

**SUFFOLK COUNTY LEGISLATURE**

**GENERAL MEETING**

**ELEVENTH DAY**

**August 7, 2007**

**MEETING HELD AT THE ROSE Y. CARACAPPA LEGISLATIVE AUDITORIUM OF THE WILLIAM  
H. ROGERS LEGISLATURE BUILDING, 725 VETERANS MEMORIAL HIGHWAY, SMITHTOWN,  
NEW YORK**

**MINUTES TAKEN BY:**

**DIANA KRAUS, ALISON MAHONEY & DONNA CATALANO  
COURT STENOGRAPHERS**

**MINUTES TRANSCRIBED BY:**

**KIMBERLY CASTIGLIONE, ALISON MAHONEY & DONNA CATALANO**

(THE MEETING COMMENCED AT 9:38 AM)

*(\*The following was transcribed by Kimberly Castiglione\*)*

**P.O. LINDSAY:**

Could I have all Legislators to the horseshoe, please. Mr. Clerk, would you call the roll, please.

*(\*THE ROLL WAS CALLED BY TIM LAUBE, CLERK OF THE LEGISLATURE\*)*

**LEG. ROMAINE:**

(Not Present)

**LEG. SCHNEIDERMAN:**

Present.

**LEG. BROWNING:**

(Not Present)

**LEG. CARPENTER:**

Here.

**LEG. LOSQUADRO:**

(Not Present)

**LEG. EDDINGTON:**

Here.

**LEG. MONTANO:**

Present.

**LEG. ALDEN:**

Here.

**LEG. BARRAGA:**

Here.

**LEG. KENNEDY:**

Here.

**LEG. NOWICK:**

Here.

**LEG. HORSLEY:**

Here.

**LEG. MYSTAL:**

Here.

**LEG. STERN:**

Here.

**LEG. D'AMARO:**

Here.

**LEG. COOPER:**

Here.

**D.P.O. VILORIA-FISHER:**

Present.

**P.O. LINDSAY:**

Here.

**LEG. LOSQUADRO:**

Tim?

**MR. LAUBE:**

Seventeen.

**LEG. ROMAINE:**

Here.

**MR. LAUBE:**

Seventeen.

**P.O. LINDSAY:**

I'd like to ask Legislator Caracappa to lead us in the Salute to the Flag. Would everybody please rise.

### ***SALUTATION***

Before you all sit down, I'd like a moment of silence for Lady Bird Johnson, a former First Lady who passed away last month; James Cress, one of Long Island's largest florists in Smithtown and Port Jefferson; Blanche Rose Marazek, mother of Bob Marazek, former Suffolk County Legislator and Congressman; Cpl. Christopher Scherer, a 21 year old Northport native who died last month while serving in Iraq; and also in our prayers, if we could keep in mind all of our men and women that are in harm's way as we speak.

### ***MOMENT OF SILENCE OBSERVED***

Now it is my pleasure to call on Legislator Elie Mystal for the purpose of introducing our visiting Clergy.

**LEG. MYSTAL:**

Thank you, Mr. Presiding Officer. Good morning to all. It's a great honor to introduce Reverend Lewter, who is a Reverend at First Baptist Church -- Hollywood Baptist Church in North Amityville. He succeeded his father, who more or less founded the church, and Reverend Lewter is the one who founded the church and revenue and in addition to his pastoral duties is also a visiting professor at Harvard University in Theology. He is well known in the community. He is a man of many, many talents. He is my Pastor, and as you all know, whenever I stray too far away from the straight and narrow, which is a wide margin, he will call me and talk to me and come to my office or I go to his church and talk to him. And I am really happy because he has a busy schedule and he has to really make time to do this. So without any more conversation, Reverend Lewter.

**REVEREND LEWTER:**

Good morning. Would you bow your heads for the benefit of prayer. Oh Lord our God we come thanking you as we stand in the midst of this rather majestic moment. We do humbly beseech and petition thee for your wisdom and guidance, and we do humbly pray that all that we say, do, even think, may prove to be pleasing in thine sight. Now Lord, measure our steps, steady our gait is both our prayer and our plea. Amen.

**P.O. LINDSAY:**

Thank you. We greatly appreciate it. Okay. Everybody could have a seat. Counsel, do we have anything in our rules against giraffes in the audience?

**LEG. SCHNEIDERMAN:**

As long as they sit in the back row.

**P.O. LINDSAY:**

For the purposes of a proclamation, I would like to call on Legislator Stern.

**LEG. STERN:**

Thank you, Mr. Presiding Officer. The 16th Legislative District is well represented this morning by a couple of individuals who are most deserving of our praise. First, it is a great pleasure to introduce Dr. Shaheda Iftikhar. Dr. Shaheda Iftikhar has been presented, awarded with the very first New York State Department of Health Honor Roll award. Dr. Iftikhar is currently the Acting Director of the Division of Patient Care Services and Director of Infectious Diseases and has been with the Suffolk County Department of Health for eight years, exhibiting outstanding commitment to public health by promoting the overall health and welfare of the entire community.

It's always a pleasure when we honor one of our own here in Suffolk County government on being recognized with this very prestigious award. Please join me in congratulating Dr. Shaheda Iftikhar on being presented with the very first New York State Department of Health Honor Roll award.

**(APPLAUSE)**

It is also really a great honor and privilege to award this next proclamation to Jana Archila. I had the opportunity -- our office had the opportunity to participate with the Presiding Officer's effort in reaching out to our respective communities and get our constituents to participate in making contributions of school supplies that would benefit homeless children as we are coming up on the beginning of the school year.

Jana is a ten year old student at Thomas J. Leahy Elementary School, and along with her parents during a garage sale decided to sell lemonade and cookies to those who came to her home and very unselfishly decided to donate all of the proceeds to this very worthy cause. Her parents, being so impressed with her efforts, said that they would decide to make a match and help contribute to the cause. And so Jana was able to raise \$100 through her efforts which was then matched by her family and she went out and purchased \$200 worth of school supplies which she donated to help those less fortunate than herself.

Jana and her family are wonderful examples of those that participate in such worthy causes in our community. It's great to see really, and Jana and her entire family, what is so good in our community. Please join me in congratulating Jana and her family.

**(APPLAUSE)**

**LEG. STERN:**

Thank you.

**D.P.O. VILORIA-FISHER:**

Presiding Officer Lindsay will be presenting a recognition award through the Department of Health Services. Legislator Lindsay.

**P.O. LINDSAY:**

Good morning. I'd like to call Joan Fusco. Please come forward, Joan. Joan is -- has received a nursing recognition award by the Suffolk County Department of Health Services. And I'm very

pleased to say that Joan is a resident of the 8th Legislative District. She resides in Sayville and we're all very proud of you, Joan. Our nurses do a yeoman's job. I wonder if Dr. Chaudhry could join me, the Commissioner of Health, as well. This prestigious award I think is very important in terms of -- for caring for our residents and nurses do a wonderful job. I was wondering if the Commissioner would like to say a few words.

**COMMISSIONER CHAUDHRY:**

Absolutely. Joan has been a valued member of the Department of Health Services and she is an outstanding representative of the nursing profession and we're very happy to honor her in this small token.

**P.O. LINDSAY:**

Thank you very much.

**MS. FUSCO:**

Thank you.

**(APPLAUSE)**

Thank you. Would I be able to say a few words?

**P.O. LINDSAY:**

Absolutely.

**MS. FUSCO:**

I'd like to thank you for this award but I'm just being awarded for something I love doing, and it amazes me. Public Health Nurses visit people in the homes, and this is one of the high priorities for me, when they have their new babies. If you invest in the new family forming, you'll prevent child abuse, post partum depression and keep the older children from becoming gang members and teen mothers.

I know that we have had an impact in the community because mothers come up to me and say you helped me. Thirty years ago you helped me and now my kids in business or in college and I worked with one of those babies and she was a delight.

And I would like to also give a challenge to the Legislature to please not just take after -- look after your homeless children, but your evicted children. Many of those children do not make it to homeless shelters. I would estimate, being around a long time, about a third to two-thirds. They're in residence homes, they are in senior citizen housing illegally, they are in cars. And I see them all the time when I'm out there with my Girl Scout troop. It is very demeaning to be evicted, so do consider that. Thank you again.

**P.O. LINDSAY:**

Thank you.

**(APPLAUSE)**

EMS and Firefighter Volunteer Awards are next. Six years ago the Legislature adopted a resolution establishing a recognition program for volunteer firefighters and EMS personnel and designated this week as firefighter and EMS personnel volunteer week. Hundreds of firefighters and volunteers in EMS personnel donate their time, energy and expertise to the people of Suffolk County. Because they're such a valuable asset to our community, they deserve our undying gratitude and thanks. So today I'll read the names of volunteers from the following districts. Some of them -- a few of them are here but most of them are will be receiving their awards in the district office. I'll read most of them for the record. There's a couple here. The ones that are here, if the Legislator would get to

the podium with their designees and present their proclamation.

Again, I'd like to thank all of them for the service to the people of Suffolk County. There are more than 10,000 volunteers in Suffolk County that literally put their life on the line and donate hundreds of thousands, if not millions, of hours of time to our communities to protect us and to make sure that we're safe.

First, Legislator Schneiderman, Richard Simmons from the Noyac Head of the Sag Harbor Fire Department Dive Team and works as Southampton Town Bay Constable. I understand he is going to receive his award in your office?

**LEG. SCHNEIDERMAN:**

Right.

**P.O. LINDSAY:**

Legislator Caracappa, your designee is here, I believe?

**LEG. CARACAPPA:**

Correct. Are you going to read the synopsis?

**P.O. LINDSAY:**

You got it?

**LEG. CARACAPPA:**

Yes. Good morning, Mr. Chairman, colleagues, members of the public. It's with great pleasure that I stand before you all to announce the 4th Legislative District Volunteer of the Year, a Commissioner of the Centereach Fire Department, Firefighter James McDermitt. James is joined here this morning with his wife Jean, he's been married to her for 24 years, have three children -- Courtney, Jimmy and Kevin -- and he has been a member of the Centereach Fire Department since 1985 and a New York City Fireman since 1987.

Commissioner McDermitt has earned the honor of being the Volunteer Firefighter of the Year for his outstanding accomplishments within the Centereach Fire District and his surrounding community. He is currently a field instructor at our County Fire Academy and was instrumental in working with me and many others in funding the flashover simulator equipment used at the academy and that's going strong -- right, Commissioner?

**COMMISSIONER McDERMITT:**

Absolutely.

**LEG. CARACAPPA:**

Many departments are in line to use that very important piece of equipment. Also, James has gone above and beyond on many occasions in his duties of Commissioner and has strived to make our environment a safe one. He also worked very closely with me in developing the Community AED Program which expanded into -- to include all athletic fields within our area. Also, Commissioner McDermitt has collaborated with neighboring fire districts to sponsor a Swim Safety Public Service Announcement that will be televised throughout the summer months, and we know how important that is having seen the recent tragedies as of late. Also, in addition, he is in the process of creating a program for seniors who live alone and may need medical attention.

