Motion by Legislator Romaine. Do I have a second?

LEG. BARRAGA:

Second.

P.O. LINDSAY:

Second by Legislator Barraga. And I have Mr. Hillman before us. Do you have some reservation about this resolution?

MR. HILLMAN:

I was just asked to make two points. Number one.

LEG. ALDEN:

You' got to use the --

MR. MONTANO:

Speak into the mike.

MR. HILLMAN:

Sorry about that. I was asked to make two points. Number one, the Department's policy is that the fire departments would typically install these signals. Number two, there's about somewhere in the vicinity of a hundred fire departments. They have many fire stations and substations along numerous County roads. If we took it upon ourselves to do all those traffic signals, it would be a very costly matter, so -- and I'm also here to answer any questions.

P.O. LINDSAY:

So, in other words, the practice has been the signal in front of the fire station is paid for by the fire department?

MR. HILLMAN:

That's the Department's policy.

P.O. LINDSAY:

And this is the signal that when the trucks are activated and the doors go up, the light turns red so the trucks can get out?

MR. HILLMAN:

That's correct.

P.O. LINDSAY:

Okay. Is that the type of signal it, Mr. Romaine, Legislator Romaine?

MR. ROMAINE:

What the fire departments and balance companies pay for is Opticon signal that they equip on their trucks that signal the light to turn red in the opposite direction so they can cross the intersection. As you know --

P.O. LINDSAY:

I don't think that's what we're talking about.

MR. ROMAINE:

No, we're not. We're talking about -- I believe this is going to be a flashing yellow signal and that would be installed. As you know, County Road 111, I believe, at that location is a divided four-lane highway, and it is part of a 111 project to try to slow down some of the traffic in that. The fact that they're building a substation is a secondary thing and that's further down on Halsey Manor Road. It is not on Route -- County Road 111.

P.O. LINDSAY:

Okay. So is the signal at an intersection or in front of the firehouse?

MR. ROMAINE:

No. The signal is at the intersection on County Road 111. The substation that the Manorville Fire Department is building is on Halsey Manor Road, an intersecting road. If we charge fire departments for all of the intersecting roads that intersect it with a County Road, then we might as well turn over -- we might as well make fire departments pay for all --

P.O. LINDSAY:

All right. But will this signal turn red when the doors open, so the fire trucks can get out?

MR. ROMAINE:

They have an Opticon signal on the truck that will signal the light.

P.O. LINDSAY:

No, I'm not talking -- I'm not talking about --

LEG. ROMAINE:

No, no, because they're not on County Road 111, they're on Halsey Manor Road.

P.O. LINDSAY:

Okay. What do you think about that, Mr. Hillman?

MR. HILLMAN:

That wasn't my understand. My understanding was the original bill was for it to be a tricolor, which would be a full operational signal.

MR. ROMAINE:

We reduced that to a yellow.

MR. HILLMAN:

Correct, we reduced it to a flashing yellow.

LEG. ROMAINE:

Right.

MR. HILLMAN:

So it would be a flashing yellow, and when the fire --

MR. ROMAINE:

Where is the fire department located, sir, where is this substation going to be located?

MR. HILLMAN:

You're right, on Halsey Manor Road.

MR. ROMAINE:

Thank you.

MR. HILLMAN:

My understanding, though, was that it was going to be -- it would be still a typical connection. When the fire department pressed the button, that would go into a red/green scenario.

P.O. LINDSAY:

Legislator Viloría-Fisher.

D.P.O. VILORIA-FISHER:

Bill, is this a very busy -- or I should ask the sponsor. Is this a very busy firehouse?

MR. HILLMAN:

They're presently --

MR. ROMAINE:

It hasn't been built.

D.P.O. VILORIA-FISHER:

Excuse me? I'm sorry?

LEG. ROMAINE:

It's a substation that has yet to be built. It's being built on Halsey Manor Road, a road that --

D.P.O. VILORIA-FISHER:

Oh, so it's not built yet?

MR. ROMAINE:

No.

D.P.O. VILORIA-FISHER:

So why are we talking about putting the light there now?

LEG. ROMAINE:

Because, if I put it in now and this is adopted maybe a year, maybe two years, maybe three years from now, they'll get around to installing it.

P.O. LINDSAY:

Legislator Cooper.

LEG. COOPER:

My understanding, and correct me if this is wrong, but my understanding is that this resolution wasn't necessary, because there were already plans to -- that DPW already planned to install this type of light and, therefore, we didn't need this resolution.

MR. HILLMAN:

No. We were in -- we were working with the fire department to allow -- to give them a permit to install a traffic signal at this location at their own cost.

LEG. MYSTAL:

So much for that.

MR. HILLMAN:

And that's --

LEG. MYSTAL:

So much for that.

MR. HILLMAN:

Again, that's the Department's policy, that's how we typically handle it.

P.O. LINDSAY:

Legislator D'Amaro.

MR. ROMAINE:

Mr. Presiding Officer, if I could, just a comment. If this was on County Road 111, obviously, Public Works might have some justification for this. This is on a side street that runs into 111 where they're building the substation. This is on Halsey Manor Road, that is not a County Road. The fact that we need this traffic light is because, not only, and I think Mr. Hillman is aware of this, not only because the substation is being built there, but because the community and the County Executive, when he met out in Manorville, indicated that the County would be installing an additional light along 111 to slow traffic down. That was a statement he made, I believe it was last January, this past January when he was at a public meeting. Now, what they're trying to do is ask the fire department to pay for this improvement. I mean, if that's the standard that we're going to use, understand, anything, any fire station that doesn't have to be on a County Road now, but near a County Road, we're going to require any signalization improvement to be paid by that fire department? That's a little weird standard to me. This is a County Road that we're putting up signalization, not only for the fire department, but to slow traffic on 111. This fire department, the substation isn't even located on the County Road, it's located on Halsey Manor Road.

P.O. LINDSAY:

Legislator D'Amaro.

LEG. D'AMARO:

Mr. Hillman, just to clarify your prior --

P.O. LINDSAY:

Legislator D'Amaro, we can hardly hear you over here.

LEG. D'AMARO:

It's on, it's on.

LEG. LOSQUADRO:

Try the other mike.

LEG. D'AMARO:

To clarify your prior statement, there is a plan right now in DPW to go ahead and put the light -- to put up a light when the fire substation is constructed; is that correct? There's a plan that it's going to be constructed by the fire district?

MR. HILLMAN:

Yes. The fire district approached my Department last year with regard to installing a traffic signal there to assist the substation, and we were inclined to entertain that. We told them that they -- we would -- if they submitted a plan, we would review it and we would entertain giving them a permit for them to construct that.

LEG. D'AMARO:

So the fire district was approaching the County for the need for this light and agreed to pay for it and construct it.

MR. HILLMAN:

That was my understanding at the time.

LEG. D'AMARO:

What is causing -- what is prompting the need for the fire substation? Is there some larger development in the area that's coming on line that's --

MR. HILLMAN:

I'm not sure. I wouldn't have the information to answer that question, I'm sorry.

P.O. LINDSAY:

Just, if I might, the other thing is would we be installing this signal if it wasn't for the fire station?

MR. HILLMAN:

No. There's no need at that intersection for a traffic signal.

P.O. LINDSAY:

Have we done a traffic study in that area?

MR. HILLMAN:

Yes.

P.O. LINDSAY:

Okay. I'm sorry, but that --

LEG. D'AMARO:

No, that's the point.

P.O. LINDSAY:

That follows up to your question --

LEG. D'AMARO:

Yes, absolutely.

P.O. LINDSAY:

-- the reverse --

LEG. D'AMARO:

Right.

P.O. LINDSAY:

-- not whether there's a need for the fire station, is there a need for the signalization.

LEG. D'AMARO:

Right.

P.O. LINDSAY:

All right. The other question that I have, looking at the resolution, the cost on this \$750,000?

LEG. ROMAINE:

No.

MR. HILLMAN:

I think it's 75.

LEG. ROMAINE:

Seventy-five thousand.

P.O. LINDSAY:

Oh, it's 75. Oh, okay, okay. Legislator Fisher said it was --

MR. HILLMAN:

We build them out of gold now.

D.P.O. VILORIA-FISHER:

I'm saying how could you --

P.O. LINDSAY:

Yeah, that's like ten, ten signals, you know.

LEG. D'AMARO:

Could I just -- Bill, could I just follow-up on my question very quickly?

P.O. LINDSAY:

I'm sorry Legislator damn.

LEG. D'AMARO:

That's all right. Just -- so the County has determined that not -- but for this substation, we would not need a light at this location?

MR. HILLMAN:

That's correct.

LEG. D'AMARO:

So has it been done in the past where a substation has been constructed and the County has put up the light where there really was no need, but for the substation? Is this -- you know, you had mentioned something, that this is not uncommon where the fire district would be paying for it. You know, what's the policy here?

MR. HILLMAN:

The Department policy is that we expect the -- if the only need is for -- to provide access for the fire department, then it would be the fire department's responsibility to pay for that signal. That's the Department policy.

LEG. D'AMARO:

And that's been the determination here and the fire district is willing to pay for the light?

MR. HILLMAN:

We didn't get that far in negotiations. We had had discussions with them, that we would entertain a traffic signal at that location. I'm not sure that it was -- the conversations had gone that far.

LEG. D'AMARO:

Okay, thank you. Thank you.

P.O. LINDSAY:

Legislator Romaine, you wanted to respond?

MR. ROMAINE:

Yeah, I just wanted to say a couple of things. Number one, at a meeting of about 300 people in January, which Mr. Hillman was at, I think Mr. Levy clearly stated that the County would be installing a light at County Road 111 and Halsey Manor Road.

Number two, I'd would like to see a copy of that traffic study. If you could have that faxed over to me tomorrow, I'd appreciate that, Mr. Hillman, for that intersection.

Number three, the County just installed a light on Montauk Highway and Frowein Road, which is a three-way intersection, which is immediately in front of those two County roads, the East Moriches Ambulance Company. And the last time I looked the East Moriches Ambulance Company did not pay for that light. This is a surprise to me that this would even be discussed. This fire department isn't even on a County Road, it's on sub-intersection. And I have to say that if we adopt this, if we reject this and we accept the explanation of Public Works or the Executive at this point, I assume he's representing the Executive --

P.O. LINDSAY:

Okay.

LEG. ROMAINE:

-- then we set a new policy.

P.O. LINDSAY:

Okay. I'm going to make a motion to table to give you time to get that traffic study, being that the fire department isn't built yet. I don't think there's a huge rush, and you can come back with a little bit more research. All right?

LEG. COOPER:

Second.

P.O. LINDSAY:

Do I have a second?

LEG. COOPER:

Second.

MR. ROMAINE:

I'll accept that. In light of the hour and for the sake of my colleagues, I'll accept that, because what Public Works is pulling here today is a surprise to me, and, obviously, is an attempt to set a different policy for this County that will impact all 18 Legislative districts. This is a fire department who's building a substation, I believe the largest fire department certainly in Suffolk County and possibly in New York State in terms of the geographic area. They're building a substation on a non-County road substation on a non-County Road and being asked to pay for a light on a County Road? Think about that, the absurdity of that. Anyway --

P.O. LINDSAY:

Legislator --

LEG. ROMAINE:

I agree and I'll second your motion to table.

P.O. LINDSAY:

We have a tabling and a second. Legislator Alden.

LEG. ALDEN:

Mr. Hillman, if this had been approved today or -- and then signed into law, approximately how long is the backup to install one of these lights?

LEG. SCHNEIDERMAN:

How's that Montauk one coming?

MR. HILLMAN:

That one's almost done. I'd say in between a year, slightly over a year.

MR. ROMAINE:

That's why we're doing it now.

LEG. ALDEN:

Thank you.

P.O. LINDSAY:

Okay. We have a motion to table and a second. All in favor? Opposed? Abstentions?

MR. LAUBE:

Fifteen (Not Present: Legislator Caracappa, Montano and Kennedy).

P.O. LINDSAY:

1563 - Appropriating funds in connection with removal of toxic and hazardous building materials and components at various County facilities (CP 1732).

LEG. STERN:

Motion to approve.

P.O. LINDSAY:

Motion to approve by Legislator Stern.

LEG. D'AMARO:

Second.

P.O. LINDSAY:

Second by Legislator D'Amaro. All in favor? Opposed? Abstentions? On 1563 -- oh, you didn't call it. Did you call it?

MR. LAUBE:

Fourteen (Not Present: Legs. Caracappa, Montano, Kennedy and Mystal).

P.O. LINDSAY:

Okay. **1563A**, the accompanying bonding resolution, same motion, same second. Roll call.

MR. LAUBE:

Just a second.

P.O. LINDSAY:

Stern.

MR. LAUBE:

Okay. Legislator Lindsay.

P.O. LINDSAY:

No, it's Stern.

MR. LAUBE:

No? Sorry.

P.O. LINDSAY:

Stern and D'Amaro.

MR. LAUBE:

Gotcha, Stern and D'Amaro.

(Roll Called by Mr. Laube, Clerk)

LEG. STERN:

Yes.

LEG. D'AMARO:

Yes.

LEG. COOPER:

Yes.