With that being said and for so many more reasons, you know, on a personal level, I can read from the proclamation, but Jim McDermitt is not only a committed firefighter, but he's a committed community member. He's a good friend of mine and he's taken the lead in so many different areas and providing safety to so many people. And for that and for many reasons, I say congratulations to you, Jim, on an honor that you so well deserve and you receive this morning. I congratulate you as I know your whole department does and the entire community. God bless, stay safe.

**(APPLAUSE)**

**P.O. LINDSAY:**

The next nominee is from Legislator Vivian Vilorio-Fisher's office. It's Ronald L. Gerry, the Captain of the Stony Brook Fire Department's Engine company No. One. Captain Gerry will receive his award at the district office.

Representing Legislator Dan Losquadro's district is Kathleen Johnson of Mt. Sinai. She's with the Port Jefferson Volunteer Ambulance Corp and she will receive her award as well in the district office.

From Legislator Rick Montano's District is Andrew Wittman, Jr., who is the Honorary Chief of the Brentwood Fire Department with 55 years of service to the Brentwood Department. And Mr. Wittman will receive his award in the district office.

From Legislator John Kennedy's district is Ronald T. Barz, the Ex Chief if the Hauppauge Fire Department. Mr. Barz will also receive his award in the district office.

And with us today is Legislator Jack Eddington. I believe that your nominee is here. I think it illustrates how many of these very worthy people receiving awards in the district office illustrates that many of these folks have very, very busy lives and jobs but yet they find time to serve our community on an everyday basis.

**LEG. EDDINGTON:**

Today I want to introduce Diane Evensen from the Patchogue Ambulance Service. And truly she has accomplished a great deal. In the three years that she has been a member she has gone to over 1,000 calls, so that what we see is a persistent behavior of serving our community and the welfare of our families. I can only imagine that what we're going to see in the next three or four years if in three years she's done well over a thousand. And I want to thank you, Diane, and present you with this proclamation from the Suffolk County Legislature on doing a job well done.

I also want to add that her family, her son and daughter and her husband are here, and when I ask how has this been for you they say we see a blur occasionally. So I want to thank the family and I would ask them to come up also because these are the people that support our volunteers and without them, there are no volunteers. So thank you again, family.

**(APPLAUSE)**

**P.O. LINDSAY:**

Continuing on, representing Legislator Cameron Alden's district is Russell Knoth of the Islip Fire Department. Mr. Knoth is not with us today but will be receiving his award in the district office.

Reporting Legislator Steve Stern is Chief Larry Feld of the Dix Hills Fire Department. And Chief Feld will be receiving his award in the district office as well.

Representing Legislator Jon Cooper's district is Fred {Yuvina}, the former Chief of the Huntington Fire Department. Chief {Yuvina} will receive his award in the district office.

And from my district, Dennis P. Kelly, Jr., who is the Capital of the Community Ambulance of Sayville. And he will be receiving his award in the direct office as well.

***AMENDMENTS TO THE COLLEGE BUDGET***

The next order of business before we go into the public portion, we're going to take up the amendments to the college budget. If you go to your packet, there should be a resolution as well as a breakdown of the recommended changes by the working group. Okay. We have Budget Review in

the room. I will make a motion --

**LEG. ALDEN:**  
Second.

**P.O. LINDSAY:**

-- to approve the working group's recommendation for the college budget for the 2007-2008 fiscal year.

**LEG. ALDEN:**  
Second.

**P.O. LINDSAY:**

Second by Legislator Alden. Is there any questions on either the synopsis or the bill itself?

**LEG. ALDEN:**

Do you want to put on the record just the highlights?

**P.O. LINDSAY:**

I'm reading from the synopsis page. The overview of the resolution increases expenditures by a net total of \$1,250,471 over the two academic years, '06-'07, '07-'08, which is offset by an increase in the County contribution of \$756,921, which represents a 2% increase, and an increase in tuition revenue of \$493,550. The County contribution I just did.

The tuition reduction requests that the Board of Trustees who have the ultimate authority in setting tuition rates to review the 2007-2008 tuition rates to determine the extent to which the tuition increase of \$260 for full-time students and \$11 per credit for part-time students can be reduced.

The student tuition full-time increases tuition revenue by a total of \$493,550 to provide a structurally balanced budget, budget cycle. It directs the Charter Review Commission to review the budget cycle for the Suffolk County Community College and to make recommendations to address and resolve the current situation by which the college must set tuition rates for the academic year prior to adoption of its operating budget.

And the College Reserve Fund authorizes the County Comptroller to chair a committee consisting of the Director of Budget Review, the County Executive Budget Office Director, and the College Chief Financial Officer to convene and determine the required adjustments, to reconcile the college reserve fund to the college audited financial records.

And permanent salaries, it provides for \$479,648 to create ten new positions as requested by the college to address the recommendations of the Middle States Accreditation Team, provide enhanced campus security, maintain Veterans Science accreditation, and to meet the needs resulting from the increased enrollment in the Culinary Arts and the Licensed Practical Nurse Program.

The positions are Assistant Professor, there's five of them, Professional Assistant III, Assistant Director of Public Safety I and Animal Caretaker I. The Energy Program provides a total of \$30,000 for the college to develop and establish a new curriculum for an energy technology and building efficiency program in partnership with SUNY Farmingdale.

Furniture and furnishings. Increases furniture by \$83,317 to implement the college five year replacement plan as a recommendation by Middle States Accreditation Team, and increases office machines by \$75,000 to maintain the college's five year replacement.

And the second page. Trucks, trailers and jeeps. Technical correction that reallocates \$119,000 from sub-object other motorized equipment to sub-object trucks, trailers and jeeps, to accurately reflect planned expenditure. Instructional equipment. Increases instructional equipment by

\$125,000 for the purchase of biology lab equipment.

Outside printing. Increases printing by \$34,750 to print the Middle States Accreditation Review Report and related material which is required of the college as part of the accreditation process.

Household and laundry supplies. Increases household/laundry supplies, sub-object, by \$22,500. Other unclassified. Provides 38,557 to expenditures associated with Middle States Accreditation team onsite visit. Advertising. Increases advertising by \$40,000 to mark the new Culinary Arts Program. Light, power and water. Increases utilities estimate by \$147,699 in the current academic year, and you utilities by 800,000 in the 2007-08 based upon the trend analysis of the college's energy use.

Travel. Decreases the estimate for the current academic year by \$50,000 for travel based on year-to-date expenditures. State retirement. Reduces the State retirement estimates for the current academic year by \$90,000 based upon the lower employer contribution rate of 9.28% and the estimated \$39,000 prior year credit from the retirement system and reduces the '07-'08 retirement by \$300,000 based upon the lower contribution rate.

State teachers retirement. Reduces State teachers retirement by \$200,000 to reflect the lower projected payment associated with the satisfaction of the 2002 ERIP obligation. And benefit fund contribution increases the benefit fund contribution by \$14,000 in the current academic year to reflect the year-to-date expenditures.

And the budget document strikes all whereas's and resolved clauses appearing on pages one through four inclusive of the Suffolk Community College recommended budget 2007-08 and prohibits same from appearing in the printed adopted budget document. That's the synopsis. Is there any questions? Legislator Kennedy.

**LEG. KENNEDY:**

Thank you, Mr. Chair. I guess I would pose this question for the members of the group and/or BRO or whomever. Two things. One, I noted that in the County Executive's budget presentation he talked about an adjustment, one time adjustment of a million-four associated with monies, I guess, that were in the Community College budget that were recharacterized somehow. I was just curious how that came about.

**P.O. LINDSAY:**

Gail can correct me, but I think what you are referring to is the Reserve Fund. There was some money being taken out of the Reserve Fund and being put back in. The working group didn't touch the Reserve Funds. Correct?

**LEG. KENNEDY:**

So at the end of the day, then, what remains with the Reserve Fund for the Community College?

**MS. VIZZINI:**

The recommended budget shows a Reserve Fund of \$3.2 million. What the Omnibus does is it directs this work committee, working group, to get together and review what exactly is the correct number that is in that reserve, not addressing the 1.4. But there are three different mechanisms to report the Reserve Funds and each of them has slightly different numbers. So we are to convene and sort out exactly what is in that Reserve Fund.

**LEG. KENNEDY:**

So this really is just some differences of interpreting, I guess, what a Reserve Fund balance is or what actually characterizes a Reserve Fund? Is that it?

**MS. VIZZINI:**

That's in the Omnibus. The recommended budget still uses 1.4 million from the Reserve Fund as

revenue to the college.

**LEG. KENNEDY:**

Is the amount that's in there now in your opinion sufficient to meet any unexpected needs of the college should there be a need to go to it?

**MS. VIZZINI:**

That would have been determined by the Board of Trustees. It depends on what those insufficient needs are, and also SUNY has some guidelines in terms, you know, desirable guidelines for reserve funds. That's really a policy decision for the board.

**P.O. LINDSAY:**

And just to comment on that. The working group chose not to take any money out of the reserve or not to add any money to the Reserve Fund.

**LEG. KENNEDY:**

So it's in essence a wash, it's as it was presented to us. Okay. My other question is about the -- on the second page those two sub-object codes. The teachers retirement system bills, I guess, if you will. Is that along the lines with what we're seeing from the retirement system at this point? Should we anticipate that we'll be seeing that same type of a reduction on the ERS side with the County or is this an aberration specific to what's going on here?

**MR. REINHEIMER:**

There's two things going on here. First of all, the employer contribution rates are stabilizing and trending downward a little bit, minor, from about 10% change down to nine and change. With the teachers retirement system they had a payment of approximately \$400,000 associated with the 2002 Early Retirement Program. That was a five year obligation that was satisfied in this current academic year. When the college did their estimates they included that \$400,000. The reduction of 200,000 reflects that. It also reflects a little bit higher salary base so the net difference between those two was a reduction of 200,000.

As far as ERS, I would say the rates are going to stay in the 9% range for the next several years.

**LEG. KENNEDY:**

Okay. That's fine.

**MR. REINHEIMER:**

Assuming that the -- there's no, you know, market trend corrections downward in stock market.

**LEG. KENNEDY:**

One never knows where that's going. One last question, Mr. Chair, I guess, for the working group. Our recollection is that Community College sought I think 11 positions. There was an Associate Dean that was identified with grants -- grants activity. What did the committee do with that?

**MS. VIZZINI:**

That position is not included.

**LEG. KENNEDY:**

Okay. All right. Thank you.

**P.O. LINDSAY:**

Any other questions? I guess it's very apropos to mention that everybody should turn their cell phone on to vibrate. If there's no other questions, we have a motion and -- Mr. Zwirn, would you like to comment?

**MR. ZWIRN:**

May we just have an opportunity to?

**P.O. LINDSAY:**

Absolutely.