LEG. MYSTAL:

(Not Present)

LEG. HORSLEY:

Yes.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

(Not Present)

LEG. BARRAGA:

Yes.

LEG. ALDEN:

Yes.

LEG. MONTANO:

Yes.

LEG. EDDINGTON:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. CARACAPPA:

Yes.

LEG. BROWNING:

Yes.

LEG. SCHNEIDERMAN:

Yes.

MR. ROMAINE:

Yes.

D.P.O. VILORIA-FISHER:

Yes.

P.O. LINDSAY:

Yes.

MR. LAUBE:

Sixteen. (Vote Amended to 18)

P.O. LINDSAY:

1564 - Appropriating funds in connection with modifications for compliance with Americans with Disabilities Act (ADA) (CP 1738).

LEG. STERN:

Motion to approve.

P.O. LINDSAY:

Motion to approve by Legislator Stern.

D.P.O. VILORIA-FISHER:

Second.

P.O. LINDSAY:

Second by Legislator Viloría-Fisher. All in favor? Opposed? Abstentions?

MR. LAUBE:

Seventeen (Not Present: Leg. Kennedy). (Vote Amended to 18)

P.O. LINDSAY:

1564, the accompanying bonding resolution, same motion, same second. Roll call.

(Roll Called by Mr. Laube, Clerk)

LEG. STERN:

Yes.

D.P.O. VILORIA-FISHER:

Yes.

LEG. COOPER:

Yes.

LEG. D'AMARO:

Yes.

LEG. MYSTAL:

Yes.

LEG. HORSLEY:

Yes.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

(Not Present).

LEG. BARRAGA:

Yes.

LEG. ALDEN:

Yes.

LEG. MONTANO:

Yes.

LEG. EDDINGTON:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. CARACAPPA:

Yes.

LEG. BROWNING:

Yes.

LEG. SCHNEIDERMAN:

(Not Present)

MR. ROMAINE:

Yes.

LEG. SCHNEIDERMAN:

Yes on Schneiderman.

LEG. ROMAINE:

Yes.

P.O. LINDSAY:

Yes.

MR. LAUBE:

Seventeen (Not Present: Leg. Kennedy). (Vote Amended to 18)

P.O. LINDSAY:

I.R. 1568 --

LEG. KENNEDY:

Put me with the majority.

P.O. LINDSAY:

-- Amending the 2007 Capital Budget and Program and appropriating funds in connection with safety improvements at various intersections (CP 3301).

LEG. CARACAPPA:

Motion.

P.O. LINDSAY:

Motion by Legislator Caracappa. Do I have a second?

LEG. BROWNING:

Second.

P.O. LINDSAY:

Second by Legislator Browning. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

Same motion, same second. Roll call.

(Roll Called by Mr. Laube, Clerk)

LEG. CARACAPPA:

Yep.

LEG. BROWNING:

Yes.

LEG. COOPER:

Yes.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. MYSTAL:

Yes.

LEG. HORSLEY:

Yes.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. ALDEN:

Yes.

LEG. MONTANO:

Yes.

LEG. EDDINGTON:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. SCHNEIDERMAN:

Yes.

MR. ROMAINE:

Yes.

D.P.O. VILORIA-FISHER:

Yes.

P.O. LINDSAY:

Yes.

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

Okay. *1569 - Appropriating funds in connection with the reconstruction of the Shinnecock Canal Locks, Town of Southampton (CP 5343).*

LEG. SCHNEIDERMAN:

Motion.

P.O. LINDSAY:

Motion by Legislator Schneiderman.

LEG. LOSQUADRO:

Second.

P.O. LINDSAY:

Second by Legislator Losquadro. On the motion, Legislator Alden.

LEG. ALDEN:

How much.

P.O. LINDSAY:

Three-fifty.

LEG. LOSQUADRO:

Three hundred and fifty thousand.

LEG. ALDEN:

Okay.

P.O. LINDSAY:

Three-fifty.

LEG. ALDEN:

Three hundred and fifty?

P.O. LINDSAY:

Yeah.

LEG. ALDEN:

Okay.

P.O. LINDSAY:

Okay. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

Same motion, same second. Roll call on the bond.

(Roll Called by Mr. Laube, Clerk)

LEG. SCHNEIDERMAN:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. COOPER:

Yes.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. MYSTAL:

Yes.

LEG. HORSLEY:

Yes.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. ALDEN:

Yes.

LEG. MONTANO:

Yes.

LEG. EDDINGTON:

Yes.

LEG. CARACAPPA:

Yes.

LEG. BROWNING:

Yes.

MR. ROMAINE:

Yes.

D.P.O. VILORIA-FISHER:

Yes.

P.O. LINDSAY:

Yes.

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

J.R. 1570 - Authorizing the filing of an application with the Federal Transit Administration, an Operating Administration of the United States Department of Transportation, for Federal Transportation Financial Assistance for mass transportation projects for Suffolk County authorized by 49 U.S.C. Chapter 53 Title 23 United States Code and other Federal Statutes administered by the Federal Transit Administration.

D.P.O. VILORIA-FISHER:

Motion.

LEG. ALDEN:

I missed the first part of that.

LEG. CARACAPPA:

Can you read that again, Bill?

D.P.O. VILORIA-FISHER:

What was that again?

P.O. LINDSAY:

Motion by Legislator Viloría-Fisher.

LEG. BARRAGA:

Second.

P.O. LINDSAY:

Seconded by Legislator Barraga. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

I'm not repeating it. ***1574 - Amending the 2007 Capital Budget and Program and appropriating funds in connection with pedestrian safety improvements on County Road 85, Montauk Highway in the vicinity of Hiddink Street, Sayville, Town of Islip.*** I'll make the

motion.

LEG. COOPER:

Second.

P.O. LINDSAY:

Second by Legislator Stern. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

On the accompanying bonding resolution, **1574A**, same motion, same second. Roll call.

(Roll Called by Mr. Laube, Clerk)

P.O. LINDSAY:

Yes.

LEG. STERN:

Yes.

LEG. COOPER:

Yes.

LEG. D'AMARO:

Yes.

LEG. MYSTAL:

Yes.

LEG. HORSLEY:

Yes.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. ALDEN:

Yes.

LEG. MONTANO:

Yes.

LEG. EDDINGTON:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. CARACAPPA:

Yes.

LEG. BROWNING:

Yes.

LEG. SCHNEIDERMAN:

Yes.

MR. ROMAINE:

Yes.

D.P.O. VILORIA-FISHER:

Yes.

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

Okay. *1580 - Approving the purchase of six used snow fighting trucks in accordance with Section 186-2(B)(6) of the Suffolk County Code.*

LEG. MYSTAL:

What division are they, bottom weight or middle weight?

P.O. LINDSAY:

I'll make a motion.

LEG. LOSQUADRO:

Second.

P.O. LINDSAY:

Second by Legislator Losquadro. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

1581 - Transferring Assessment Stabilization Reserve Funds to the Capital Fund, amending the 2007 Operating Budget, amending the 2007 Capital Budget and Program, and appropriating funds for engineering services and construction for an infiltration and inflow study/rehabilitation in Suffolk County Sewer District No. 3 (Southwest).

LEG. MYSTAL:

Could you repeat that, please?

LEG. STERN:

Motion to approve.

P.O. LINDSAY:

Ditto.

LEG. MYSTAL:

Motion to approve.

P.O. LINDSAY:

Motion to approve by Legislator Mystal, second by Legislator --

LEG. STERN:

Second.

P.O. LINDSAY:

-- Stern.

LEG. ALDEN:

How much?

P.O. LINDSAY:

How much? How much?

LEG. LOSQUADRO:

1.65 million.

LEG. MYSTAL:

Whatever it is, pay it, otherwise you get backed up sewers.

P.O. LINDSAY:

What is it, one point --

MR. NOLAN:

1.65 million.

P.O. LINDSAY:

1.65 million. Okay. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

1582 - Calling a public hearing upon a proposal to increase the annual rate charged for sewage treatment for the proposed Suffolk County Sewer District No. 2 - Tallmadge Woods in the Town of Brookhaven.

LEG. LOSQUADRO:

Motion to approve, Mr. Chairman.

P.O. LINDSAY:

Motion to approve by Legislator Losquadro. Do I have a second?

LEG. BROWNING:

Second.

P.O. LINDSAY:

Second by Legislator Browning. All in favor? Opposed? Abstentions?

LEG. LOSQUADRO:

Tim, cosponsor on that.

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

1583 - Appropriate funds in connection with the dredging of Suffolk County waters.

LEG. BROWNING:

Motion.

LEG. HORSLEY:

Motion to approve.

P.O. LINDSAY:

Motion by Legislator Horsley.

LEG. ROMAINE:

Second.

P.O. LINDSAY:

Second by Legislator Romaine. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

On the accompanying bonding resolution, 1583A, same motion, same second. Roll call.

(Roll Called by Mr. Laube, Clerk)

LEG. HORSLEY:

Yes.

MR. ROMAINE:

Yes.

LEG. COOPER:

Yep.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. MYSTAL:

Yes.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. ALDEN:

Yes.

LEG. MONTANO:

Yes.

LEG. EDDINGTON:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. CARACAPPA:

Yes.

LEG. BROWNING:

Yes.

LEG. SCHNEIDERMAN:

Yes.

D.P.O. VILORIA-FISHER:

Yes.

P.O. LINDSAY:

Yes.

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

Okay. *1615 - Authorizing the County Executive to enter into an agreement with Deer Park Enterprise, accepting a payment of money in lieu of performance of certain mitigation measures, amending the 2007 Capital Budget and Program and appropriating these funds in connection with the intended mitigation measures.*

D.P.O. VILORIA-FISHER:

Explanation.

LEG. LOSQUADRO:

Explanation, please.

LEG. STERN:

Motion to approve.

P.O. LINDSAY:

Let me get a motion by Legislator Stern to approve.

LEG. COOPER:

Second.

P.O. LINDSAY:

Second by Legislator Cooper. And we're being asked by Legislator Losquadro for an explanation.

LEG. LOSQUADRO:

What does Deer Park Enterprise do?

P.O. LINDSAY:

The Tanger Mall.

P.O. LINDSAY:

And this is \$500,000; correct?

MR. NOLAN:

Five hundred grand.

LEG. KENNEDY:

On the motion.

P.O. LINDSAY:

Legislator Kennedy.

LEG. KENNEDY:

My recollection is that there were a variety of different representations that were going to be done on Commack Road, as far as improvements to accommodate the traffic with this? Does this have anything to do with that, or is it a different matter?

P.O. LINDSAY:

I think Legislator Stern is probably closest to it, right? Is this for the study of road improvements, or do an alternate roadway for truck deliveries?

LEG. STERN:

Yes, Mr. Presiding Officer. This is money that's being put up by the developer to study the feasibility of an interim road through the Pilgrim State property to allow for better traffic flow through the area.

P.O. LINDSAY:

Okay. Legislator Alden.

LEG. ALDEN:

Could you or somebody elaborate a little bit more on a road through Pilgrim State property? In other words, we're going to divert some of the traffic into Islip; is that what the whole deal is there?

LEG. STERN:

Well, that's what the study is for, but that's the idea, that there could be an interim road built, taking some of the existing roadway that's through Pilgrim State and maybe connecting to them in a way where you can come off of the Long Island Expressway Service Road, heading south down into the Deer Park area, utilizing this interim roadway, rather than Commack Road.

LEG. ALDEN:

Now, this appropriates the money, too. So we have a firm that we're going to hire?

LEG. CARACAPPA:

We're accepting the money.

LEG. MYSTAL:

They're giving us money.

LEG. STERN:

It's money from them.

LEG. ALDEN:

Oh. It says, "Appropriating these funds in connection with the intended mitigation measures." This appropriates money, too. To what?

MR. NOLAN:

It moves the money to a separate project number; safety improvements of various intersections, 200,000, and Sagtikos Corridor, Commack Road Bypass, Project No. 5565, \$300,000.

LEG. ALDEN:

For engineering or --

P.O. LINDSAY:

I think a study.

LEG. CARACAPPA:

For a total of 500,000.

MR. NOLAN:

Total of \$500,000.

LEG. ALDEN:

Well, the 200,000, though, that's to actually do improvements at different intersections. The 300,000, are we in contract with some kind of engineering company or --

MR. NOLAN:

That I have no idea.

P.O. LINDSAY:

Legislator Romaine, did you have a question?

MR. ROMAINE:

Just a few. This appropriates funds in connection with the intended mitigation measures. That means that this money can only be spent for the study or the mitigation connected with this mall; is that correct? I'm asking Counsel that. Does this limit, restrict what this money can be used for?

LEG. CARACAPPA:

Yes.

MR. NOLAN:

Well there is a lengthy agreement attached to the resolution --

LEG. ROMAINE:

Yes.

MR. NOLAN:

-- which I'm taking a quick look at now.

MR. ROMAINE:

Oh, okay. So there is an agreement attached, okay. My second concern, and I just want to say this, is I believe we dealt with this sometime ago about the sewer connection, and I believe the Legislature approved the sewer connection. At the time, there was no discussion about the developer providing money for the mitigation. I did not hear that, that -- something that was going to be done, and I believe that came after the fact. And I'm just concerned how that came after the fact, because once we approve the hook-up, no one else, in my view, should have impeded that hook-up by requesting additional funds, because there's a word for that, which I will not define here, but I think we know what that word is. That maybe should have been part of the negotiations prior to our adoption, but to do that after that, I just raise that question on the record. Thank you.

LEG. ALDEN:

I have one more question.

P.O. LINDSAY:
Legislator Alden.

LEG. ALDEN:
George, I know it's not our resolution, it's the County Executive's resolution, but this accepts money in lieu of performance of certain mitigation measures. So is that delineated in the bill, what the --

MR. NOLAN:
Yeah. They're giving us the -- they're giving us the money, we're going to perform the studies. That's what the agreement indicates.

LEG. ALDEN:
Otherwise, they were responsible for doing the study?

MR. NOLAN:
They would have otherwise been required, I suppose, but this -- they're giving us the money, we do the work.

LEG. ALDEN:
But under an agreement with Suffolk County, they were required, or is it some other requirement?

P.O. LINDSAY:
Could I interrupt? I just ask that the County Executive's representatives come forward, and maybe we could skip over this in the interest of time until they get here. How is that?

LEG. ALDEN:
Okay.

P.O. LINDSAY:
All right. 1618 - Appropriating funds in connection with improvements to water supply system (CP 1724). Make a motion -- oh, I'm sorry.

D.P.O. VILORIA-FISHER:
Duryea Residential Development.

P.O. LINDSAY:
Oh, I'm sorry, I skipped one. ***1617 - Authorizing the execution of an agreement by the Administrative Head of Suffolk County Sewer District No. 3 - Southwest with Duryea Residential Development (HU-1521).*** I'll make a motion.

LEG. STERN:
Second.

P.O. LINDSAY:
Second by Legislator Stern.

LEG. ALDEN:
On the motion.

P.O. LINDSAY:
On the motion, Legislator Alden.

LEG. ALDEN:
Is there any provision of affordable housing, because this looks like it's just a residential development, which in a way doesn't really benefit Suffolk County, but --

P.O. LINDSAY:

I don't know.

MR. NOLAN:

The resolution does not indicate whether it's affordable housing.

P.O. LINDSAY:

You want to skip over this one, too, and maybe we could ask that question as well?

LEG. ALDEN:

If we could.

P.O. LINDSAY:

Okay. 1618 -- oh, here they are. Paul, do you want to take the mike? There's a couple of questions here that I cannot answer. We're discussing first 1617, authorizing the execution of agreement by the Administrative Head of Suffolk County Sewer District No. 3 - Southwest with Duryea Residential Development. And the question is, is there any affordable housing in that component? Evidently, it must be an out-of-district hook-up, right, otherwise it wouldn't be before us?

[THE FOLLOWING WAS TAKEN BY LUCIA BRAATEN-COURT STENOGRAPHER AND TRANSCRIBED BY KIMBERLY CASTIGLIONE-LEGISLATIVE SECRETARY]

DEPUTY COUNTY EXEC. SABATINO:

Yeah, it's a hook-up. Not to my knowledge. This would have been something that happened -- a pre-existing agreement prior to the legislation that was recently adopted. I do not recall something specific on this being for workforce housing.

LEG. ALDEN:

Through the Chair.

P.O. LINDSAY:

Go right ahead, Legislator Alden.

DEPUTY COUNTY EXEC. SABATINO:

I do not recall. If somebody has different information I'd be willing to look at it. I don't recall this being one of those.

LEG. ALDEN:

A couple of questions that I always ask, and that's over the past ten years, what's the benefit to us in Suffolk County in letting somebody hook-up into the sewer district? And now I know that they're going to pay \$15 per gallon per day of flow, but then there's also, you know, we're using up precious capacity when we hook these people up. Part of the reason why I brought forward that other resolution was, you know, I'd like to look at is there a whole benefit to us, are they providing affordable housing, are they providing economic benefits to Suffolk County. If this is strictly that they're building a residential community, that's neat, but basically what we're doing is, you know, we're making it a lot less expensive for them to build something.

DEPUTY COUNTY EXEC. SABATINO:

If somebody has the backup to the resolution it will indicate in the Sewer Agency resolution. Just from memory I think this is one of those condominium complexes, but I'm not positive. I mean, your point is well taken from the standpoint of a debate on looking at all of the hookups, but, I mean, what's happened historically is that the individual applications have come, you know, before the Sewer Agency and then before the Legislature and sometimes they're rejected, sometimes they're approved.

LEG. SCHNEIDERMAN:

This may be one that already exists.

P.O. LINDSAY:

Maybe Public Works, the Chair, could remember? I mean, usually the Sewer Agency comes into the committee.

LEG. SCHNEIDERMAN:

My recollection, I could be wrong, is that this place already exists. It's a housing development that already exists and now wants to hook in. It's not a new construction. But I don't have my notes.

LEG. ALDEN:

Though the Chair.

P.O. LINDSAY:

Legislator Alden.

LEG. ALDEN:

This is an existing?

LEG. SCHNEIDERMAN:

I don't want to say it with certainty, but that's my recollection. Unless we had -- we don't have Commissioner Anderson --

P.O. LINDSAY:

Do you want to table it until we get more information about it?

LEG. ALDEN:

It's not going to be forthcoming.

P.O. LINDSAY:

Well, for one thing, you could --

LEG. SCHNEIDERMAN:

Could pass over it and maybe somebody could reach out to --

P.O. LINDSAY:

We could ask this of Ben Wright.

LEG. ALDEN:

I'm going to vote against it because basically all the questions that I asked were not answered in a proper manner as far as I'm concerned. I'm looking out for the people in Suffolk County, the future of Suffolk County, and we have very precious, you know.

P.O. LINDSAY:

I don't think anybody is objecting to what you're saying, Legislator Alden, we just don't know the answers. And what I'm simply suggesting is let us table it, we'll get Mr. Wright in here at the next meeting or at the committee meeting of Public Works to explain why we're approving this hook-up of an out of district housing development.

LEG. ALDEN:

All right. That would be fine then. Thank you.

LEG. SCHNEIDERMAN:

Or if we could just pass over it.

DEPUTY COUNTY EXEC. SABATINO:

If somebody has the backup I could tell in like 30 seconds reading it. I just don't personally have it. There's so many resolutions I don't pay that level of attention to detail. I know these are the normal questions that are asked with respect to is there sufficient, capacity, what's the number of units being, you know, proposed, the payment, make sure it fits into the arithmetical formula.

P.O. LINDSAY:

And why, why we're doing this. Why we're -- you know, it is it for economic development, is it to promote affordable housing, you know, there has to be a reason. Usually the Sewer Agency -- and the reason might be there, we just don't know.

DEPUTY COUNTY EXEC. SABATINO:

I agree. I mean, I apologize for not having that level of detail at my fingertips.

P.O. LINDSAY:

I'm going to make a motion to table and let's move on, all right? Do you want to second that motion?

LEG. ROMAINE:

I'll second.

P.O. LINDSAY:

All right. All in favor? Opposed? Abstentions?

DEPUTY COUNTY EXEC. SABATINO:

Mr. Chairman, I was actually coming in because somebody said there was a question on 1615 but I was in the hallway.

P.O. LINDSAY:

That's where I'm going now.

MR. LAUBE:

That was 17. That was bill 1617?

MR. NOLAN:

Yes.

MR. LAUBE:

That vote was 17.

P.O. LINDSAY:

That was 1617. Now we're going to 1615 and there were some questions about the road study, who's doing the road study, Deer Park Associates, the whole, you know.

DEPUTY COUNTY EXEC. SABATINO:

Okay. This particular resolution deals with the agreement that was arrived at with the enterprise that basically deals with that whole Tanger Mall, you know, project. The \$500,000 that's coming in is going to be divided into three pieces. One piece, which is \$100,000, is going to be used to have the County, the County will do the work, to fund a study to see if a bypass road could be built through the old Pilgrim State property to try to alleviate some of that traffic congestion. So the \$100,000 would fund a County study to see if the engineering would work for doing the bypass road.

The second component is \$300,000 and \$100,000, in two separate allocations, is to do a study of the traffic -- to help fund a study of the traffic congestion as it currently exists prior to the work and then they'll be another study at the completion of the Tanger Mall Outlet so you can do the

comparison. But the work itself is going to be done by County engineering firms selected by the County. It's just that this is sort of like a contribution in kind that the project developer has agreed to pay to help offset that cost.

LEG. ALDEN:

Through the Chair.

P.O. LINDSAY:

Legislator Alden.

LEG. ALDEN:

Paul, it states in the call of the resolution a payment of money in lieu of performance of certain mitigation measures. What established their responsibility to do performance? Was there a prior agreement?

DEPUTY COUNTY EXEC. SABATINO:

No, I think what -- I think that's just -- I think what they're making a reference to there is just a notion that they were able to get the developer to do more than ordinarily would have been the case. The developer would not have had an obligation to do any of this additional study, so I think that was just wording to indicate that they're going to be doing something that otherwise wouldn't have taken place.

P.O. LINDSAY:

Legislator Schneiderman.

LEG. SCHNEIDERMAN:

Mr. Sabatino, were you part of those negotiations with the developer?

DEPUTY COUNTY EXEC. SABATINO:

No, I wasn't personally involved. I just was privvy to the back and forth as things were evolving.

LEG. SCHNEIDERMAN:

Maybe you can answer this question. This Legislature approved a sewer hook-up. I'm not sure whether that contact has now been executed or not. Maybe you can answer that part.

DEPUTY COUNTY EXEC. SABATINO:

I don't specifically recall that contract coming before me.

LEG. SCHNEIDERMAN:

Okay. Because I do recall when -- on the Sewer Agency when an extension of time came up on this permit, the approval had run out and it was kind of a pro forma extension of time that was not granted, and there were some current concerns, I guess, at the County Attorney's Office or whatever, and the extension time was not granted. Therefore, they had no approval at that moment. And I'm just curious whether this condition was somehow tied into the approval of their sewer connection.

DEPUTY COUNTY EXEC. SABATINO:

I'm not familiar with the extension issue, but I am familiar with the fact that, you know, the County Executive did not want to go forward with the resolution coming out of the Sewer Agency because we were not 100% comfortable with the impact that there was going to be on traffic congestion. So the County Executive was trying to get the developer to at least exceed to some mitigation measures such as this.

The resolution I know, itself when it came before the Legislature had a full fledged, you know, debate on the merits and the substance, but, I mean, yes, the County Executive was trying to make

a difficult situation better by getting the developer to agree to do some of this work or studies or at least contribute to that. So I'm not sure what you mean in terms of an extension because I don't recall there being a question about an extension.

The developer had options. I mean, Legislator D'Amaro at the time raised the point which, and he was right, which was that the developer had options. If the County Legislature and the County of Suffolk I should say, declined to authorize the hook-up, the developer then was going to have to make a business judgment as to whether he or they were willing to then go into their parking lot and build the septic systems instead. I initially thought, when I was involved, that they would not be able from an engineering standpoint to do the septic systems in the parking lot. I thought there wouldn't be enough space, I thought weight -- it wouldn't be able to bear the load. I was wrong from an engineering standpoint. So you were left with a choice that day between either doing the hook-up or having the possibility that they might revert to the septic tank.

LEG. SCHNEIDERMAN:

You know, we often authorize the County Executive to enter into contracts on behalf of the County, and I'm sure on a regular basis there are conditions that are put into those types of contracts. But this would be a little bit unusual to put in a half a million dollar condition without coming back here. When we approved it, it was not -- this condition didn't exist. And I'm not saying it's a bad thing to have the Tanger developers do this type of study. I'm a little bit uncomfortable, though, if it was somehow used as a quid pro quo for the sewer hook-up, that if we're only going to extend your time and allow this hook-up if you agree to -- if you consent to this half a million dollars in planning studies.

DEPUTY COUNTY EXEC. SABATINO:

You know, part one of your question was like not coming to the Legislature. It is coming to the Legislature because you're voting on it today. Part two of your question about, you know, linkage to an extension I'm not clear on because that vote came to the Legislature to authorize the execution of the contract. It was debated at length. There was --

LEG. SCHNEIDERMAN:

Is this something the developers have volunteered or is this something that was tied in to our approval? I guess that's what I'm asking. And maybe you don't have the answer.

DEPUTY COUNTY EXEC. SABATINO:

I mean, it wasn't tied in in the sense that you had an independent vote on that authorization for the hook-up, and the debate that you had that day was the one that I thought Legislator D'Amaro framed very well, which was you could have said no. You had absolute legal authority to say no and then it would have been a business judgment as to whether they would have opted to go the septic route. But it was never linked in terms of that vote and this, you know, subsequent vote. This was the County Executive, though, trying to make a difficult situation a little bit better from the standpoint of the traffic problems down there given the constraints that we have in general;

LEG. SCHNEIDERMAN:

I'm not getting the clear answer as to whether the actual contract was held up until they conceded to this condition or not.

DEPUTY COUNTY EXEC. SABATINO:

Well, the contract hasn't been held up because it takes a Legislative resolution to authorize the contract.

P.O. LINDSAY:

Legislator Schneiderman, how many times are you going to ask the same question in a different way?