**MR. ZWIRN:**

Thank you, Mr. Presiding Officer. Of course the County Executive would ask you to pass his recommended budget. Because some of the facts that appear before the Legislature, we have overall declining enrollment at the Community College from budget to what's actually enrolled. And while we're seeing that go down, we are seeing now tuition is going to go up approximately 47 to \$50 over what the County Executive recommended in his budget, tuition to the students that are there. And then you are also adding positions at a time when you have a declining enrollment only increase expenses at the college. And the County's contribution alone is being increased by 2% or over three quarter of a million dollars. Taking that into account, he would ask you to reconsider strongly and support his recommended budget for the Community College.

**P.O. LINDSAY:**

Just, Mr. Zwirn, and I don't want to enter into a debate, but the two numbers that the working group is working with is I think that you guys were ejecting a slight increase in enrollment of .7 and Budget Review is estimating a 2% increase, if I'm not mistaken, in enrollment. Most of the positions are for new programs in nursing and culinary arts which we expect to explode and we really need the positions for those programs to work. And we're recommending, and it is a recommendation to the Trustees, that there be a \$30 increase over tuition that the County Executive had recommended from 120 to 150.

**MR. ZWIRN:**

I understand, Mr. Presiding Officer, but our numbers show, I think working with BRO and the college, that our numbers shows that enrollment will be down for the fall, projected to be down over -- about -- almost 2.4%. That's the latest numbers that we have.

**LEG. HORSLEY:**

Is that accurate? That's not what we've been working with.

**MS. VIZZINI:**

That's the enrollment for the fall semester. It had not come -- it certainly hasn't come in at the 2%. We would have to look at the full school year. This time last year we were in a similar predicament where enrollment was barely increasing and yet at the end of the year the increase in enrollment was 2.9% over the previous year. So as part of the deliberations of the working group, although it's desirable for the Trustees to reduce the tuition from the current \$260 increase, they will have to look at monitoring their expenditures and whether or not these positions are filled for the fall or filled later in the year, and particularly looking at enrollment. The idea is that if tuition cannot be immediately reduced by at least \$80 or down to the full increase of 150, that they review it in the spring to see if there is any improvement or any change.

**P.O. LINDSAY:**

Legislator Horsley?

**LEG. HORSLEY:**

No, I just -- at this point then let's move the question.

**P.O. LINDSAY:**

Did you want to comment?

**MR. ZWIRN:**

I just have one other thing to add, if I might, and that is with request -- in respect to the recommended budget in the Omnibus. The Legislature has put in more money than the college even requested. There's \$125,000 for the purchase of new biology lab equipment which was not included in the college request. Thirty thousand dollars for the college to develop and establish a new curriculum for energy technology, which again was not in the original budget, and added almost \$84,000 to furniture and furnishings for the college's five year replacement plan. Again, was not requested by the college in their budget. So we -- just to point that out to the Legislature before they go to a vote.

**P.O. LINDSAY:**

Miss Vizzini.

**MS. VIZZINI:**

Yes. The college did request the biology lab equipment and they did request -- they requested everything in their original budget request with the exception of the enhancement to the Energy Program and they have been working on promoting that particular curriculum with Mr. Schroeder and others. That would be the only thing that was not in their official request.

**MR. ZWIRN:**

That's not our understanding, but.

**P.O. LINDSAY:**

Legislator Eddington.

**LEG. EDDINGTON:**

I believe there are representatives from the college here, and I'm hearing conflicting reports. Why don't we hear it right from the college. Were they in the request or not? So if we could get you to come forward.

**DR. PIPPINS:**

I believe that the response from the Budget Review Office are correct.

**MR. LAUBE:**

Can you state your name for the record?

**DR. PIPPINS:**

Dr. Shirley Robinson-Pippins, President, Suffolk County Community College. The Budget Review Office has done its usual thorough analysis and I support their responses.

**LEG. EDDINGTON:**

Thank you very much.

**P.O. LINDSAY:**

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

**(\*THE ROLL WAS CALLED BY TIM LAUBE, CLERK OF THE LEGISLATURE\*)**

**P.O. LINDSAY:**

Yes.

**LEG. ALDEN:**

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. EDDINGTON:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. CARACAPPA:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. ROMAINE:**

Yes.

**D.P.O. VILORIA-FISHER:**

Yes.

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

Thank you for your indulgence that we get the budget out of the way, the school budget.

***PUBLIC PORTION***

Now to our public portion. Cheryl Felice. I didn't see Cheryl in the room. Cheryl Felice; is she here?

**MS. ALLONCIUS:**

Mr. Lindsay, good morning. Good morning, Legislators. Ms. Felice was going to be here. We've had a couple of things come up at the office so I assumed she has been delayed.

**P.O. LINDSAY:**

I'll just put her card aside and at the end if she isn't here, we only have a few cards, maybe you could represent what she wanted to say.

**MS. ALLONCIUS:**

And if not I'll speak on her behalf.

**P.O. LINDSAY:**

Okay. Phyllis Benedetto.

**MS. BENEDETTO:**

Good morning, everybody. My name is Phyllis Benedetto. I am the Executive Director of the Babylon Care Center, a private not-for-profit day-care center that contracts with Suffolk County. I only have three minutes, so the most important thing for you to know is that every director, every teacher, everyone who has to work and not get paid is being hurt. I lost one home, I've given two-thirds of my salary back to my day-care center. I'm a widow. I'm on widow's benefits making \$12,000 a year. I have a Masters in social work.

It's time our County started respecting the work that we're doing by paying us in a timely fashion. We need you to vote that we get paid promptly as you do, everyone, anyone who has a job. Could you imagine going to work and not knowing if you're going to get paid this week. We have had many years like that. And things have gotten better, and when they get better you get excited and you forget that you are still being paid late.

I need everyone here to know that I do this for my heart. There's no Mercedes in my driveway, there's no leather couches in my office. There is nothing pompous about day-care. But when you don't pay us on time we have a hard time taking care of the children in a manner that I feel they're entitled.

So that being said, I want to please -- I beg you, I pray that you do the right thing and no matter what anyone else says, this has to be done. The time is now. We keep everyone working and we do it in a really grand fashion with very little money. If we got the money we were entitled to, imagine what we could do -- more programs, our staff could be paid more than they are being paid. Please, just show us the respect we are due. Thank you.

**P.O. LINDSAY:**

Thank you very much. Louise Hamlett.

**MS. HAMLETT:**

Good morning, to Presiding Officer Lindsay, Honorable Elie Mystal and all this board of Legislators. My name is Louise Hamlett. I'm the Executive Director of Wyandanch Day-care Center. I have been that Director for the past quarter of a century. I have worked with some of the young legislator's mother such as Rose Caracappa and different people. And I'm here before you to speak to you about attitudes. We have an African proverb that states it takes a whole village to raise a child, and Wyandanch Day-care Center Incorporated takes this adage one step further and recognizes that it takes a society to support the family and to assist in upgrading, improving, and empowering families to achieve a quality of life. To this end, society must play a pivotal role in strengthening the quality of family life.

Wyandanch Day-care Center Board of Directors, parents groups and a committed dedicated, certified

and professional staff have elected to be part of the solution and not part of the problem by providing community based services.

I am here this morning to address each of you singularly and collectively because you act singularly with your vote, but you act collectively with your power. Again, as an Executive Director of a not-for-profit child care center, and I sent a presentation to each of you so that at your leisure you can look at it and will impact you. I address you in the name of civility and equity. I seek to address some attitudes relating to professional compensation of child care professionals. I sincerely believe that attitudes drive purpose and purpose is the result of all action.

I -- my colleagues have come before you time and again, year after year, in oral and in written presentations to seek your action in responding to correcting an ongoing injustice and the failure of Suffolk County Department of Social Services to remit prompt payments for child care services already rendered. Child care keeps New York working, fosters and promotes self dignity by keeping families working to maintain self-sufficiency and most of all it contributes great into the tax role. It's a win-win situation for all living in our economy. Non-profits, child care agencies and government should interact for the public good. Attitudes and behavior go deeper than politics. Oftentimes it strikes at the very core and survival of humans in all areas of life, personal and non-personal. And you have been bombarded with presentations telling you about the severe financial hardships that providers continue to experience.

**P.O. LINDSAY:**

Louise, if you could wrap it up.

**MS. BENEDETTO:**

I'm going to wrap it up.

**P.O. LINDSAY:**

Thank you.

**MS. BENEDETTO:**

Because of the seriously delayed payment of Suffolk County Department of Social Services. And you need, I'm going to wrap it up, but you need to know that in some instances these payments are three months to a year old, and I'm asking you what business can stay in existence with this business turnaround? Like any other business, accounts receivable is crucial to sound financing. How many of you sitting here would permit this indignity to your person? Would you be able to sustain yourself, your family or your business? I think not.

So do the right thing, I implore you, and follow the wise leadership of your co-Legislators Viloría-Fisher, Ed Romaine and Dan Losquadro. Please vote yes for resolution IR 1510. Stop the injustice and crime against childcare providers.

I thank you singularly and collectively for being part of the solution and not the problem. And again, I say please vote yes to support IR 1510, prompt payment law. Your vote is a true expression of your core values and predicate your attitude.

**P.O. LINDSAY:**

Okay, Louise, you are out of time. Thank you.

**MS. BENEDETTO:**

And I thank you. I would like to leave this up here for you, if I may, to remind you the seriousness of child care. Thank you. May I leave it?

**D.P.O. VILORIA-FISHER:**

Yes, you may.

**MS. BENDETTO:**

So when you are going throughout your business for the day you can look at it and be so reminded. And I thank you one and all.

**P.O. LINDSAY:**

Frank Belsito.

**MR. BELSITO:**

Mr. Chairman, Legislators. I really came here this morning thinking I was going to make a presentation to the Budget and Finance Committee. I received the wrong information. So the letters that were presented to you all I had changed it around a little bit.

But first of all, good morning -- or good afternoon. My name is Frank Belsito, Commander of the American Legion Pearl Harbor Memorial Post of Port Jefferson, New York. The Post was chartered in 1983. I want to thank you, Mr. Chairman, and all Legislators for giving us the opportunity to speak to you.

We are here today to inform you of a project that the American Legion Post 1941 would like to complete at Calverton National Cemetery that is located here in Suffolk County. I would like to give you some past history of the post.

In 1987 I received complaints concerning the placing of U.S. grave site flags on the graves of deceased veterans that are buried in Long Island National Cemetery in Farmingdale. The complaints were not of the flags being placed on the graves for Memorial Day, but were of the question why aren't the graves at Calverton National Cemetery also having flags on their graves for Memorial Day.