LEG. SCHNEIDERMAN:

I'm was hoping to get a clear answer to it. I'm not getting a clear answer so that gives me a little bit of discomfort.

P.O. LINDSAY:

Okay. Any other questions on this? We have a motion and a second; am I correct? On 1617?

MR. LAUBE:

1615.

P.O. LINDSAY:

1615.

MR. LAUBE:

Yes, you do.

P.O. LINDSAY:

All in favor? Opposed? Abstentions?

LEG. SCHNEIDERMAN:

Abstention.

LEG. ALDEN:

Abstain.

P.O. LINDSAY:

We've got two abstentions.

MR. LAUBE:

Sixteen. (Abstentions: Legislators Schneiderman and Alden)

P.O. LINDSAY:

Okay. Legislator Mystal, when are you getting married?

LEG. MYSTAL:

At this rate, never.

P.O. LINDSAY:

Well, at this rate you might not make it. *IR 1618, 1618A, Appropriating funds in connection with improvements to water supply systems (CP 1724).*

LEG. STERN:

Motion to approve.

P.O. LINDSAY:

Motion to approve by Legislator Stern. Do I have a second?

LEG. EDDINGTON:

Second.

P.O. LINDSAY:

Second by Legislator Eddington. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

LEG. D'AMARO:

Bill.

P.O. LINDSAY:

Yes, Legislator D'Amaro.

LEG. D'AMARO:

I would like to go back and offer a motion to reconsider 1617.

LEG. COOPER:

I'll second that.

P.O. LINDSAY:

1617 we tabled, right?

LEG. D'AMARO:

That's correct, sir.

P.O. LINDSAY:

So you want to reconsider that?

LEG. D'AMARO:

Yes. I'd like to offer a motion to reconsider that.

P.O. LINDSAY:

Reconsider the tabling motion.

LEG. D'AMARO:

Correct.

LEG. ALDEN:

On the motion to reconsider.

P.O. LINDSAY:

Okay. I have a motion to reconsider. Do you want to second the reconsider?

LEG. COOPER:

I already seconded.

P.O. LINDSAY:

Second by Legislator Cooper. On the motion, Legislator Alden.

LEG. ALDEN:

Legislator D'Amaro, can you answer all the questions that were brought up?

LEG. D'AMARO:

Well, what I can tell you is that this is an existing residential facility seeking to hook into the sewer district.

LEG. ALDEN:

I can't hear you. I'm sorry.

LEG. D'AMARO:

I'm sorry. It's an existing residential facility, my understanding, that is seeking to hook into the sewer district that was addressed at the Public Works Committee and approved unanimously. I think the County has a policy of encouraging this hook-up, and I can't see any reason to delay the

hook-up or this vote and not to approve it.

LEG. ALDEN:

Okay, then I have a couple of -- through the Chair, I have a couple of questions.

P.O. LINDSAY:

Go ahead;

LEG. ALDEN:

Do they have an existing sewage treatment system?

LEG. D'AMARO:

It's that -- the answer to that is not relevant to my decision to approve.

LEG. ROMAINE:

Well, yes or no.

LEG. ALDEN:

What you're doing is you're taking an asset that was paid for by people that don't live --

LEG. D'AMARO:

I understand all those arguments. You make them every time. I understand it.

LEG. ALDEN:

-- where this is and you're handing it to somebody. I'd like to know why. I'd like to know why that asset isn't used for affordable housing or for some kind of economic growth. I think I'm entitled to the answers to those questions, and if you don't have the answers, then I think it should stay tabled until we get it. There's no compelling reason that you just set forth that is going to mean this place is going to fail or it's going to succeed if we don't pass it or if we do pass it today.

LEG. D'AMARO:

I have no problem at all with encouraging affordable housing and all the other policy statements we've made over time. In fact, passing your legislation, I think, last session made that very clear.

LEG. ALDEN:

And I appreciate that.

LEG. D'AMARO:

Of course. But this is an existing facility that wants to hook into the sewer district. That is a policy of this County to encourage that type of hook-up and we've kind of vetted all of these issues before. There's not going to be an affordable housing component to this hook-up. It's an existing facility. I mean, if you want to vote no for it on the grounds that you stated I can understand it, but I can't see tabling it.

LEG. ALDEN:

No I would vote no for it because of the grounds I'm going to state right now. And why are answers to questions being hidden? Why not put the light on it of day and expose it so that anybody in the County can understand why these assets are being given to these people. And I don't even know who these folks are. I'd like the names of the developers. I'd like that brought forth. I'd like to know who represented them in the County. These are all legitimate questions. If we're hiding something, then we shouldn't be doing it.

LEG. D'AMARO:

I absolutely think you have a right to state the basis of you voting no. I take no issue with that at all. However, I feel that this promotes the County policy of hooking in existing residential facilities into the sewer district. That's a positive thing for the County, that's a positive thing for our

environment, and I state those reasons to say yes and that's why I'd like to offer a motion to reconsider. I don't need to go on with a debate.

LEG. ALDEN:

Simply just let's if we're going to get the information out there let's be honest with the people. Otherwise, let's cover it up and do something in the dark. That's it.

P.O. LINDSAY:

All right, all right.

LEG. D'AMARO:

I don't see it that way, but I understand your point.

P.O. LINDSAY:

No, stop. Both of you stop. I think we heard enough of this debate. I was the one that made the motion to table because nobody seemed to know anything about this project. I asked several times the Deputy County Executive, he didn't recall it at the time. I simply said table it and we'll take it up next month when we can talk to the Sewer Agency and find out the rationale for approving the hook-up. That's all.

DEPUTY COUNTY EXEC. SABATINO:

I mean, table the bill. I wish I was more informed. If I had the backup I could answer the questions. I can't answer the questions. Unless somebody is willing to give me the backup I'll look at and I might be able to analyze it quickly. But I just don't have the level of detail. Tabling is not going to end the world, so.

P.O. LINDSAY:

I don't think it is any huge, huge detriment if it's held up for a couple of weeks. We're in committee cycles a month from this day and I'm sure Public Works, the committee will get an answer from the Sewer Trustees to find out why we approved this hook up.

Okay. We have a motion before us to reconsider, and a second. All in favor of reconsidering? Opposed? (Opposed in unison). Do you want a roll call? Do a roll call.

(Roll called by Mr. Laube, Clerk)

LEG. D'AMARO:

No.

MR. NOLAN:

You want to reconsider.

LEG. D'AMARO:

Yes.

LEG. COOPER:

Yes.

LEG. STERN:

Yes.

LEG. MYSTAL:

No.

LEG. HORSLEY:

Yes.

LEG. NOWICK:

No.

LEG. KENNEDY:

No.

LEG. BARRAGA:

No.

LEG. ALDEN:

No.

LEG. MONTANO:

No.

LEG. EDDINGTON:

No.

LEG. LOSQUADRO:

No.

LEG. CARACAPPA:

No.

LEG. BROWNING:

No.

LEG. SCHNEIDERMAN:

No.

LEG. ROMAINE:

No.

D.P.O. VILORIA-FISHER:

No.

P.O. LINDSAY:

No.

MR. LAUBE:

Four.

P.O. LINDSAY:

Okay. Did we do -- we did 1618. Did we do the bond?

We didn't do the bond?

MS. ORTIZ:

We didn't do 1618.

MR. LAUBE:

I didn't have 1618.

P.O. LINDSAY:

Did we do 1618?

MR. LAUBE:

Hold on. We did do 1618, yes you did. We didn't do the bond, though.

P.O. LINDSAY:

But we did do the 1618. All right. Same motion, same second. Roll call on the bond.

(Roll called by Mr. Laube, Clerk)

LEG. STERN:

Yes.

LEG. EDDINGTON:

Yes.

LEG. COOPER:

Yes.

LEG. D'AMARO:

Yes.

LEG. MYSTAL:

Yes.

LEG. HORSLEY:

Yes.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. ALDEN:

Yes.

LEG. MONTANO:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. CARACAPPA:

Yes.

LEG. BROWNING:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. ROMAINE:

Yes.

D.P.O. VILORIA-FISHER:

Yes.

P.O. LINDSAY:

Yes.

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

Okay. *1620, Authorizing transfer of six (6) surplus County computers and two (s) surplus County printers to RSVP.*

LEG. KENNEDY:

Motion.

P.O. LINDSAY:

Motion by Legislator Kennedy, second by Legislator Montano. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

1621, Authorizing transfer of two (2) surplus County computers and one (1) surplus County printer to the Smithtown Parkinson's Therapy Association.

LEG. KENNEDY:

Motion.

LEG. MONTANO:

Second.

P.O. LINDSAY:

Okay. We have a motion and a second. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

We have a discharge petition, *1403, Creating the Suffolk Municipal Academic Regional Transit (SMART) Transportation Task Force.*

D.P.O. VILORIA-FISHER:

Motion.

P.O. LINDSAY:

Motion by Legislator Viloría-Fisher.

LEG. COOPER:

Second.

P.O. LINDSAY:

Second by Legislator Cooper. Okay. All in favor? Did you want to say something?

LEG. SCHNEIDERMAN:

Don't worry about it.

P.O. LINDSAY:

No? Okay. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

LEG. BARRAGA:

Opposed.

MR. LAUBE:

Seventeen.

P.O. LINDSAY:

Okay. ***1518, Approving the appointment of a relative of an acting Supreme Court Judge in the Suffolk County Treasurer's Office.*** Do I have a motion?

LEG. MYSTAL:

Motion to approve.

P.O. LINDSAY:

Motion to approve by Legislator Mystal. What do you say there, Dan, are you going to get back in the game? Do you want to second this?

LEG. LOSQUADRO:

Sure.

P.O. LINDSAY:

Seconded. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

1545, Sale of County-owned real estate pursuant to Local Law 13-1976 Kathleen Ennesser (SCTM No. 0200-975.90-05.00-023.000).

D.P.O. VILORIA-FISHER:

Motion.

P.O. LINDSAY:

Motion by Legislator Viloría-Fisher.

LEG. D'AMARO:

Second.

P.O. LINDSAY:

Second by Legislator D'Amaro.

LEG. ALDEN:
Is it as of right?

MR. NOLAN:
Thirteen, adjacent owner.

LEG. ALDEN:
Thank you.

P.O. LINDSAY:
All in favor? Opposed? Abstentions?

MR. LAUBE:
Eighteen.

P.O. LINDSAY:
1546, Sale of County-owned real estate pursuant to Local Law 13-1976 Juan Hernandez and Albina Hernandez, tenants by entirety (SCTM No. 0100-054.00-02.00-059.000).

D.P.O. VILORIA-FISHER:
Same motion.

P.O. LINDSAY:
Same motion, same second, same vote. All right with everybody?

MR. LAUBE:
Eighteen.

P.O. LINDSAY:
1547, Sale of County-owned real estate pursuant to Local Law 13-1976 Karen Coio (SCTM No. 0200-952.00-05.00-025.000). Same motion, same second, same vote.

1548, Sale of County-owned real estate pursuant to Local Law 13-1976 John A. Cincotta and Monica Cincotta, tenants by entirety (SCTM No. 0200-810.00-03.00-025.006).

LEG. MYSTAL:
Same motion, same second, same vote.

P.O. LINDSAY:
Same motion same second.

LEG. EDDINGTON:
On the motion.

P.O. LINDSAY:
Yes, on the motion.

LEG. EDDINGTON:
On 1548 and 1549 I'm going to have to recuse myself. I'm an adjoining property owner.

P.O. LINDSAY:
Okay. So 1548, same motion and same second. All in favor? Opposed? Abstentions?

MR. LAUBE:

Seventeen.

P.O. LINDSAY:

Seventeen, one abstention, right?

MR. LAUBE:

Recusal.

P.O. LINDSAY:

Recusal. *1549, Sale of County-owned real estate pursuant to Local Law 13-1976 Kelly Francis (SCTM No. 0200-810.00-03.00-025.008)*. How about we do same motion, same second, same vote okay?

LEG. D'AMARO:

Same recusal.

P.O. LINDSAY:

1550 -- well, same vote because he recused himself on both. *1550, Sale of County-owned real estate pursuant to Local Law 13-1976 Satnarine Maharaj (SCTM No. 0100-058.00-04.00-050.000)*.

Motion by Legislator Mystal, second by Legislator D'Amaro. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

1551, Sale of County-owned real estate pursuant to Local Law 13-1976 Kenneth Klapak and Gloria Klapak as joint tenants with right of survivorship (SCTM No. 0500-441.00-03.00-039.000).

LEG. D'AMARO:

Motion.

P.O. LINDSAY:

Motion by Legislator D'Amaro, second by Legislator Mystal. All in favor? Opposed? Abstentions?

MR. LAUBE:

Seventeen.

P.O. LINDSAY:

1552, Sale of County-owned real estate pursuant to Local Law 13-1976 The Way Back, Inc. (SCTM No. 0206-021.00-03.00-025.001). Same motion, same second, same vote.

LEG. MYSTAL:

There you go.

MR. LAUBE:

Seventeen.

P.O. LINDSAY:

1557 -- We have a question by Legislator Viloría-Fisher.

D.P.O. VILORIA-FISHER:

Can I ask it of the County Executive's Office, please, through the Chair?

P.O. LINDSAY:

Sure.

D.P.O. VILORIA-FISHER:

Paul, can I ask you a question about this? A few years ago in my district I thought there was a group called The Way Back and they ran into some difficulties with the County. Is this the same group? They had a shelter.

MR. SABATINO:

I don't believe so, but I --

D.P.O. VILORIA-FISHER:

No? Okay.

MR. SABATINO:

I don't believe so. It doesn't sound like it is.

D.P.O. FISHER:

Okay. Thank you.

P.O. LINDSAY:

Okay. *1557, Sale of County-owned real estate pursuant to Local Law 13-1976 Nancy Saporito (SCTM No. 1000-078.00-09.00-078.000).*

LEG. D'AMARO:

Motion.

P.O. LINDSAY:

Same motion -- a motion by Legislator D'Amaro, second by Legislator Mystal. All in favor? Opposed? Abstentions?

MR. LAUBE:

Seventeen.

P.O. LINDSAY:

1559, Sale of County-owned real estate pursuant to Local Law 13-1976 Paul J. McCormick and Beth M. McCormick, his wife (SCTM No. 0904-003.00-03.00-052.000). Same motion, same second, same vote.

MR. LAUBE:

Seventeen.

P.O. LINDSAY:

1560, Sale of County-owned real estate pursuant to Local Law 13-1976 Jacob Goldman and Andrea Goldman, tenants by entirety (SCTM No. 0400-276.00-01.00-050.000).

LEG. MYSTAL:

Motion.

P.O. LINDSAY:

Same motion, same second, same vote.

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

1561, Sale of County-owned real estate pursuant to Local Law 13-1976 Jayprakash B. Mody and Deval J. Mody, as joint tenants with rights of survivorship (SCTM No. 0400-280.00-03.00-068.000). Same motion, same second, same vote.

MR. LAUBE:
Eighteen.

P.O. LINDSAY:
1573, Requesting legislative approval of a contract award for a complete examination and analysis of telephone billing for the Department of Audit and Control. I'll make the motion.

LEG. D'AMARO:
I'll second.

P.O. LINDSAY:
Second by Legislator D'Amaro.

LEG. ALDEN:
Explanation.

P.O. LINDSAY:
Explanation.

MR. NOLAN:
An RFP was issued to get a company come in and evaluate the telephone system. There was only one respondent, so by Local Law we have to approve the go ahead with the contract. There's going to be no cost to the County. They're going to be paid if there are savings to the County as a result of the study.

LEG. ALDEN:
Thank you.

P.O. LINDSAY:
All in favor? Opposed? Abstentions?

MR. LAUBE:
Eighteen.

P.O. LINDSAY:
1595, Sale of County-owned real estate pursuant to Local Law 13-1976 John Bratta and Dominic Bratta (SCTM No. 0500-107.00-01.00-048.000).

LEG. D'AMARO:
Motion.

P.O. LINDSAY:
Motion by Legislator D'Amaro, second by Legislator Mystal. All in favor? Opposed? Abstentions?

MR. LAUBE:
Eighteen.

P.O. LINDSAY:
1616, Authorizing the sale of additional Brownfield property tax liens at Public Auction (Phase II).

LEG. D'AMARO:

Motion to table.

LEG. COOPER:

Second.

P.O. LINDSAY:

Motion by Legislator D'Amaro, second by Legislator Cooper.

D.P.O. VILORIA-FISHER:

Motion to table.

P.O. LINDSAY:

Motion to table, okay. Table, I'm sorry.

LEG. D'AMARO:

Correct.

P.O. LINDSAY:

Okay. All in favor? Opposed? Abstentions?

LEG. MYSTAL:

Second to table.

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

PM.08, Procedural Resolution to study the feasibility of televising meetings of the Suffolk County Legislature.

LEG. D'AMARO:

Motion.

LEG. ROMAINE:

Motion.

P.O. LINDSAY:

Legislator Romaine, second by Zabby. No.

LEG. LOSQUADRO:

Second.

P.O. LINDSAY:

Second by Legislator Losquadro. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

LEG. CARACAPPA:

I'm opposed.

P.O. LINDSAY:

Did you want to talk? I'm sorry.

LEG. CARACAPPA:

No, I'm opposed. I'm opposed.

MR. LAUBE:

Seventeen.

P.O. LINDSAY:

Oh, you're opposed. One opposition.

LEG. SCHNEIDERMAN:

Mr. Presiding Officer, may we consider Procedural Motion No. 10 that's in the packet?

P.O. LINDSAY:

What?

LEG. SCHNEIDERMAN:

May we consider Procedural Motion No. 10?

P.O. LINDSAY:

I'm almost done with the agenda. I still have memorializing.

LEG. SCHNEIDERMAN:

I tried to keep it with the other procedural motion.

P.O. LINDSAY:

I want to go through the agenda and then we'll come back to whatever stuff we have there.

Memorializing Resolution Number 38 - Memorializing Resolution requesting United States Congress to enact the "Open Space Preservation Promotion Act of 2007".

LEG. ROMAINE:

Motion.

LEG. COOPER:

I'd like to make a motion to table. And, actually, I'd like to make a motion to table all of the Memorializing Resolutions before us. It's not so much on the merits or demerits of the individual bills, but I just feel that Memorializing Resolutions have gotten out of hand. And we did away with Sense Resolutions last year, I think that was very wise --

LEG. ROMAINE:

How the world turns.

LEG. COOPER:

-- but Procedural Motions, we're now up to about a dozen, and some of these are fairly controversial. I don't want to see us spending an hour or more of taxpayers' time, basically, debating Procedural Motions --

LEG. SCHNEIDERMAN:

You mean Memorializing.

LEG. COOPER:

Memorializing Resolutions.

P.O. LINDSAY:

Are we on the clock? Do we get paid overtime?

LEG. ALDEN:

No, we're not on the clock. We get paid by the year.

LEG. COOPER:

I've come to the conclusion that we are getting paid by the taxpayers to do the business of Suffolk County --

LEG. CARACAPPA:

Mr. Chairman.

LEG. COOPER:

-- and we should not be meddling in the business of other levels of government.

LEG. CARACAPPA:

What's the filibuster for?

LEG. ROMAINE:

Oh, you've got to be kidding.

P.O. LINDSAY:

Okay.

LEG. CARACAPPA:

Mr. Chairman.

P.O. LINDSAY:

Okay. First of all, let me get it straight. We have a motion to approve and a motion to table and I need seconds.

LEG. D'AMARO:

Second on the table motion.

LEG. BARRAGA:

I'll second the tabling motion.

P.O. LINDSAY:

Second the tabling motion, and -- by Legislator Barraga. Motion to approve? You're going to second the motion to approve?

LEG. CARACAPPA:

I'll just make the motion -- second the motion to approve.

P.O. LINDSAY:

Okay.

LEG. CARACAPPA:

On the motion.

P.O. LINDSAY:

And on the motion --

LEG. CARACAPPA:

Yeah.

P.O. LINDSAY:

-- Legislator Caracappa wants to talk.

LEG. CARACAPPA:

Jon, you didn't have to give us that speech about taxpayers and stuff. We all know why you want to table the resolutions. It's because of what's going on in Albany with the sales tax and the hostage taking that they want to do.

LEG. COOPER:

It has absolutely nothing to do with that.

LEG. CARACAPPA:

Absolutely it does so let's not pretend. I don't -- it's bad enough, it's bad enough that they're doing this to us with our own sales tax money. Now we're going to let them dictate how we legislate? Now we're going to cower to them because we're so afraid of getting their feathers in a ruffle that they may do something if we start voting on Memorializing Resolutions, primarily two that are sponsored by myself and another Legislator? It's ridiculous. Let's just vote and if you don't like the bills that you're trying not to get to, then just vote no. Don't let these guys hijack our Legislative process as well. It makes them win.

P.O. LINDSAY:

Okay. The only -- I just want to make one comment and I'll go back. This has nothing to do with the State. This is the U.S. Congress resolution.

LEG. CARACAPPA:

I mean all the resolutions.

LEG. SCHNEIDERMAN:

It's the next one he's talking about.

P.O. LINDSAY:

Do you want to answer that, Legislator Cooper, and then I'll go to Mystal and Eddington.

LEG. COOPER:

Joe, I take umbrage at that.

LEG. CARACAPPA:

Of course you would.

LEG. COOPER:

It has nothing to do with it.

LEG. CARACAPPA:

It does, Jon. Come on.

LEG. COOPER:

They're in the process of drafting a resolution that would end Memorializing Resolutions. I haven't introduced a Memorializing Resolution for months now. These have gotten out of hand. There are some of our colleagues that almost introduce more memorializing resolutions than regular bills at this point. They've gotten completely out of hand. In some cases they've eaten up a lot of Legislative time. I do think the taxpayers are not paying us to debate bills such as this. I supported eliminating Sense Resolutions last year. I supported continuing to allow us to vote on Memorializing Resolutions, but I do feel that they've gotten out of hand, and it has nothing to do whatsoever with what's taking place in Albany. I'm vehemently opposed to what some members of the Assembly are attempting to accomplish. But it's entirely unrelated to this.

LEG. CARACAPPA:

A year-and-a-half ago -- I'm sorry.

LEG. COOPER:

And as someone mentioned, some of these are bills are Federal bills. Some of the bills have nothing to do whatsoever with that, so please take me at my word it has nothing to do with it. You can support this or oppose it on the merits, but --

LEG. CARACAPPA:

All right, say I'm wrong. I still stand by what I said. We did -- Mr. Chairman, I'm sorry. We did away with Sense Resolutions and it turned out to be a smart thing to do and I remember the speeches back then. We should only weigh in as a County Legislature on Memorializing Resolutions because there should be a voice at least on bills that are pending before the Congress and the Senate, Assembly and Senate in the State. We don't want to take away that ability. We should have a voice. When the voice of the Legislature has been spoken in the past out of the County of Suffolk it has a resounding effect on other levels of government. I remember the speeches.

Now just a short year-and-a-half later we're going to reverse ourselves over those wonderful speeches that were made on at least keeping a voice? I understand the Sense Resolutions, it made sense, so to speak. No pun intended. But now Memorializing -- where are we going now? Local Laws next? Because they're pretty ridiculous as well.

P.O. LINDSAY:

I'm going to give you one chance to respond and then I'm going to the rest of the list.

LEG. COOPER:

I just wanted to finish my thought. One thing that made me start thinking that this really doesn't make sense, it was I believe something that Legislator Barraga said and it was several months ago, but he's from the Assembly. When these Memorializing Resolutions go up there ostensibly he's supposed to be reading them and considering them and I think he said something along the lines that they end up in the garbage. It has no impact whatsoever. So it's a waste of time. I think that our constituents don't want us debating these issues. Anyway, I'll leave it at that.

P.O. LINDSAY:

Legislator Mystal, do you want to weigh in on this?

LEG. MYSTAL:

I just want to reassure Joe that Legislator Montano and I have been speaking since the beginning of the year -- since we have our first reorganizational meeting or two years ago. Last year Legislator Montano and I did not succeed in eliminating Memorializing Resolutions. We only got Sense out, but we had wanted to get memos out also because we felt that we spent too much time on them and also waste a lot of our energy discussing issues that nobody cares about in terms of the people we are sending it to. That we care about them, we do care about them and so we discuss them. But when we do send them to Congress or to the Assembly nobody cares.

I can assure you that this has nothing to do with what's happening in Albany. I wouldn't have any part of it in terms of suspending, you know, of not voting for Memorializing Resolution. I would not have any part of it because I think they're hijacking the system that I don't want them to hijack. This has been discussed a long, long time ago among ourselves in terms of what's going on. It has nothing to do with that, at least --

P.O. LINDSAY:

Moving along. Legislator Eddington.

LEG. EDDINGTON:

I have a couple of things I want to discuss. First of all, I believe Memorializing Resolutions have no Legislative authority. They express the author's opinion and if -- whether you support or oppose State or Federal legislation. And I believe we could accomplish that same thing by writing an op-ed or having a press conference. It's less expensive to the taxpayers and less time consuming to all of us. But I will say that the two pieces of legislation I have today went immediately to the caucus up in Albany and was discussed and passed around. So the fact that --

LEG. MYSTAL:

That's because you're married to one.

LEG. EDDINGTON:

I beg your pardon?

LEG. SCHNEIDERMAN:

You're married to one.

P.O. LINDSAY:

Come on, stop.

LEG. EDDINGTON:

No, No. It was brought --

P.O. LINDSAY:

You have the floor.

LEG. EDDINGTON:

Thank you.

LEG. MYSTAL:

I'm sorry.

LEG. EDDINGTON:

It was brought over to her and within about an hour of after it being circulated, so it did have an impact, at least in the caucus up there. Since I've proposed to, I want to just -- I don't know what's going to happen, whether we're going to table or not, but I want to at least verbalize why I feel the way I do. I strongly support the first one that says the right to vote should be American citizens only.

P.O. LINDSAY:

Yeah, but we're not on that. We're on 38.

LEG. CARACAPPA:

Motion to table all of them.

P.O. LINDSAY:

You can't make a motion to table them all. You can't do that.

LEG. EDDINGTON:

So you want me to wait until mine and --

P.O. LINDSAY:

Yeah, yeah.