It took eight years of meetings with the VA to give us permission to place the U.S. flags on the graves. The VA stated after one week we had to also pick up the flags. We're proud to say that in 1995 we placed and picked up the flags on 110,000 graves with the help of 1,500 Suffolk County Boy Scouts. Now, 12 years later in 2007, we are still placing and picking up the flags of our now 190,000 graves with the help of 3,000 Boy Scouts, 2,500 Girl Scouts, 500 adult volunteers for a total of 6,000 Suffolk County volunteers who are proud to come to Calverton to place the flags, rain or shine, to honor and member for Memorial Day the deceased veterans who served honorably in the U.S. military.

In the Abe Lincoln National Cemetery in Chicago, Illinois, there is a memorial walkway that is very breathtaking to see. We have some pictures that we would have liked to have shown you, but there again, I wasn't prepared this morning. These pictures were shown to the Director at Calverton National Cemetery and we now have a location of three point plus acres at Calverton for a Memorial Walkway.

The students of the Drafting Department at BOCES went to the location in Calverton National Cemetery, mapped out the area, and you see the diorama before you. The students are thrilled to be part of this project. The students in the Carpentry Department will be building benches, signs and a scatter and a bridge to enter the area of the memorial walkway. I am showing you that we have young people who are residents of Suffolk County involved in our project at Calverton National Cemetery.

We have met with Suffolk County Legislator Edward Romaine, whose district that Calverton National Cemetery is in and informed him of the project. Legislator Romaine stated that he would prepare legislation for the 2008 Suffolk County budget for this project. We have met with Legislator Vivian Fisher, who is a Suffolk County Legislator in the district of the American Legion Post 1941. Legislator Fisher will be working with Legislator Romaine for the legislation for the 2008 budget.

**P.O. LINDSAY:**

Frank, if you could wrap up. You are out of time.

**MR. BELSITO:**

I'll look forward to a meeting with Suffolk County Executive Steve Levy for his support. We also met with Legislator Stern and the Veterans Committee. The committee support will be helpful for this project and bring it to reality for all the residents of Suffolk County who feel that this Suffolk County Legislature remembers the men and women who have served honorably in the U.S. Military.

I thank you all for this time allowed to inform you of this important project that will help family members of deceased veterans buried in Calverton National Cemetery to have a place to sit and reflect while visiting their loved ones.

In closing, this memorial walkway will be a place for schools to come and learn more about the men and women who have served and are serving today to help keep our nation free. There will be a meeting at Calverton National Cemetery this Thursday, August 9th, at 10 a.m. to visit the memorial walkway site with update report. If any of you Legislators are available and your schedule allows, you're welcome to attend.

I'd like to mention when Suffolk County Legislator Rose Caracappa was the Chair for the Veterans Committee, I was the elected the Chairman of the Korean monuments that are in front of the Dennison Building. That project was completed under budget. I thank you very, very much for your time and if you have any questions I would be glad to answer.

**P.O. LINDSAY:**

There's no questioning allowed in the public portion.

**MR. BELSITO:**

Okay.

**P.O. LINDSAY:**

Thank you very much.

**MR. BELSITO:**

Thank you, Sir.

**P.O. LINDSAY:**

Kathy Liguori. Kathy Liguori.

**MS. LIGUORI:**

Okay. Can you hear me?

**P.O. LINDSAY:**

Yes.

**MS. LIGUORI:**

I'm Kathy Liguori from Tutor Time Child Care Learning Centers of Medford and Middle Island. I'm here to just ask for your support to Resolution 1510, prompt payment law for child care. I have been a child care provider for many, many years and there are many things that I've had to do from learning how to install a toilet, to now learning that I have to be a bank for Suffolk County. At any given moment I run accounts receivable between both of my schools of over \$200,000. I really truly feel that it would be fair to be able to cut that in half to keep our payments current. I have bills owed to me by the County for over two years and that's not right.

We have a number of people here today and our energy has been a little bit modified since our resolution has been graciously adapted just to be written for child care. So we will be back on the 21st or 22nd at the next Legislative hearing to speak on its passage. But the giraffe here today is to let you know that through all of this advocacy we truly feel that we have been sticking our necks

out and we need for you to support Resolution 1510. Thank you.

**P.O. LINDSAY:**

Thank you, Kathy. Barbara Drenzyk.

**MS. DRENZYK:**

Good morning. I'm a little nervous standing here. This is a little unexpected. I came yesterday, I made a wrong turn. I was going to Consumers to complain about my contractor and when I went to Consumers I realized that I am one of the million people that are dealing with contractors who leave with your money. And it is every one of your problems because it is in all of Suffolk County. As I sat waiting to complain, I saw how easy it was to get general contractor's license and how easy it is to keep changing your name and reinventing yourself and getting away with it.

I'm here because he took my father's, my World War II father's \$95,000 and another woman who is a Vietnam Veteran's husband \$78,000. Since December he has legally been allowed to reinvent himself three times. Now, my feeling is if I went to three different businesses or three different houses and I robbed them I would be sitting in jail. And this gentlemen got to go to the Town of Islip and take \$78,000 and the Town of Brookhaven and take \$95,000, and there are many others. And I really feel there is a huge problem.

I stand here, not that I'm very comfortable doing this, but there are many elderly people. My father is 81 years old. He took his life savings to build on to my house so that my mother would not be alone.

I'm going to go to Consumers, I'm going to fill out the packet, but what I've learned is there is such a gray area that basically he's going to be fine. So my husband and I are taking out a loan so that my parents will be taken care of. But I challenge of you, with all the complaints that are very valid here today to also look at that you have people who are paying child care, working two jobs and trying to improve their homes to remain in Suffolk County with these taxes and are getting ripped off, to the elderly who have paid their taxes -- their homes and just want to pay their taxes and build on and can't do that because they have been ripped off, and maybe many of them can't stand here today.

You really need -- I went and I complained to the town inspectors because I will tell you I paid my variance, my husband sat before a panel explaining who was going to live there. We got our permits. I even widened my driveway because I was told I had to. And I will tell you we did everything with every I dotted, every T crossed, and when I called what they said to me verbatim was you know, that's really a shame. We hear that all the time, it's running rampant. It's the system, we work within it, it's the best we have right now.

So I guess what I am asking and challenging every one of you to do is revisit your system which is failing miserably, affecting the quality of life. Every one of us it's affecting. My father paid taxes in Suffolk County for 30 some odd years. I've paid for over 15 years. And I have to tell you that I resent what happened with this contractor who is a dime a dozen and everybody has a really bad contractor story. And they get their general contracting license way too easy. They can reinvent themselves way too easy, and there's all of these gray areas that they can work under another person's license and it's not acceptable.

**P.O. LINDSAY:**

Barbara, your time is up.

**MS. DRENZYK:**

So what I'm asking you to do is --

**P.O. LINDSAY:**

We can't really comment on the public portion, that's our rules, but Legislator Eddington is going to meet with you in the lobby. We'll get your information and I promise you that he will follow up on your complaint.

**MS. DRENZYK:**

Thank you very, very much. Take care and God Bless you.

**P.O. LINDSAY:**

Mike DePaoli.

**MR. DePAOLI:**

I have a handout for the Legislature if somebody would like to take them.

**P.O. LINDSAY:**

Renee or one of the Aides, can you please get the handouts?

**MR. DePAOLI:**

Good morning. My name is Mike DePaoli and I am a Suffolk County resident. I'm here today to bring to your attention the following items. One is upon the Legislative information. Perhaps you may want to designate or indicate in the newspapers when the Suffolk County Legislature meets. You have a great card, but if you can see by the audience today not too many people are here. A lot of people don't have internet sites, so just a suggestion.

The other item that I have is on the handout "Don't Ask: It's Stupid and Wasteful." You can't complain if you don't have a place to complain to such as the Consumer Affairs Office. If members of this Legislature today would walk over to the Consumer Affairs Office it's disgraceful. Yesterday I was over there to file a complaint and I almost got hurt. I fell off on a old table or an old chair. It is a disgrace that Suffolk County taxpayers have to go ahead and pay good dollars and go over and use those facilities. So I suggest you practice government by walking around and looking at the infrastructure of the government of Suffolk County. Police Departments, other government affiliates and associates. Look at the infrastructure. If you're embarrassed, then it's time to change.

On item number two that you have on the handout. Suffolk County Executive Levy had a carte blanche blank check in this's years election and he has got political capital to spend. I suggest you keep him appraised of how to spend that capital. One of the suggestions is the consolidation of school districts. We don't need \$300,000 directors. We can consolidate school districts and create casino gambling on Long Island. Why are we sending millions of dollars to Connecticut, millions of dollars to New Jersey? We have residents here that take the ferry every day to go to Connecticut. Why can't we keep the monies here where it belongs? Why can't we create a recreation facility here in Long Island? We have {inaudible} right on the east end. We can consolidate. Thinking outside the box. Use the political capital. Stop sending our money away. We wouldn't have to spend a dime on school taxes or property taxes. And we would have jobs. Why are we sending jobs to Connecticut and New Jersey? Hundreds and thousands of jobs we would have here for our own children. We can keep them here.

Item number three is life saving items. It doesn't take a genius to save a life. How many people in here know CPR? How many people in here know first aid? One picture is worth a thousand words. If I have an illustration set up at a beach, at a park, at a hotel, how to give CPR, how to give first aid, who to call. I can train kids, I can train adults, I can train other individuals by just posting signage. What does that cost if it saves one life. You have resolutions today in association to charter laws for pool and pool safety. What about the signages at the County parks, at the town parks, throughout New York State? Set a precedence.

So I'm here today just to bring to your attention some creative suggestions. As of veteran we fight every day for our rights and democracy. People here would be filling the seats if you advertised. So, I gave a handout. Perhaps you may want to take some consideration before we send out more

and more millions of dollars to Connecticut and New Jersey. We have jobs here. We can reduce cost of school taxes. We can fund Suffolk Community College. We can do a lot with casino monies. Let's think outside the box, let's be creative, let's save the taxpayers money, and most of all, let's keep our kids here. Thank you.

**P.O. LINDSAY:**

Thank you, Mike. Pamela Veitch.

**MS. VEITCH:**

Good morning. I would like to introduce myself. My name is Pamela Veitch. I am a resident of Suffolk County. I'm here on behalf of an organization called the Friends of the Farm. I'm just here basically today to just quickly thank you for your support in Resolution No. 1634, which is the acquisition of the Lewis Oliver Dairy in Northport, New York.

I also would just like to bring to your attention that I do have with me over 5,000 signatures of support for this acquisition. So again, I just wanted to thank you all in advance and have a great day. Thank you.

**P.O. LINDSAY:**

Thank you, Pamela, for your brevity. Tatyana Reyes.

**MS. REYES:**

Good morning. My name is Tatyana Reyes. I'm here today just to make you aware of the damage the Suffolk County is doing to us. This is exactly what you are doing. We are suffocating when we are not paying -- when the County is not paying us on time. We are -- I'm seeing almost force myself to close one of my sites and the children that you seeing in there are the children that might be -- I now might not be able to care for just because the County is not able to pay their bills on time.

We are not here asking you to donate us any money. We are not here to ask you for something that we have not earned. The only thing we are here to ask you is please pay us on time. Something that we know when we are going to get paid. At this point we never know when we are receiving a check. Could be 30 days, back in three years ago, or three months, six months, up to nine months. Who can survive or live with a nine month behind payment. At least I can't. I'm glad for those that can. I am here to represent the Hispanic community, those that cannot come, the English community, those that don't have the time to come. I am here representing everybody that needs the support. We need to be paid within 30 days. That's all we are asking for. We not here to embarrass anybody. We are only here to ask to be paid within 30 days. Nassau County does it, therefore I am very sure that Suffolk can do it too. We will not be asking for something that is impossible if we didn't have an example already done by Nassau County.

I am a Director in one of the centers in Nassau County. We get paid every two weeks. When they are two week behind, we receive an apology. In here, you have to be almost six months to receive an apology of why you are running behind. I ask you to please pass this bill. We need it. Otherwise Suffolk will be suffocating. Thank you.

**P.O. LINDSAY:**

Thank you. Erica Chase?

**MS. CHASE:**

I apologize for my cold already. Good morning. My name is Erica Chase. I am the Deputy Director of the Child Care Council of Suffolk. I am here today to support IR 1510 and give voice to the overwhelming number of child care providers I hear on a daily basis -- hear from.

I hear their payment issues with the County and I work as a liaison with the Department of Social Services. When things are very, very bad, and that's typically after they get to the 46 day point for

some reason they start getting quiet at 43, 44 days, which is still unacceptable. At 46 day mark my day becomes full-time child advocate for the child care providers in regard to their payments. Tatyana and so many others have spoken to you in the past in regard to their payment issues so I don't have to give you more details as to which of the providers are having the most difficulty.

I am here to say that this Local Law is long, long overdue. I have worked for the Child Care Council for six years and this is nothing new. You have heard in your local district these problems and they have been ignored up until now. I strongly, strongly hope that you will support Vivian's Local Law and if you have any questions you can contact me in my office. I would be happy to give any support that you need to back this. Thank you very much.

**P.O. LINDSAY:**

Thank you, Erica, for your brevity. Paul Sabatino.

**MR. SABATINO:**

Thank you, Mr. Chairman. I just wanted to make a few observations with respect to the prompt payment bill since there won't be a public hearing today, just a follow-up to our last conversation on the topic.

First of all, as you recall, on June 12th when I had testified at the public hearing I had indicated in response to a question that I believed there were 14 individuals that had been identified that had specific problems. I had explicitly offered the opportunity for those individuals to contract Social Services and I would personally attend meetings to go through each and every one of those 14 individual cases.

I just want to put on the record that from June 12th as of, you know, last night none of those individuals had, in fact, contacted Social Services and taken advantage of the opportunity to have that conversation.

I mention that again because, as I stated to you on June 12th, a similar circumstance had occurred with respect to the Meals on Wheels issue and it took one meeting after a great deal of hullabaloo on the public record that there were all of these major problems. It took one meeting on a Friday afternoon, two-and-a-half hours, I personally attended, we were able to resolve it. So I was a little bit disappointed that nobody contacted us in the intervening period.

However, I will say that Deputy Presiding Officer Vilorio-Fisher has reached out and had a very constructive dialogue and I offered the opportunity sometime either after the next public hearing takes place or before it, depending on schedules, to sit down with Deputy Presiding Officer Vilorio-Fisher, Commissioner of Social Services, and again, those individuals that want to come in with specific, narrowly targeted cases that we can talk about and I will personally again commit my time and effort to having that kind of a meeting.

What's happening for the people that are coming to the meetings that we're having, we are making progress. We've narrowed the period of time down from well over 54, 55 days to about 43. Contrary to the public perception, the 43 days is not out of line with what is happening in the rest of the County. Consultants, engineering services, accountants, are all getting the same time periods but there's a perception out there because of statements that were made that somehow that's not the case.

For example, at the last public hearing that you had on June 26th, a statement was made that, you know, Tutor Time had not been paid for over a year. There was no record of a years worth of payments not being made. Another statement was made that there was still unpaid bills from Rainbow Chimes and Kiddie Academy. Again, that was a statement that wasn't true. Another statement that was made was that an individual in Shirley was losing a house because of non-payment by the County. Well, it wasn't. It was a secondary home, it was a second house. It wasn't the primary residence that was being lost.

The other that has been lost in the debates is that those meetings that we've had have generated

some creative and innovate ideas. You're laughing. I don't have a second home, Legislator Kennedy, so I don't have real sympathy for someone who comes in front of the Legislature and says I have lost payments because of -- I'm losing my house because of non-payments from the County when it was a secondary house, not a primary house.

The other thing that's lost in the dialogue is that we have made progress in creating a response team that will deal with issues on a case by case basis. In fact, I'll finish up in 30 seconds, at the suggestion of Diana Marshall from the Office of Women's Services at one of our meetings the idea came up to cross train an additional two people in her office to deal with specific incidents, specific cases where somebody's claiming a payment is more than 45 days. Her office already addressed seven individuals since we last met and was able to address those, and 23 small providers who came up with specific questions, specific issues with Social Services, had each and every one of those issues resolved.

So I would just close by saying that, again, I offered to meet with the individuals face to face with the Commissioner of Social Services and technocratic staff and go through the individual cases. I'm confident, based on the information that we have received in the past, that most if not all of those cases will be resolved on terms and conditions that are different than were presented to you. Thank you.

**P.O. LINDSAY:**

Thank you. Edna Guarino.

**MS. GUARINO:**

Good morning. My name is Edna Guarino. A statement was made by Mr. Sabatino that I am here to refute today. That statement was that only Mr. Halpin honored the 30 day mandate. I'm here to tell you that not only did Mr. Halpin's office honor that mandate, Mr. Gaffney's office honored that mandate. During his first year, Mr. Gaffney's first year, the County became behind in their payments. I called, spoke with Mr. {Roloticka}, who was head of Finance. He said that they had lost personnel and that was the reason our payments were behind. He said Edna, you know what you have to do, do it.

So I called Mr. Gaffney's office, spoke with Steve {Ochellis}. He asked me to fax over a copy of Ruth Brandwein's letter, which I did, and within 30 minutes of that fax going out, I received a call from {Rolette Hanson}, who was the liaison from the County Department of Social Services to the County Executive's Office saying that he had to meet me. And I said, "Why," and he said, "You are probably the most dynamic person I'll ever meet." He said, "You have everybody in this department hopping to make sure those payments are being made within 30 days." So if they weren't, I can guarantee you at that moment they started to be.

I would also like to bring out that under Mr. Gaffney's administration at one point our contracts were coming in extremely late. The County Comptroller withheld our payments. We contacted Mr. Gaffney's office. Within an hour he was on the phone with the County Comptroller ordering our checks that were sitting there waiting to go out to be released on the grounds that it placed the children in Suffolk County in jeopardy by our not receiving those payments. So Mr. Sabatino, it was not just under Mr. Halpin's administration. It was under every administration that followed until Mr. Levy's administration took over.

The children are being placed in jeopardy by our not receiving payments. They are losing more and more and more day-care. I have made hundreds and hundreds of phone calls these past couple of weeks only to be told we will no longer take DSS children. I can't afford to operate working with DSS children because I can't -- I don't have the money in my hand, I can't pay the bills, I can't feed the kids. And they are right. We cannot do the mandated things that we need to be doing for these children without payment. Anything over 30 days is totally and completely unacceptable. So I ask you to please pass this law. Do not allow day-care in Suffolk County to continue dying. Thank you.

**P.O. LINDSAY:**

Thank you, Edna. And I'll go back. I don't see Cheryl here yet, so Debra, would you like to speak on behalf of AME?

**MS. ALLONCIUS:**

Thank you, Chairman Lindsay and members of the Legislature. I am standing here in support of 1510 in any capacity. We need to rectify the situation. We need to find an equitable, responsible resolution to the child care dilemma. We must support, not alienate, the child care providers because they are providing the very core services that are absolutely necessary in meeting the TANIF participation rates. We're going to squeeze by this year due to go existing credits and dedicated, hardworking AME members who are doing more with less and that's a very dedicated staff in both the accounting and the day-care -- Child Care Division. But what's going to happen next year when the rates increase? If we're losing providers now it's really -- it's a hard situation. We're down to dollars and cents and just the fair and equitable resolution is necessary.

I am also here to support Legislator Romaine's HR07, the Home Rule Message to the New York State Legislature regarding the quarter percent sales tax. We got to get that moving definitely on the sales tax. And we also stand in support of the Budget Reform Commission, Resolution 1694 by Legislator Montano. We, too, feel that the -- we need to decrease the County's dependence on the fund balances. And I know I'm speaking to a very receptive audience. Thank you. Have a great day.

**P.O. LINDSAY:**

Thank you, Debra. I appreciate your comments. I do not have any more cards. Is there anyone else in the audience that would like to address the Legislature? Yes, please come forward, ma'am. You already spoke, right?

**MS. REYES:**

I just wanted to say something in regard to Mr. Sabatino --

**P.O. LINDSAY:**

Well, there's going to be a public hearing on the 21st, two weeks from today, and you'll have ample opportunity to not only say what you want but in a public hearing we can question the speaker so the dialogue will go on for awhile. Thank you very much. Is there anyone else who would like to speak that hasn't spoken? Seeing none, I'll accept the motion to close the public portion.

**LEG. ALDEN:**

Motion to close.

**P.O. LINDSAY:**

Motion to close by Legislator Alden, seconded by Legislator Eddington. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Sixteen.

**P.O. LINDSAY:**

I'll accept a motion to approve the consent calendar?

**LEG. LOSQUADRO:**

Motion.

**P.O. LINDSAY:**

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

**MR. LAUBE:**  
Seventeen.

**TABLED RESOLUTIONS**

**P.O. LINDSAY:**

Could all Legislators report to the horseshoe? We are starting the agenda. Okay. If you go to page six of the paper agenda, Resolutions Tabled to August 7, 2007. ***IR 2022-05, Making a SEQRA determination in connection with the proposed Francis S. Gabreski Airport redevelopment of LI Jet Center East, Inc., Town of Southampton.***

**LEG. SCHNEIDERMAN:**

Motion to table.

**P.O. LINDSAY:**

It has to be tabled.

**LEG. LOSQUADRO:**

Second.

**P.O. LINDSAY:**

I'll make a motion to table. Do we have a second? Second by Legislator Schneiderman. I'm sorry, I didn't see you over there.

All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

***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.*** Motion to table by Legislator Montano.

**LEG. COOPER:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

***IR 1952-06, A Local Law to require proper supervision at hotel and motel swimming pools.***

**LEG. COOPER:**

Motion to table.

**P.O. LINDSAY:**

Motion to table by Legislator Cooper. All in favor? Opposed? Abstentions? Do I have a second?

**LEG. EDDINGTON:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**LEG. SCHNEIDERMAN:**

Clerk, could you list me as recusing myself.