LEG. EDDINGTON:

Okay. Fine.

P.O. LINDSAY:
Legislator Losquadro.

LEG. LOSQUADRO:
Well, I got the same thing. I was basing that on a motion to table all of them.

P.O. LINDSAY:
Use the mike.

LEG. LOSQUADRO:
I was going to base my comment on the motion to table all of these.

P.O. LINDSAY:
Well, why don't you just comment on MR38, whether you're for it or opposed to it being tabled or approved.

LEG. LOSQUADRO:
I'm in favor of this and, you know, I have a bill later on which I referenced earlier about the importance of us being able to, you know, recover money from our, you know, parolees. So I would like to put our position on the record for that.

P.O. LINDSAY:
And just -- I'm opposed to eliminating the Memorializing Resolutions. I really think that they serve a purpose. I get similar ones from town boards. I read them, I don't throw them in the garbage, all the time.

LEG. ROMAINE:
I read all the ones from my town boards.

P.O. LINDSAY:
And the Sense Resolutions, you know, we took away and it was probably a good thing, but I would be very reluctant to eliminate the Memorializing Resolutions because I think they serve a valuable purpose at times. And, you know, if we don't want to move on anyone I know, you know, a lot of them here are on State legislation, and I guess the State Legislature has adjourned, so I don't know what value it would have at this point.

LEG. CARACAPPA:
They took a break. When they come back it will be on their desk.

P.O. LINDSAY:
Okay. Legislator Montano.

LEG. MONTANO:
I'm next? I'm not going to make a long speech. I've been here three-and-a-half years, and in the three-and-a-half years I've sponsored one Memorializing Resolution. I don't think that they're necessary. I've maintained that position from day one. Legislator Mystal is correct, he and I were advocates to eliminate the Sense Resolution. We also have been trying to eliminate the Memorializing Resolutions from day one. I personally don't think they're necessary. I don't think anybody pays attention to them.

LEG. NOWICK:
Bill.

P.O. LINDSAY:
Legislator Nowick.

LEG. NOWICK:

Just quickly. It seems to me like we have a bunch of Memorializing Resolutions in front of us that have been worked on. I agree with Legislator Lindsay, one at a time, vote it up or down, table it, but you cannot ignore these now in a bulk.

LEG. MONTANO:

Right.

LEG. NOWICK:

It seems to me like we're debating whether or not to get rid of Memorializing Resolutions, and once that resolution comes up before us we'll debate it then, but I think we've got to go through this quickly, please.

P.O. LINDSAY:

The other thing, too, is at this stage if we're going to change our rules I really think it's something that should be done at the Organizational Meeting, if we're going to make any kind of move on it. Yes, Legislator Losquadro.

LEG. LOSQUADRO:

Just to follow on what Legislator Lindsay said for the -- I know we have several attorneys among us here. I remember a simple legal principle called ex post facto. It is after the fact. Legislator Nowick is exactly right. These have been worked on. If you want to change the rules that would apply to later resolutions, not to these.

P.O. LINDSAY:

Okay. We have a motion to table MR38 and a second. All in favor? Opposed? (Opposed in unison).

LEG. COOPER:

Roll call.

P.O. LINDSAY:

Roll call.

(Roll called by Mr. Laube, Clerk)

LEG. COOPER:

Yes to table.

LEG. BARRAGA:

Yes to table.

LEG. D'AMARO:

Yes to table.

LEG. STERN:

Yes.

LEG. MYSTAL:

Yes.

LEG. HORSLEY:

No.

LEG. NOWICK:

No.

LEG. KENNEDY:

No.

LEG. ALDEN:

No.

LEG. MONTANO:

Yes.

LEG. EDDINGTON:

No.

LEG. LOSQUADRO:

No.

LEG. CARACAPPA:

No.

LEG. BROWNING:

Yes.

LEG. SCHNEIDERMAN:

No to table.

LEG. ROMAINE:

No.

D.P.O. VILORIA-FISHER:

Yes.

P.O. LINDSAY:

No.

MR. LAUBE:

Eight.

P.O. LINDSAY:

We have a motion to approve MR38. Okay. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

MR.40, Memorializing Resolution in opposition to New York State Assembly Bill A.4635.

LEG. CARACAPPA:

Motion to approve.

LEG. BARRAGA:

Explanation, please.

LEG. EDDINGTON:

Second.

P.O. LINDSAY:

Explanation.

MR. NOLAN:

Legislation been introduced in the State Assembly that would extend the right to vote in elections, conduct the New York State aliens lawfully admitted for permanent residence in the United States, noncitizens. This resolution opposes that State Assembly Bill.

P.O. LINDSAY:

Okay. We have a motion and a second. Legislator Romaine, you want to be recognized?

LEG. ROMAINE:

Yes, I just had a question. What Assembly member introduced that? The one to allow the undocumented to vote?

LEG. EDDINGTON:

No, that's not correct. Can I, Mr. Chair?

P.O. LINDSAY:

Legislator Eddington.

LEG. EDDINGTON:

It's registered immigrants, but they're not U.S. citizens.

LEG. BROWNING:

Legal immigrants like I used to be.

LEG. EDDINGTON:

They have expressed the desire to stay here, but they again are not U.S. citizens, and I believe that's a right that we should have.

LEG. ROMAINE:

Absolutely.

P.O. LINDSAY:

We have a motion to approve.

MR. LAUBE:

Legislator Lindsay, you didn't announce the motion and second. A bunch of people said it but nobody --

P.O. LINDSAY:

Okay. There was a motion by Legislator Eddington and seconded by Legislator Caracappa.

MR. LAUBE:

Thank you.

P.O. LINDSAY:

I'm going to make a motion to table based on the Assembly -- the Legislature is already adjourned, so I don't know what we're doing here.

D.P.O. VILORIA-FISHER:

Second.

P.O. LINDSAY:

Second by Legislator Viloría-Fisher.

LEG. CARACAPPA:

Isn't Congress adjourned, too?

P.O. LINDSAY:

No, the Congress didn't adjourn.

LEG. ROMAINE:

Congress doesn't adjourn.

P.O. LINDSAY:

I thought the session finished last Thursday.

LEG. CARACAPPA:

Yeah. They're coming back.

LEG. ALDEN:

Coming back in July.

P.O. LINDSAY:

Do we have a date?

LEG. ALDEN:

I forget the date, but they said in the paper. Silver said in the paper.

P.O. LINDSAY:

I made a motion to table. Did I get a second?

D.P.O. VILORIA-FISHER:

Yes, I seconded.

MR. LAUBE:

Yes, you did.

P.O. LINDSAY:

Second by Legislator Viloría-Fisher. Tabling goes first. All in favor? Opposed? Abstentions? (Opposed in unison).

P.O. LINDSAY:

Roll call.

(Roll called by Mr. Laube, Clerk)

P.O. LINDSAY:

Yes.

D.P.O. VILORIA-FISHER:

Yes.

LEG. COOPER:

Yes.

LEG. D'AMARO:

No.

LEG. STERN:

No.

LEG. MYSTAL:
(Not Present)

LEG. HORSLEY:
Pass.

LEG. NOWICK:
No to table.

LEG. KENNEDY:
No to table.

LEG. BARRAGA:
Yes.

LEG. ALDEN:
No.

LEG. MONTANO:
(Not Present)

LEG. EDDINGTON:
No to table.

LEG. LOSQUADRO:
No to table.

LEG. CARACAPPA:
No.

LEG. BROWNING:
No.

LEG. SCHNEIDERMAN:
Nope.

LEG. ROMAINE:
No.

LEG. HORSLEY:
Yes to table.

MR. LAUBE:
Five.

P.O. LINDSAY:
All right. Motion to approve, and a second, you have that?

MR. LAUBE:
Yes, I do.

P.O. LINDSAY:
Okay. Roll call.

(Roll called by Mr. Laube, Clerk)

LEG. EDDINGTON:

Yes.

LEG. CARACAPPA:

Yes.

LEG. COOPER:

Pass.

LEG. D'AMARO:

Pass.

LEG. STERN:

Yes.

LEG. MYSTAL:

(Not Present)

LEG. HORSLEY:

Pass.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. ALDEN:

Yes.

LEG. MONTANO:

(Not Present)

LEG. LOSQUADRO:

Yes.

LEG. BROWNING:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. ROMAINE:

Yes.

D.P.O. VILORIA-FISHER:

Nope.

P.O. LINDSAY:

Yes.

LEG. COOPER:

Yes.

LEG. D'AMARO:

Yes.

LEG. HORSLEY:

Yes.

MR. LAUBE:

Fifteen.

LEG. ROMAINE:

Could you please list me as a cosponsor?

P.O. LINDSAY:

MR.41, Memorializing Resolution requesting United States Congress to enact the Elder Justice Act (S.1070 and H.R. 1783). Legislator Stern?

LEG. STERN:

Motion to approve.

P.O. LINDSAY:

Motion to approve. Do I have a second?

LEG. D'AMARO:

Second.

P.O. LINDSAY:

Second by Legislator D'Amaro. All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen.

P.O. LINDSAY:

MR.42, Memorializing Resolution in opposition to allowing the use of individual tax identification numbers in place of social security numbers when applying for a driver's license (Assembly Bill A.4249). Legislator Eddington.

LEG. EDDINGTON:

Motion to approve.

LEG. CARACAPPA:

Second.

P.O. LINDSAY:

Motion to approve, second by Legislator Caracappa. All in favor? Opposed? Abstentions?

D.P.O. VILORIA-FISHER:

Opposed.

MR. LAUBE:

Fifteen.

P.O. LINDSAY:

MR.44, Memorializing Resolution in support of the Healthy Schools Act (Senate Bill S.5942)

and Assembly Bill A.8642). Legislator Eddington?

LEG. EDDINGTON:

Motion to approve.

D.P.O. VILORIA-FISHER:

Explanation.

P.O. LINDSAY:

Explanation. Do we have a second? Let me get a second first. Second by Legislator Caracappa. Go ahead, explain.

MR. NOLAN:

These, the Senate bill and State Assembly Bill would set nutritional standards for food and beverages sold in elementary and secondary schools and require school districts to develop wellness policies in the districts.

LEG. COOPER:

Motion to table. No, I'm joking.

P.O. LINDSAY:

We have a motion to approve and a second. All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen.

P.O. LINDSAY:

MR.46, Memorializing Resolution requesting United States Congress to enact the "Safe Climate Act of 2007." I missed one okay. I missed 45, forty-five, ***MR.45, Memorializing Resolution in support of imposing probation administrative fees (Senate Bill S.1258 and Assembly Bill A.5588)***. Legislator Losquadro?

LEG. LOSQUADRO:

Motion to approve.

P.O. LINDSAY:

Motion to approve. Do I have a second?

LEG. KENNEDY:

Second.

P.O. LINDSAY:

Second by Legislator Kennedy. All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen.

P.O. LINDSAY:

MR.46, Memorializing Resolution requesting United States Congress to enact the "Safe Climate Act of 2007" (H.R. 1590). Legislator Stern?

LEG. STERN:

Motion to approve.

LEG. D'AMARO:

Second.

P.O. LINDSAY:

Motion to approve. Second by Legislator D'Amaro.

LEG. ALDEN:

Brief explanation.

P.O. LINDSAY:

Brief explanation. Are you going to do it, George, or do you want me to do it?

MR. NOLAN:

Sure, why not. This House of Representatives Bill would freeze U.S. greenhouse gas emissions in 2010 at 2009 levels, cut emissions by roughly 2% per year reading 1990 emission levels by 2020.

LEG. ALDEN:

Just for the United States or the whole world? I want to take a global view here.

MR. NOLAN:

United States.

P.O. LINDSAY:

Okay. We have a motion and a second. All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen.

P.O. LINDSAY:

MR.48, Memorializing Resolution in support of notification to local law enforcement agencies when a homeless sex offender is placed in emergency housing (Senate Bill S.5526 and Assembly Bill A.7819).

LEG. SCHNEIDERMAN:

Motion.

LEG. ROMAINE:

Second.

P.O. LINDSAY:

Motion by Legislator Schneiderman, second by Legislator Romaine. All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen.

LEG. ROMAINE:

Cosponsor.

P.O. LINDSAY:

MR.49, Memorializing Resolution in support of amending the Real Property Tax Law for persons with active military service and eligible reservists (Assembly Bill 7610).

LEG. SCHNEIDERMAN:

Motion.

P.O. LINDSAY:

Motion by Legislator Schneiderman.

LEG. ROMAINE:

Second.

P.O. LINDSAY:

Second by Legislator Romaine. All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen.

LEG. ROMAINE:

Cosponsor.

P.O. LINDSAY:

MR.51, Memorializing Resolution in support of shared parenting legislation (Senate Bill S.1349 and Assembly Bill A.8627).

LEG. ROMAINE:

Motion.

P.O. LINDSAY:

Motion by Legislator Romaine.

LEG. STERN:

Second.

P.O. LINDSAY:

Second by Legislator Stern. All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen.

P.O. LINDSAY:

MR.52, Memorializing Resolution in support of exempting commercial fishermen from sales tax on the purchases of motor fuel.

LEG. ROMAINE:

Motion.

LEG. SCHNEIDERMAN:

Second.

P.O. LINDSAY:

Motion by Legislator Romaine, second by Legislator Schneiderman. All in favor? Opposed? Abstentions?

LEG. SCHNEIDERMAN:

Cosponsor.

MR. LAUBE:

Sixteen.

P.O. LINDSAY:

Home rule messages. MR.07, Home Rule Message requesting New York State Legislature

to extend the One-Quarter Cent Sales Tax Program to allow Suffolk County to continue to collect an additional sales tax until December 31, 2025 (Assembly Bill A.893 and Senate Bill S.4422).

LEG. ROMAINE:

Motion to table.

P.O. LINDSAY:

Motion by Legislator Romaine to table.

LEG. ROMAINE:

Table.

P.O. LINDSAY:

I'll make the second. All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen.

P.O. LINDSAY:

HR. 12, Home Rule Message requesting New York State Legislature to expand binding arbitration to Suffolk County Parks Police. Legislator Losquadro?

LEG. BROWNING:

Motion.

LEG. LOSQUADRO:

Motion.

P.O. LINDSAY:

Motion by Legislator Losquadro, second by Legislator Browning. All in favor? Opposed? Abstentions?

MR. LAUBE:

Seventeen.

P.O. LINDSAY:

HR. 14, Home Rule Message requesting New York State Legislature to authorize Suffolk County to elect to eliminate taxes on energy saving fluorescent light bulbs (Assembly Bill A.8875).

LEG. ROMAINE:

Motion.

D.P.O. VILORIA-FISHER:

Second.

P.O. LINDSAY:

Motion by Legislator Romaine, second by Legislator Viloría-Fisher. All in favor? Opposed? Abstentions?

MR. LAUBE:

Seventeen.

LEG. SCHNEIDERMAN:

Mr. Presiding Officer, before we do CN's can we --

P.O. LINDSAY:

I've got to Procedural Motion No. 10. Is that what you want to do?

LEG. SCHNEIDERMAN:

Yes.

P.O. LINDSAY:

Procedural Motion No. 10.

LEG. SCHNEIDERMAN:

In the Legislative packet.

P.O. LINDSAY:

Procedural Motion No. 10, Resolution to retain a consultant for the purpose of reducing pollution, traffic congestion, and financial impact of current solid waste disposal practices in Suffolk County.

This is in your packet. It's in the original original folder. It's a stand alone piece of legislation. It's to authorize \$30,000 from our Legislative account to go to the Marine Science Research Center at SUNY Stony Brook as part of the Waste Reduction Management Institute. And this is, if I'm correct, Legislator Schneiderman, this is a part of the Long Island Planning --

LEG. SCHNEIDERMAN:

Yeah. What happened here is Michael White, who is now the Director of Long Island Regional Planning Board, has taken a leadership role with this Solid Waste Management Commission. Nassau is in the process of putting together their own committee to work with ours. He's basically -- we've created this Long Island Regional Planning Board and gave them really no resources unfortunately, and he's trying to compile this report for the Commission. And Larry Swanson's group, the Waste Management Reduction Institute has come forth. They have an intern. They would like to dash -- Michael would like to use that intern to do some work in connection with doing some research in compiling the report. So that's what the 30,000 covers.

LEG. MONTANO:

Question.

P.O. LINDSAY:

Question, Legislator Montano.

LEG. MONTANO:

I don't know if you can hear me. Why -- I know that a procedural motion doesn't need to go to committee. Counsel? It doesn't require that it go to committee, but there's no prohibition against sending it to committee; is that correct?

MR. NOLAN:

That's correct. Sometimes they go to committee, sometimes like --

LEG. MONTANO:

What is the urgency of doing it without going to committee?

LEG. SCHNEIDERMAN:

It's just timing that we have a meeting coming up this Thursday. We have subsequent meetings all through the summer and the end of the year. It would be nice to get this person on board knowing that they are going to be funded. It's -- you know, any questions you have I'll be happy to answer.

LEG. MONTANO:

Well, no. The only question I have is why --

LEG. SCHNEIDERMAN:

Michael White came to me in a time where it really wasn't enough time to go through the cycle, and so I did it in this way onto the floor so we could discuss it now. I feel it's, you know, we're going to miss out on having some good work done this year if we don't move quickly.

LEG. MONTANO:

I would rather see all of these items go to committee, to be honest with you, unless there is a compelling reason why it doesn't go to committee and I'm not sure I heard a compelling reason.

P.O. LINDSAY:

We have a motion to approve and a second. If you want to make a motion to recommit --

LEG. MONTANO:

Or to commit. I make a motion to commit.

D.P.O. VILORIA-FISHER:

I second the motion.

P.O. LINDSAY:

Second by Legislator Viloría-Fisher. Come on, pay attention, guys. There's a motion to commit to committee and there's a motion to approve. Commit goes first. All in favor of committing it to committee. Opposed? (Opposed in unison).

P.O. LINDSAY:

All right. Roll call.

(The roll was called by Mr. Laube, Clerk)

LEG. MONTANO:

To commit, yes.

D.P.O. VILORIA-FISHER:

Yes.

LEG. COOPER:

Yes.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. MYSTAL:

Yes.

LEG. HORSLEY:

No.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

Yeah.

LEG. BARRAGA:

Yes.

LEG. ALDEN:

No.

LEG. EDDINGTON:

Yes.

LEG. LOSQUADRO:

No.

LEG. CARACAPPA:

No.

LEG. BROWNING:

No.

LEG. SCHNEIDERMAN:

No.

LEG. ROMAINE:

No.

P.O. LINDSAY:

No.

MR. LAUBE:

Ten.

P.O. LINDSAY:

Okay. So that's committed to committee. ***Procedural Motion No. 11.*** It's the ***Authorizing funding for Community Support Initiatives.*** There's a whole list of them in your packet. I'll make a motion to approve.

LEG. LOSQUADRO:

Second.

P.O. LINDSAY:

Second by Legislator Losquadro. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

And we have -- okay. That completes the stuff in the packet.

LEG. MYSTAL:

We have another one that's before you. Okay now the real fun starts.

P.O. LINDSAY:

Okay. If you go to the Capital Budget overrides.

LEG. LOSQUADRO:

Mr. Chairman.

P.O. LINDSAY:

Yes.

LEG. LOSQUADRO:

And I hate to do this. Can we have just a three minute recess just to get together to discuss this? Just take a couple of minutes just for us to get together all in one room.

P.O. LINDSAY:

Well, how about if you want to recess, what if I go through the CN's and then we'll leave this to the end. Is that all right with everybody?

LEG. LOSQUADRO:

Okay.

P.O. LINDSAY:

So go to your red folder, the CN's. Let's see if we can get through these. We've got **1675, *Accepting a grant award from the United States Federal Aviation Administration, and appropriating funds in 2007 Capital Budget and Program in connection with the pavement management rehabilitation at Gabreski Airport (CP-5739)***. I'll make a motion.

LEG. STERN:

Second.

P.O. LINDSAY:

Second by Legislator Stern. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

1676, *Accepting and appropriating 100% additional Federal and State aid from the New York State Office of Alcoholism and Substance Abuse Services to Suffolk County Department of Health Services for Southampton Alternatives.*

LEG. MYSTAL:

Motion.

LEG. STERN:

Second.

P.O. LINDSAY:

Motion by Legislator Mystal. Seconded by Legislator Stern. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

1677, *Authorizing use of the Long Island Maritime Museum by the Cystic Fibrosis Foundation for their "Annual Run/Walk and Barbecue" Fundraiser.*

LEG. LOSQUADRO:

Motion.

P.O. LINDSAY:

Motion by Legislator Losquadro. Second by Legislator Stern. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

1692, Accepting and appropriating 100% additional Federal and State Aid from the New York State Office of Alcohol and Substance Abuse Services to various contract agencies for a Cost of Living Adjustment (COLA).

LEG. LOSQUADRO:

Motion.

P.O. LINDSAY:

Motion by Legislator Losquadro, second by Legislator Eddington. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

1696, Amending the 2007 Capital Budget and Program and appropriating funds in connection with a Tick Eradication Study (CP 4085).

LEG. ROMAINE:

Motion.

MR. LAUBE:

We skipped one.

LEG. LOSQUADRO:

You skipped one.

P.O. LINDSAY:

I skipped one? I'm sorry.

LEG. BROWNING:

Bill, I have a question on that one.

P.O. LINDSAY:

All right, but one minute. We're going back to ***1693***, I skipped inadvertently, ***authorizing the disbursement of funds from the Suffolk County Living Wage Contingency Fund for Babylon Child Care Center, Incorporated, Noah's Ark Day Care Center, Colonial Youth and Family Services Day Care providers under the contract with the Department of Social Services.***

LEG. MYSTAL:

Motion.

LEG. MONTANO:

What is it?

P.O. LINDSAY:

Motion by Legislator Mystal.

LEG. HORSLEY:

Second.

P.O. LINDSAY:

Second by Legislator Horsley.

LEG. BROWNING:

I --

P.O. LINDSAY:

Did you have a question, Legislator Browning?

LEG. BROWNING:

Yes, I do. On this, it says the Babylon Child Care, Noah's Ark Day Care, and it mentions Colonial Youth, but at no time throughout the rest of it does it talk about Colonial Youth. So my -- Colonial Youth is in my district, so that's my question.

LEG. CARACAPPA:

It's not in the resolution at all.

LEG. BROWNING:

Yeah.

LEG. CARACAPPA:

Just in the title.

LEG. BROWNING:

It's in the title, but nothing else.

CHIEF DEPUTY COUNTY EXEC. SABATINO:

Yeah, only -- you're right, the title is wrong, it should be corrected. Only the two organizations are getting the funding in this resolution.

LEG. MONTANO:

I can't hear, but I have a question.

LEG. BROWNING:

What happened to Colonial Youth?

P.O. LINDSAY:

So it's a mistake in the title, that's it.

CHIEF DEPUTY COUNTY EXEC. SABATINO:

It's just -- it's a mistake in the title.

LEG. BROWNING:

A mistake in the title, but --

CHIEF DEPUTY COUNTY EXEC. SABATINO:

I mean, these are the two organizations that applied and they qualified for the other hardship.

LEG. BROWNING:

Colonial --

CHIEF DEPUTY COUNTY EXEC. SABATINO:

So the titles should just be modified to reflect Colonial Youth is not part of this application.

LEG. MONTANO:

Quick question, Bill.

LEG. BROWNING:

Well, I don't know.

P.O. LINDSAY:

That could be considered a scrivener's error. If it isn't in the body of the bill where the money is going to, the title doesn't mean anything.

LEG. BROWNING:

Okay. Well, then we'll look into doing one with them.

CHIEF DEPUTY COUNTY EXEC. SABATINO:

Yeah, it's just an error. I missed the error, I apologize for that, but the two organizations that applied are the ones that are being allocated to. With a CN, you can modify it without having to wait.

LEG. ALDEN:

Yeah, you could just cross it out.

CHIEF DEPUTY COUNTY EXEC. SABATINO:

So, at least on the record, we authorize the correction or the deletion, I should say, of Colonial Youth in the caption. It should not be in the caption.

LEG. MONTANO:

Quick question.

LEG. CARACAPPA:

They're not owed any money, are they?

LEG. BROWNING:

I believe they would be.

CHIEF DEPUTY COUNTY EXEC. SABATINO:

No.

P.O. LINDSAY:

It isn't in the body of the bill.

CHIEF DEPUTY COUNTY EXEC. SABATINO:

They were not part of this application for these two organizations. If there's an application --

LEG. MYSTAL:

It's not in the bill at all.

CHIEF DEPUTY COUNTY EXEC. SABATINO:

-- you know, someplace down the road and they qualify, you know, they'll be funded at that time. They're not being --

LEG. BROWNING:

Yeah. I'll check, yeah.

CHIEF DEPUTY COUNTY EXEC. SABATINO:

They're not being defunded, they're just not in the application. They didn't qualify for this hardship.

I don't know how the error was made. I apologize, it should not have been made.

LEG. BROWNING:

Okay. I know they qualify. I'll be checking to see if they did an application.

CHIEF DEPUTY COUNTY EXEC. SABATINO:

Okay.

P.O. LINDSAY:

Legislator Montano.

LEG. MONTANO:

Quick question. I'm trying to understand why this came in via C of N, you know, what was the necessity of C of N as opposed to couldn't this not have been introduced in the regular course of business?

CHIEF DEPUTY COUNTY EXEC. SABATINO:

It could, but we had the department go to the committee as we always do with the CN's and outline at the committee that this would be forthcoming, number one. Number two --

LEG. MONTANO:

I'm sorry. I didn't hear year, Paul. The mike -- could you just repeat that?

CHIEF DEPUTY COUNTY EXEC. SABATINO:

Number one, the department went to the relevant committee, the Health -- I think it was the Health and Human Services committee, to outline that the Certificate of Necessity would be forthcoming.

LEG. MONTANO:

Okay.

CHIEF DEPUTY COUNTY EXEC. SABATINO:

But aside from that, separate from that, the reason we're doing it only to get -- this is 100% County funding where we really can control the payment. If we can do it now they'll get the funding seven weeks earlier, but it could have gone the other way. It's just the idea is to get the money there sooner.