**MR. LAUBE:**

Yes, sir. Seventeen.

**P.O. LINDSAY:**

***IR 2290-06, A Local Law to require landlords to register with the Department of Probation prior to renting to sex offenders.***

**LEG. BROWNING:**

Motion to table.

**P.O. LINDSAY:**

Motion to table by Legislator Browning. Do I have a second? Second by Legislator Barraga. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

***IR 1120, Amending the Adopted 2007 Operating Budget and transferring funds in connection with the provision of Mercury-Free Vaccines.***

**LEG. STERN:**

Motion to table.

**P.O. LINDSAY:**

Motion to table by Legislator Stern. Second by Legislator Mystal.

**LEG. STERN:**

On the motion.

**P.O. LINDSAY:**

On the motion.

**LEG. STERN:**

Yes. I believe that all of my colleagues should have a copy of the letter provided to our office from the Commissioner of the Department of Health explaining the current status of the program. Everything seems to be working real well.

**P.O. LINDSAY:**

Thank you, Legislator Stern. I want to take this moment to thank our Commissioner for a very enlightening report in a prompt manner. Thank you very much, Commissioner Chaudhry. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*IR 1166, Authorizing planning steps for acquisition under Suffolk County Multifaceted Land Preservation Program (Zoumas property) Town of Riverhead (SCTM No. 0600-075.00-03.00-004.000).*

**LEG. ROMAINE:**

Motion to table.

**P.O. LINDSAY:**

Motion to table by Legislator Romaine, seconded by Legislator Vilorio-Fisher. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*IR 1359, 1359A, Amending the 2007 Capital Budget and Program and appropriating funds in connection with storm water system discharge remediation and stream water silt removal and remediation at the Nissequogue Tributary headwaters north from CR 76, Townline Road to Miller's Pond, Smithtown, Lake Ronkonkoma, Old Nichols Road, Corridor, and surrounding areas (CP 8710).*

**LEG. KENNEDY:**

Mr. Chair, we are still working with the town, so I'll make a motion to table in order to get the SEORA language right.

**LEG. ALDEN:**

Second.

**P.O. LINDSAY:**

Motion by Legislator Kennedy to table and a second by Legislator Alden. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

That makes 1369A the bond. Same motion, same second, on the table. Same vote. Is that all right with everyone?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*1431, Amending the 2007 Operating Budget and transferring funds for contracted services in the Department of Economic Development and Workforce Housing.*

**LEG. SCHNEIDERMAN:**

I would like to make a motion to approve. I have amended this bill and it no longer takes the money from DPW {rents} but it uses Omnibus that was assigned to other groups in my district and I just shifted it around to this one, Performing Arts Center.

**P.O. LINDSAY:**

I'll second the motion as long as it is money already allocated. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*1433, 1433A, Amending the 2007 Capital Budget and Program and appropriating funds in connection with traffic signal improvements at CR 111 and Halsey Manor Road (CP 5054).*

**LEG. ROMAINE:**

Motion to approve.

**P.O. LINDSAY:**

Motion to approve by Legislator Romaine.

**LEG. COOPER:**

Motion to table.

**LEG. COOPER:**

Motion to table by Legislator Cooper. Second by Legislator Alden to the motion to approve. Do I have a second to the tabling motion?

**LEG. D'AMARO:**

Second.

**P.O. LINDSAY:**

Second by Legislator D'Amaro. Anybody on the question?

Legislator Romaine.

**LEG. ROMAINE:**

On the question. The County wishes to install a flashing traffic signal at this intersection based on traffic counts. They would like to that charge off to the fire department that's planning to build a substation on an adjoining road that is not a County road, Halsey Manor Road. This is truly a County expense. The bill is for the County to put this up. I believe it's a \$75,000 expense to install a flashing light on this four lane divided highway.

**P.O. LINDSAY:**

Mr. Zwirn, I see you at the mike. Would you like to weigh in on this?

**MR. ZWIRN:**

If I might. Bill Hillman, the Chief Engineer for Public Works, is going to be here. We try to arrange for our staff to come in conjunction with how the calendar is running. We're going to put a call into him to ask him to come speak on this in particular. Is it possible we could pass over this for now and come back and meanwhile I'll have Mr. Hillman come right over.

**LEG. ROMAINE:**

I don't know what Mr. Hillman would add to this.

**P.O. LINDSAY:**

He's a traffic engineer.

**LEG. ROMAINE:**

I have no problem.

**MR. ZWIRN:**

Thank you.

**P.O. LINDSAY:**

*IR 1477, Appointing Arthur M. Sillman, Jr., as a member of the Suffolk County Vanderbilt Museum Commission (Trustee No. 9).*

**LEG. COOPER:**

Motion to table.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Seventeen.

**P.O. LINDSAY:**

***1571, Authorizing additional space for the Long Island Maritime Museum.*** I'm going to make a motion to approve. It has passed the Parks Trustees. Second by Legislator Alden. 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. COOPER:**

Motion to approve.

**P.O. LINDSAY:**

Motion to approve by Legislator Cooper. Do I have a second?

**LEG. HORSLEY:**

Second.

**P.O. LINDSAY:**

Second by Legislator Horsley. All in favor? Opposed?

**LEG. ALDEN:**

One question.

**P.O. LINDSAY:**

On the motion, Legislator Alden.

**LEG. ALDEN:**

Why was it tabled last session? Did that problem get cleared up?

**P.O. LINDSAY:**

Commissioner Gallagher.

**COMMISSIONER MEEK-GALLAGHER:**

Yes, it did. There was a few corrections that needed to be made. The amended version that you have in front of you is the corrected version. I verified it personally.

**LEG. ALDEN:**

Great.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*IR 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).*

**LEG. STERN:**

Motion to approve.

**LEG. D'AMARO:**

Second.

**P.O. LINDSAY:**

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

**P.O. LINDSAY:**

On the question, Legislator Alden.

**LEG. ALDEN:**

I had asked a few questions last time and I did get some satisfactory responses from the attorney that is representing the developer. However, I haven't had a full -- enough time really to go back in my records and make sure that none of the principals donated to my campaign so I'll recuse myself on this vote.

**LEG. STERN:**

On the motion.

**P.O. LINDSAY:**

On the motion, Legislator D'Amaro. Oh, Legislator Stern. I'm sorry.

**LEG. STERN:**

Yes.

**P.O. LINDSAY:**

I saw his lips starting to move and I thought he was speaking. Go ahead.

**LEG. STERN:**

Thank you, Mr. Presiding Officer. Yes, there were some questions raised at our last session, some questions that were outstanding that I believe we have answers to. This is a senior housing development in Melville with a 10% affordable housing component. This is exactly the kind of project that we should seek to hook up to the sewer system.

**P.O. LINDSAY:**

Legislator D'Amaro.

**LEG. D'AMARO:**

Yes. Good morning. If I could just add to what Legislator Stern just put on the record. I, too, took a look, a closer look at this, because it's in my district. It turns out that there is, in fact, that senior -- I'm sorry. There is in fact the workforce housing component that's mandated by the town when the property had been rezoned, and that is part of the covenants and restrictions that were imposed in connection with the rezoning of the property. And it was also a down zone, so if the rezoning had not taken place, in fact, it would have resulted in a higher density development with a septic system. So I think approving this sewer hook up is really moving in the right direction and protecting our groundwater at the same time. Thank you.

**P.O. LINDSAY:**

Thank you. Any other question on this? Okay. We have a motion and a second. All in favor? Opposed? Abstentions?

**LEG. ALDEN:**

Abstain.

**MR. LAUBE:**

Seventeen.

**LEG. ROMAINE:**

Abstain.

**MR. LAUBE:**

Sixteen.

**P.O. LINDSAY:**

Was there another abstention? You got it? Okay.

***IR 1627, Amending the hourly rate for temporary positions in the Suffolk County Classification and Salary Plan.*** Motion to approve by Legislator Browning, seconded by Legislator Vilorio-Fisher. I don't know, by the time we execute this most of the summer jobs will be over. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

### **Introductory Resolutions**

#### **Budget and Finance**

**P.O. LINDSAY:**

***1532, A Local Law to establish a legislative grant notification requirement.***

**LEG. ROMAINE:**

Motion to approve.

**P.O. LINDSAY:**

Motion to approve. Do we have a second?

**LEG. EDDINGTON:**

Second.

**P.O. LINDSAY:**

Second by Legislator Eddington. If I could ask Counsel for an explanation.

**MR. NOLAN:**

I just would remind Legislator Romaine that I spoke to your office yesterday about tabling this resolution to make a technical correction.

**LEG. ROMAINE:**

Oh, right. I'm sorry. I'll make a motion to table it. We need to make a technical correction so it would avoid any opportunity for veto based on language.

**LEG. EDDINGTON:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*1653, Amending the 2007 Operating Budget and transferring funds to offset the additional cost of poultry and beef required to feed inmates at the Suffolk County Correctional Facilities.*

**LEG. ROMAINE:**

Hungrier than anticipated.

**P.O. LINDSAY:**

Motion by Legislator Montano. Do I have a second?

**LEG. COOPER:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*1694, 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.*

**LEG. MONTANO:**

Motion.

**LEG. ALDEN:**

Second.

**P.O. LINDSAY:**

Motion by Legislator Montano, seconded by Legislator Alden. Anybody on the question? All in favor? Opposed? Abstentions?

**LEG. BARRAGA:**

Opposed.

**P.O. LINDSAY:**

One opposition.

**MR. LAUBE:**

Seventeen. (Leg. Barraga - Opposed).

**LEG. ROMAINE:**

Would the Clerk please list me as a cosponsor?

**Economic Development, Higher Education & Energy**

**P.O. LINDSAY:**

***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.***

**LEG. HORSLEY:**

Motion.

**P.O. LINDSAY:**

Motion to approve by Legislator Horsley.

**LEG. MYSTAL:**

Second.

**P.O. LINDSAY:**

Seconded by Legislator Mystal. On the question? On the question, Legislator Romaine.

**LEG. ROMAINE:**

You know, just philosophically I have concerns that we would establish another development cooperation that would operate kind of as a quasi-government without the County's working together through the normal channels of County government that we have to separate those functions to create another authority, agency, local development cooperation to accomplish this. That's my only concern with this piece of legislation. Obviously I agree with its intent. I just disagree with the way we should accomplish it.

**P.O. LINDSAY:**

Anybody else? Seeing none, all in favor? Opposed? Abstentions?

**LEG. ALDEN:**

Abstain.

**MR. LAUBE:**

Seventeen.

**P.O. LINDSAY:**

IR 1654 --

**LEG. ROMAINE:**

Two abstentions.

**MR. LAUBE:**

Sixteen on that last vote. (Legs. Romaine and Alden - Abstention)

**P.O. LINDSAY:**

***1654, Accepting and appropriating a grant proposal to the MetLife Foundation/Civic Ventures Community College Encore Career Project for the Encore Career Program 100% reimbursed by private funds at Suffolk County Community College.*** I don't understand. Why wasn't this on the consent calendar?