LEG. MONTANO:

Right. Well, I think you know my point. My point is that if something can be introduced and go through the normal route that's --

CHIEF DEPUTY COUNTY EXEC. SABATINO:

I agree. The only reason --

LEG. MONTANO:

That those things should be expected and those things that are not expected would come up via the C of N. But we've been down that road.

That's fine.

CHIEF DEPUTY COUNTY EXEC. SABATINO:

It was hardship money. The thought was hardship money for groups that are having a difficult time.

P.O. LINDSAY:

All right. We have a motion and a second. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

Okay. *1696, Amending the 2007 Capital Budget and Program and appropriating funds in connection with a Tick Eradication Study (CP 4085).*

LEG. ROMAINE:

Motion.

LEG. SCHNEIDERMAN:

Second.

P.O. LINDSAY:

Motion by Legislator Romaine.

LEG. SCHNEIDERMAN:

Second.

P.O. LINDSAY:

Seconded by Legislator Schneiderman. Anybody on this? Okay. All in favor? Opposed? Abstentions?

LEG. SCHNEIDERMAN:

Cosponsor.

MR. LAUBE:

Eighteen.

LEG. MYSTAL:

You want to do late-starters?

P.O. LINDSAY:

I'm going to do late-starters. Okay on the late-starters motion to waive the rules and lay on the table the following late-starters. 1678, Amending the lease of premises located at 200 Wireless Boulevard, Hauppauge, New York, for use by the Department of Social Services in the Department of Health Services. 1679, to EPA, Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program - open space component - for the McLaughlin property - Mastic/Shirley Conservation Area II - Town of Brookhaven (0200-984.60-03.00-021.000). 1680 to EPA, Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program - open space component - for the Valenta property - Mastic Shirley Conservation Area II - Town of Brookhaven (SCTM No. 0200-984.60-04.00-005.000).

1681 to EPA, Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program - open space component - for the Sferrazza property - Mastic/Shirley Conservation Area I - Town of Brookhaven (SCTM No. 0200-980.60-08.00-038.000). 1682 to EPA, Authorizing the acquisition of Farmland Development Rights under the Suffolk County Save Open Space (SOS), Farmland Preservation and Hamlet Parks Fund - Farmland component - for the Thomas Conklin property - Town of Southampton (SCTM No. 0900-049.00-01.00-008.006). 1683 to EPA, Authorizing acquisition of land under the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund - open space component - for the Hallock Landing at Shoreham, LLC property - Bluffs at Shoreham - Town of Brookhaven (0200-037.00-04.00-037.000).

1684 to EPA, Authorizing acquisition of land under the Suffolk County Save Open Space (SOS), Farmland Preservation and Hamlet Parks Fund - open space component for the Pandolfi property - Forge River Watershed addition - Town of Brookhaven (SCTM Nos. 0200-750.00-03.00-010.001, 010.002, 010.003 & 010.004). 1685 to EPA, Authorizing the acquisition of land under the New

Suffolk County Drinking Water Protection Program - open space component - for the Stiffel property - Mastic/Shirley Conservation Area II - Town of Brookhaven (SCTM No. 0200-984-70-01.00-016.000). 1686 to Economic Development, Accepting and appropriating an amendment to the College Budget for a grant award from the National Science Foundation for Scholarships for Information Technology, Engineering Technology, and Mathematics Student Project 100% reimbursed by Federal funds at Suffolk County Community College.

1687 to Health and Human Services, Accepting and appropriating 100% fund from the New York State Office of Children and Family Services for improving staff-to-client ratios in the Department of Social Services - Child Protective Services Bureau. 1688 to EPA, Authorizing acquisition of land under the Suffolk County Land Preservation Partnership Program and the Suffolk County Multifaceted Land Preservation Program for the Pheasant Meadow Farms, Inc. Property, Town of Brookhaven (SCTM No. 0200-833.00-02.00-007.001). 1689 to EPA, Authorizing acquisition of land under the Suffolk County Multifaceted Preservation Program - Open Space Preservation Property - for the Farley property - South Snedecor Avenue addition - Town of Islip (SCTM No. 0500-411.00-02.00-011.001).

1690 to Public Safety and to set the public hearing for August 7th, 2:20 PM in Hauppauge. Resolution 1690 Adopting Local Law No. 2007, A Local Law requiring registered motor vehicle dealers to release vehicles only to licensed drivers. And 1691 to EPA, Authorizing planning steps for acquisition under the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, the Kabbaz property - property Town of East Hampton (SCTM No. 0300-166.00-00.03-010.00). Okay. There's no 92 and 93.

Okay. 1694 to Budget and Finance, To establish the Budget Reform Commission to identify policy options and develop a plan to decrease the County's dependence on fund balance and protect Suffolk County taxpayers. 1695 to Ways and Means, Review of auction rules for the disposition of surplus property acquired under the Suffolk County Tax Act.

I need -- get a motion and a second to lay on the table those late-starters. All in favor? Opposed? Abstentions?

MR. LAUBE:

I need a motion.

LEG. SCHNEIDERMAN:

Motion.

LEG. ROMAINE:

Motion.

P.O. LINDSAY:

Motion by Legislator Schneiderman, second by Legislator Romaine. All in favor? Opposed? Abstention?

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

Okay.

LEG. ROMAINE:

Motion to override all vetoes.

P.O. LINDSAY:

Okay. I believe that the Minority Leader has asked for a short recess.

LEG. ROMAINE:

Okay.

LEG. LOSQUADRO:

How short is short?

P.O. LINDSAY:

Five minutes, Dan. I'm tired.

LEG. LOSQUADRO:

Yes.

(The meeting was recessed from 7:05 PM to 7:18 PM)

P.O. LINDSAY:

All right. Let's go. Back in session. I'm going to go through this pretty quickly. I'm going to recognize you, I'm going to recognize you. But Legislator Browning, did you want to make a motion?

LEG. BROWNING:

Yes. I'd like to make a motion to reconsider 1693, for there's a corrected copy; correct?

CHIEF DEPUTY COUNTY EXEC. SABATINO:

Mr. Chairman, it turns out that the CN itself was right with respect to Colonial Youth. The right resolution was emailed to the Clerks Office, the wrong resolution got xeroxed and attached. I apologize for the computer glitch. Colonial Youth does qualify for funding, so if we could just revote on the basis of the correct resolution, which is still a CN for IR 1693.

P.O. LINDSAY:

So in other words, there's money attached to Colonial Youth.

CHIEF DEPUTY COUNTY EXEC. SABATINO:

Yeah. All three get money. The right resolution with the money was actually emailed over.

P.O. LINDSAY:

Okay, but do we have the right resolution?

CHIEF DEPUTY COUNTY EXEC. SABATINO:

Yeah, we do know.

LEG. SCHNEIDERMAN:

I don't understand why it's another vote. We already voted 1693. It was approved.

P.O. LINDSAY:

Yeah, but here's what the problem is. We voted 1693 as Legislator Browning identified, Colonial Youth was in the title but not in the body of the bill to get money. It turns out the right title was attached to the wrong bill.

CHIEF DEPUTY COUNTY EXEC. SABATINO:

And I'm apologizing. It's a computer glitch.

P.O. LINDSAY:

Do we have the right bill?

CHIEF DEPUTY COUNTY EXEC. SABATINO:

Fortunately we caught the error.

MR. LAUBE:

Has it been distributed yet? No? We have it now. She can distribute it right now.

P.O. LINDSAY:

Okay. So I have a motion and I'm going to second it to reconsider 1693. The corrected -- the right resolution is being distributed to you as I speak, but this is just to reconsider. All in favor? Opposed abstentions?

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

Okay.

LEG. MYSTAL:

Motion to approve.

P.O. CARACAPPA:

Now 1693 is before us and Legislator Mystal has made a motion to approve.

LEG. STERN:

Second.

P.O. LINDSAY:

Seconded by Legislator Stern. And I've got to wait. When they say this is hot off the copying machine, this is hot. Let me just take another two seconds. We'll make sure everybody has it in front of them. And are you okay with this now? I see Colonial Youth, Babylon Child Care Center, Noah's Ark. Okay, they're all in there, right? Okay. We have a motion and a second to approve. All in favor? Opposed? Abstentions?

CHIEF DEPUTY COUNTY EXEC. SABATINO:

Thank you, Mr. Chairman. Thank you.

MR. LAUBE:

Eighteen.

LEG. BROWNING:

Thank you.

P.O. LINDSAY:

Okay. Let's go, come on, so we can get out of here. All right. I'm going to make a motion to override all the vetoes, document numbers three through 48, with the exception of document 17, capital project number 5526.

LEG. COOPER:

I'll second that.

P.O. LINDSAY:

Second by Legislator Cooper. So we're going to consider the other ones except 5526.

MR. NOLAN:

Right. That's just a motion to consider them as one with that one exception.

LEG. CARACAPPA:

Thank you, Counsel.

P.O. LINDSAY:

Does everybody understand the motion? And I have a second. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

Okay. On document Number 17, 1526.

LEG. LOSQUADRO:

5526.

P.O. LINDSAY:

5526.

LEG. LOSQUADRO:

We didn't override the others yet.

LEG. ROMAINE:

Got to make a motion to override.

P.O. LINDSAY:

All right. So we'll take a vote on the motion to override -- I'll make a motion to override all of the vetoes, documents three through 48, with the exception of 17, capital project number 5526.

LEG. LOSQUADRO:

Second.

P.O. LINDSAY:

Second by Legislator Losquadro. All in favor? Opposed?

LEG. BARRAGA:

Opposed.

P.O. LINDSAY:

Abstentions?

MR. LAUBE:

Seventeen. (Abstention: Leg. Barraga)

P.O. LINDSAY:

As it relates now, Document 17, capital project 5526 is before us, the reconstruction of County Road 48, Middle Road from Horton Avenue to Main Street. It adds \$2,430,000 for land acquisition 08 for a recharge basin and advances \$6.6 million dollars for construction from subsequent years to 2010 and changes the funding designation from serial bonds to Suffolk County Water Protection Fund 477 to progress the drainage and resurfacing reconstruction as requested by DPW.

LEG. ROMAINE:

Motion to override.

LEG. ALDEN:

Second.

P.O. LINDSAY:

Motion to override and there was a second. I have a motion to sustain.

LEG. MYSTAL:

If it's not overridden it's sustained.

P.O. LINDSAY:

Okay, okay. All right. But I do owe an explanation because it's very confusing, especially to the people that are still in the audience. The reason that we put this under 477 was because we thought it was water remediation project clearly, and in an earlier meeting today and in a discussion with the Executive Office yesterday, I was informed that we might not have enough money in 477 to do this and we'd have to either lay some people off that are getting paid out of that, or abandon other projects that we've already identified. And it isn't until -- if this veto is sustained or the override fails, it will go back in the original program for 2010 under bonding.

The project is still going forward, it's just a manner of payment will remain as a bond rather than water protection. And if the water protection legislation is changed via referendum in the fall there's some discussion to increase the water quality, we might have enough money to do this if that happens. We have a couple of years to work on that.

So Legislator Romaine has made a motion and second and you want to comment on this.

LEG. ROMAINE:

Very briefly. If it goes back to the Capital Budget it's a planning document. This may or may not happen. I appreciate the Presiding Officer's offer that if there's sufficient money that this issue can be reconsidered. Obviously, if this veto override fails I will be working in every which way I can with the Presiding Officer and, believe it or not, the County Executive to see if we can get this project moved up. It's desperately needed. Thank you.

LEG. MYSTAL:

Take a vote.

P.O. LINDSAY:

Okay. All in favor of -- okay. Roll call on Legislator Romaine's motion to override project Document 17, the veto ocument 1755 28 capital program. Roll call. Yes vote is to override.

(Roll called by Mr. Laube, Clerk)

LEG. ROMAINE:

Yes.

LEG. ALDEN:

Yes.

LEG. COOPER:

No.

LEG. D'AMARO:

No.

LEG. STERN:

No.

LEG. MYSTAL:

No.

LEG. HORSLEY:

No.

LEG. NOWICK:

No.

LEG. KENNEDY:

No.

LEG. BARRAGA:

No.

LEG. MONTANO:

No.

LEG. EDDINGTON:

No.

LEG. LOSQUADRO:

No.

LEG. CARACAPPA:

Abstain.

LEG. BROWNING:

No.

LEG. SCHNEIDERMAN:

No.

D.P.O. VILORIA-FISHER:

No.

P.O. LINDSAY:

No.

MR. LAUBE:

Two.

D.P.O. VILORIA-FISHER:

So we're done.

P.O. LINDSAY:

Unless anybody has any other business?

LEG. ROMAINE:

Motion to adjourn.

P.O. LINDSAY:

Before we adjourn, before we adjourn, I would like to wish our colleague Legislator Mystal all the best of luck on his wedding.

Applause

LEG. MYSTAL:

Mr. Presiding Officer.

P.O. CARACAPPA:

And let the record reflect that he courtsied.

LEG. MYSTAL:

Mr. Presiding Officer, I need a raise.

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

We stand adjourned.

(The meeting was adjourned at 7:29 PM)

{ } Indicates Spelled Phonetically