**LEG. CARACAPPA:**

Motion.

**D.P.O. VILORIA-FISHER:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*1675A, Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$4,500 Bonds to finance the cost of planning for pavement management rehabilitation at Gabreski Airport (CP 5739.110).*

**LEG. LOSQUADRO:**

Where did this come from?

**P.O. LINDSAY:**

I don't know, but let's get a motion and then we'll have some questions on this. Do I have a motion?

**LEG. LOSQUADRO:**

Motion to the table for the purposes of discussion.

**LEG. KENNEDY:**

Second.

**P.O. LINDSAY:**

Motion to table, seconded by Legislator Romaine, for the purpose of discussion. On the question, Legislator Viloría-Fisher you had a question?

**D.P.O. VILORIA-FISHER:**

My question is to Counsel or Budget Review or the County Executive's Office as to why we're bonding \$4,500.

**MR. NOLAN:**

I just would note that the underlying resolution was approved by a CN at the meeting. So the underlying resolution has already been approved. This is just a bonding resolution.

**D.P.O. VILORIA-FISHER:**

Okay. George, are you saying that in the underlying resolution we had stipulated that the money be bonded and so we can't change the method of financing that resolution?

**MR. NOLAN:**

The underlying resolution does indicate the money will be borrowed. That doesn't mean you have to approve the bonding resolution.

**D.P.O. VILORIA-FISHER:**

Okay. Budget Review, do you know why this is being bonded, \$4,500?

**MS. VIZZINI:**

I'm going to have to defer to the County Executive's Office in the absence of paperwork. I think one of the Aides went to get them.

**P.O. LINDSAY:**

Legislator Romaine.

**LEG. ROMAINE:**

Very simple, this Legislature should not be bonding out \$4,500. I think every member of this organization knows that, unless there is some urgent matter that we're not aware of, but this is a pay-as-you-go expense if I have ever seen one. This is not a bonding expense. We should defeat the bonding resolution.

**D.P.O. VILORIA-FISHER:**

Through the Chair, if I may. Legislator Romaine, that's why I'm asking the question, to see if there is some sort of extenuating circumstance as to why we would have this.

**P.O. LINDSAY:**

Mr. Kovesday just came back in the room. Maybe you can shed some light on this why we are bonding \$4,500.

**MR. KOVESDY:**

Good morning. If you could pass over this I will try to get you the information and get back to you in a little while. Thank you.

**P.O. LINDSAY:**

*IR 1686, 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 Students Project 100% reimbursed by Federal funds at Suffolk County Community College.*

**LEG. LOSQUADRO:**

Motion.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**Environment, Planning & Agriculture**

**P.O. LINDSAY:**

*IR 1489, Amending the Adopted 2007 Operating Budget to transfer funds from Fund 477 Water Quality Protection, amending the 2007 Capital Budget and program, and appropriating funds in connection with Suffolk County Eelgrass Restoration Initiation (CP 8710.118).*

**D.P.O. VILORIA-FISHER:**

Motion to approve.

**LEG. EDDINGTON:**

Second.

**LEG. ROMAINE:**

Second.

**P.O. LINDSAY:**

Motion by Legislator Viloría-Fisher to approve. Seconded by Legislator Eddington.

**LEG. ALDEN:**

On the motion.

**P.O. LINDSAY:**

On the motion, Legislator Alden.

**LEG. ALDEN:**

Can I just get a quick explanation and also if this has been out of 477 funds in the past or any other project that is even remotely close to this type of project?

**P.O. LINDSAY:**

Ms. Vizzini, do you have any -- can you shed any light on this appropriation?

**LEG. ALDEN:**

Who's Chair of --

**D.P.O. VILORIA-FISHER:**

I'm the Chair.

**LEG. ALDEN:**

I have another question to the Chair, then. The connection to water protection, eel grass restoration is --

**D.P.O. VILORIA-FISHER:**

Eel grass restoration is very important because eel grass is not one of the invasive species and so if you have a healthy marshland and body of water with eel grass it will help prevent the invasives from intruding.

**LEG. ALDEN:**

Okay, but what's -- that's good for --

**D.P.O. VILORIA-FISHER:**

And you can have all the organisms that live around the eel grass.

**LEG. ALDEN:**

Right. But the argument in the past for 477, and sometimes I would buy it, but, you know, on this, this might be a little bit of a stretch. If this is part of the filtration system for water going back to the bay, if that argument was presented at committee I might be persuaded to vote for this. But this seems like just another raid on the 477 account.

**D.P.O. VILORIA-FISHER:**

No, it's not, because this is really an important element of our storm water remediation and the health of our surface waters.

**LEG. ALDEN:**

And that argument was made at the --

**D.P.O. VILORIA-FISHER:**

Yes, it was made. We had two presentations --

**LEG. ALDEN:**

So the filtration argument was made.

**D.P.O. VILORIA-FISHER:**

Yes.

**LEG. SCHNEIDERMAN:**

Can I add to this?

**P.O. LINDSAY:**

Go ahead. Legislator Schneiderman.

**LEG. SCHNEIDERMAN:**

Eel grass provides the safety -- the safe habitat for scallops in particular. So -- and scallops do a lot of the filtering itself. So if they don't have the habitat to, particularly for the young scallops, to protect themselves from predators then you lose that natural filtering ability to clean up the water.

**LEG. ALDEN:**

Where do we have scallops?

**LEG. SCHNEIDERMAN:**

Well, we used to have a lot of them.

**LEG. ALDEN:**

Yeah, I know. I was around. We don't have any now.

**LEG. SCHNEIDERMAN:**

One of the reasons we don't is we've lost a lot of eel grass beds and they have been doing all kinds of experiments to try to bring eel grass back, including even artificial --

**LEG. ALDEN:**

Well, now you are making an argument that loses me as far as taking it out of 477. If you want to repopulate the scallop, then that should be a different program.

**LEG. SCHNEIDERMAN:**

You can't populate scallops without giving them the habitat. The eel grass provides the habitat.

**LEG. ALDEN:**

Right. That should be a different type of program then.

**LEG. SCHNEIDERMAN:**

You are losing me. This is for eel grass restoration.

**LEG. ALDEN:**

Yeah, but it is out of the 477.

**LEG. SCHNEIDERMAN:**

Right, because it gives the scallops the habitat. The scallops themselves filter out the water. So it is essentially a water quality project. I don't have a problem with funding out of 477.

**LEG. ALDEN:**

Scallops die from road runoff. Road runoff kills clams, it kills scallops, so I'm not sure I buy that.

**LEG. SCHNEIDERMAN:**

They also die from a lack of habitat. You are providing habitat.

**P.O. LINDSAY:**

Just make a statement instead of debate. Legislator Losquadro, do you want to weigh in?

**LEG. LOSQUADRO:**

I was going to follow-up on the little anatomy lesson there on the scallop, which they are bivalve and they actually filter and clean the water. So providing a habitat for them in which they can thrive

and breed will actually help to clean the water.

**LEG. ALDEN:**

Okay. So a specific question. Road runoff doesn't affect the scallop?

**P.O. LINDSAY:**

Legislator Alden.

**LEG. ALDEN:**

I'm sorry, Mr. Presiding Officer.

**P.O. LINDSAY:**

That's all right.

**D.P.O. VILORIA-FISHER:**

Can I just expand -- were you done?

**LEG. LOSQUADRO:**

Road runoff is obviously something that is detrimental, but it's not the only function of water quality proper money.

**LEG. ALDEN:**

Okay. Then in your mind you tell me what you think the connection is between 477 money and this program.

**LEG. LOSQUADRO:**

I thought I had explained that.

**LEG. ALDEN:**

I didn't catch it.

**LEG. LOSQUADRO:**

That these -- that scallops actually help to filter the water, so by providing a habitat in which they can thrive and breed will actually help to clean the water.

**D.P.O. VILORIA-FISHER:**

I may just -- would you yield?

**P.O. LINDSAY:**

I am going to recognize you right now.

**D.P.O. VILORIA-FISHER:**

Okay.

**P.O. LINDSAY:**

Legislator Vilorina-Fisher.

**D.P.O. VILORIA-FISHER:**

When we have had a healthy marshland the marshland is considered the kidneys of our ecosystem. In other words, the storm runoff before it reaches the surface water is filtered through our marshlands. When you have invasive species that choke our marshland you prevent them from acting as the kidneys of our ecosystem. So not only does the eel grass provide the filtration, it provides a habitat. And the reason it seems like we are going around in circles is because we're talking about an environmental community. It's a whole community. You have the plant life, you have the animal life, and they are dependent on one another.

When we look at what's happened in the Forge River where you had invasive species died and

choked out all the -- okay, because it's an ecosystem. That's what became a little confusing. What happened in the Forge River, there was so many invasives that they deoxygenated the water because as they died they took the oxygen, okay. Deoxygenated the water. When we have eel grass, when we have a healthy ecosystem, we don't allow the invasives to come in and so we keep a healthy, robust filtration system. Great byproduct is that it becomes a wonderful habitat for our shellfish who do further filtration for our surface waters. And so it's not primarily just for scallops, but scallops will be a perfect byproduct. I mean, I'm not a biologist. I'm just doing my best to explain how it was explained to us.

**LEG. ALDEN:**

I appreciate that. Thank you.

**P.O. LINDSAY:**

Legislator Eddington.

**LEG. EDDINGTON:**

Yes. I'd like to thank my fellow Legislators for the marine science lesson, and I would definitely support this because this is -- seems to be one of the times that we're trying to be proactive and I want to see more of that type of behavior with the Suffolk County Legislature. So I will be supporting it.

**P.O. LINDSAY:**

John. Legislator Kennedy.

**LEG. KENNEDY:**

Thank you, Mr. Chair. Just a quick comment on this. You know, eel grass plays an important function and I think that it is something that ultimately does lead to water quality. Nevertheless, I do think that it's prudent to question some of the benefit that we get because we continue to see the funds that are associated in our 477 accounts available for simple bricks and mortar projects dwindling at a perilous rate. And as we continue to try to fund some of these initiatives that may be a little bit more remote, we're losing the ability to go ahead and keep road runoff out of our areas that are leading to the direct recharge for our aquifer.

So I think it's again another example of a choice that we're presented with many times, and unfortunately we have a policy where we have more and more County employees on a payroll for a fund that I believe, and we have the benefit of Legislative sponsors here who created it, never had the intent of having it be an off-budget source of salary. That's why we are in this position where we have ever dwindling resources to do the capital improvements we want. So I support this, but once again, we are in, you know, a dilemma because of an overriding policy.

**P.O. LINDSAY:**

Legislator Romaine.

**LEG. ROMAINE:**

Very quickly. Legislator Kennedy hit the nail right on the head. The question, and this is a worthwhile initiative to support, but the question we, many of us around this horseshoe are concerned about, is the use of 477 money to prop up the ordinary salaries of those civil servants and appointees in County government as a way of subsidizing that as opposed to doing the water quality projects, the capital projects that this money was intended for. Storm water remediation being chief among those. We wonder why our bays, our corridors, our stream ways are being polluted and the major culprit, right after cesspool waste, the major culprit tends to be road run-off. We are losing an opportunity to keep our waterways clean each and every day we divert this money to salaries. It wasn't intended for that purpose. Thank you.

**P.O. LINDSAY:**

Okay.

**COMMISSIONER MEEK-GALLAGHER:**

Any questions that I could help answer?

**LEG. ALDEN:**

From my point of view maybe we should just stop right here and vote it.

**P.O. LINDSAY:**

That was a very enlightening presentation, Commissioner. I appreciate that.

**D.P.O. VILORIA-FISHER:**

And I'm glad you weren't here when I did my marine sciences presentation.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**LEG. SCHNEIDERMAN:**

Co-sponsor.

**LEG. EDDINGTON:**

Co-sponsor.

**LEG. LOSQUADRO:**

Co-sponsor.

**LEG. BROWNING:**

Co-sponsor.

**LEG. ROMAINE:**

Co-sponsor.

**P.O. LINDSAY:**

*1634, Authorizing acquisition of land under the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund - Hamlet Parks component - for the Lewis Oliver Property (Town of Huntington, Village of Northport - SCTM Nos. 0404-011.00-02.00-004.000, 005.000, 006.000, 007.000 and 008.01).*

**LEG. COOPER:**

Motion to approve.

**LEG. D'AMARO:**

Second.

**P.O. LINDSAY:**

Motion by Cooper, seconded by Legislator D'Amaro. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*1665, Authorizing the acquisition of Farmland Development Rights under the New Suffolk County Drinking Water Protection Program for the Schmitt and Zilnicki property - Town of Riverhead (SCTM No. 0600-042.00-02.00-002.001 p/o).*

**LEG. ROMAINE:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Romaine. Do I have a second?

**D.P.O. VILORIA-FISHER:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*1679, 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 (SCTM No. 0200-984.60-03.00-021.000).*

**LEG. BROWNING:**

Motion to approve.

**P.O. LINDSAY:**

Motion by Legislator Browning to approve. Do I have second?

**LEG. CARACAPPA:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*1680, Authorizing the acquisition of lands 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. 0200-98460-04.00-005.000).*

**LEG. BROWNING:**

Motion to approve.

**LEG. LOSQUADRO:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*1681, Authorizing the acquisition of lands 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).***

**LEG. BROWNING:**

Motion.

**LEG. LOSQUADRO:**

Second.

**P.O. LINDSAY:**

Same motion, same second, same vote. All right with everybody?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

***1682, Authorizing the acquisition of Farmland Development Rights under the Suffolk County Save Open Space (SOS), Farmland Preservation and Hamlets Parks fund - Farmland component - for the Thomas Conklin property - Town of Southampton (SCTM No. 0900-049.00-01.00-008.006).***

**LEG. SCHNEIDERMAN:**

Motion.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

***1683, Authorizing acquisition of land under 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 (SCTM No. 0200-037.00-04.00-037.000).***

**LEG. ROMAINE:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Romaine, second by Legislator Losquadro. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**LEG. ROMAINE:**

If I'm not listed as a cosponsor, please do so.

**LEG. LOSQUADRO:**

Myself as well.

**P.O. LINDSAY:**

***1684, 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).*** Motion by Legislator Browning, seconded by Legislator Eddington. All in favor? Opposed? Abstentions?

**LEG. EDDINGTON:**

List me as a co-sponsor.

**P.O. LINDSAY:**

And Legislator Browning as well?

**LEG. BROWNING:**

I'm already.

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

***1685, 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).***

**LEG. BROWNING:**

Motion to approve.

**LEG. LOSQUADRO:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

***1688, Authorizing acquisition of land under the New 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).***

**LEG. BROWNING:**

Motion to approve.

**D.P.O. VILORIA-FISHER:**

I'll second.

**P.O. LINDSAY:**

Okay. Motion by Legislator Browning, second by Legislator Viloría-Fisher. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

**1689, Authorizing acquisition of land under the Suffolk County Multifaceted Land Preservation Program - Open Space Preservation Program - for the Farley property - South Snedecor Avenue addition - Town of Islip (SCTM No. 0500-411.00-02.00-011.001).**  
I'll make the motion.

**LEG. EDDINGTON:**  
Second.

**P.O. LINDSAY:**  
Second by Legislator Eddington. All in favor? Opposed? Abstentions?

**LEG. ALDEN:**  
Mr. Chairman.

**P.O. LINDSAY:**  
Yes.

**MR. LAUBE:**  
Eighteen.

**LEG. ALDEN:**  
I have a request. I think what we did just now is very laudable and I don't know who this request should go to, possibly the Chairman or Chairwoman of this committee. But under the current operating procedures and the laws on the books, when we buy open space I still think that there's a requirement that we have X number of park police per acre. I don't know if we ever changed that. And there's a number of other operational type of laws that are on the books to preserve these. Some of them are in pristine conditions, some of them as operating parks.

I think that it's time that we have a presentation to be assured that we're doing what we are supposed to do and what's required under the law. So if somebody could, you know, get a presentation from the appropriate County department and get that information out to us because we have just purchased or authorized the purchase of a lot of land.

**P.O. LINDSAY:**  
Legislator Viloría-Fisher.

**D.P.O. VILORIA-FISHER:**  
I definitely appreciate that, but I'm going to, not because I'm begging the issue, but I think it's the purview of the Parks Committee, to ask Legislator Nowick.

**LEG. ALDEN:**  
I don't believe we are in compliance with the law.

**P.O. LINDSAY:**  
Could I just -- before we turn it over to someone else let me just weigh in.

**D.P.O. VILORIA-FISHER:**  
I'm not turning it over to her. I'm just saying I think it would be Legislator Nowick to invite the Commissioner to come.

**P.O. LINDSAY:**  
The working group last year in the Operating Budget did two things. First of all, we modified the policy and took out the farm preservation piece because the way it was interpreted before we needed park police for all the land that we're preserving for farmland, which is really operated by private operators and we really don't need police on those. And then we additionally added five park police to the budget to comply with the resolution you talked about. So on the books we were in compliance last year at the operating budget. Whether those positions were filled I don't know.

**LEG. ALDEN:**

And that's a question.

**P.O. LINDSAY:**

But it's something that as our holdings increase the working group should look at again this year, because we keep buying more and more property, and if we do not have the staff to protect it and oversee it, what are we doing? You know, what are we doing.

**LEG. ALDEN:**

That's my request.

**P.O. LINDSAY:**

I mean, just going back to something that affects you and Legislator Kennedy and Legislator Caracappa, Raynor Park. You know, the vandalism over there is awful and all I keep hearing is we don't have enough park police to patrol the park. We just spent a couple of million dollars there. What are we doing? Legislator Romaine.

**LEG. ROMAINE:**

I just would raise a point of information that perhaps as Presiding Officer you could check into. If that law isn't being complied to I'm not aware of it and I believe there's another law that requires the County Executive quarterly to report to the Legislature all laws that are on the books that he is not enforcing.

Could you check into that and see why that -- I assume, since I didn't get a report, that the County Executive is enforcing all laws currently on the books in Suffolk County. Could you check into that, because I believe there's an obligation for the Executive to provide us a quarterly report as to all laws that he has chosen not to enforce.

**P.O. LINDSAY:**

That's note one. Okay.

### *Health & Human Services*

***1473, Approving the appointment of Ingo J. Gloeckner to the Suffolk County Disabilities Advisory Board - Group C.*** Do I have a motion?

**LEG. MYSTAL:**

Motion to approve.

**P.O. LINDSAY:**

Motion by Legislator Mystal. Is there a second?

**LEG. EDDINGTON:**

Second.

**P.O. LINDSAY:**

Second by Legislator Eddington.

**LEG. ALDEN:**

Point of information. Did they show up?

**LEG. MYSTAL:**

Yes.

**LEG. ALDEN:**

Good. Thank you.

**P.O. LINDSAY:**

Okay. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*IR 1504, Authorizing application to the New York State Department of Health for approval of the transfer of the Suffolk County Department of Health Services, Division of Emergency Medical Services, to the Department of Fire, Rescue and Emergency Services.*

**LEG. MYSTAL:**

Motor to table.

**P.O. LINDSAY:**

Motion to table by Legislator Mystal. Do I have a second?

**LEG. ALDEN:**

I'll second.

**P.O. LINDSAY:**

Second by Legislator Alden.

**LEG. LOSQUADRO:**

Just on the motion, very quickly.

**P.O. LINDSAY:**

On the motion, Legislator Losquadro.

**LEG. LOSQUADRO:**

I think it would -- I wasn't at the Health meeting, obviously I'm not on that committee. Is FRES amenable to moving EMS?

**LEG. MYSTAL:**

Yes, they are. But there are some other questions. I think Mr. Brown is at the podium and wants to speak.

**P.O. LINDSAY:**

Mr. Brown, could you enlighten us? I see Commissioner Chaudhry in the background as well. I'm interested in why we are tabling it as well. Go ahead.

**MR. BROWN:**

I could answer some of the questions, of course. At the Health Committee Joe Williams did indicate his -- that he was in favor of this. He also indicated that there would be -- that there would -- that this would not proceed in the event that there wasn't loss of any funding. The Law Department is working with the New York State Law Department to make sure that all technical requirements are met. The -- Joe Williams also, who will be here later from what I understand, indicated that there was a similar type of program in Westchester County and also that in -- that the districts have signed on, I think all but two, for the program as well.

**P.O. LINDSAY:**

Could I -- just enlighten me what districts. The fire districts?

**MR. BROWN:**

The ambulance service districts.

**P.O. LINDSAY:**

I see. Okay. And I got a whole bunch of questions. Legislator Mystal, you really had the floor. Legislator Mystal. Legislator Mystal.

**LEG. MYSTAL:**

Yes.

**P.O. LINDSAY:**

Did you want to follow-up?

**LEG. MYSTAL:**

Yes. The technical, the reason why we wanted to table it was because there was some questions that were to be answered. If you could pass over it and I think the Commissioner can come in this afternoon and clear up the question. Most of it had to do with money.

**P.O. LINDSAY:**

Okay. So you want Commissioner Williams here this afternoon.

**LEG. MYSTAL:**

Yes. The question has to do with money and Commissioner Chaudhry is also here. Had to do with the transfer of money from that department to a department. We wanted to make sure that the County does not lose any money in that transfer, when we do transfer the division to FRES from Health Department. I think Commissioner Williams was going to check to make sure that we are not going to lose any money. He said he would be here today to answer this question. If he is here to answer the question and give us the right answers, then I have no problem approving this resolution.

**P.O. LINDSAY:**

Okay.

**MR. BROWN:**

My understanding is that he will be here this afternoon. And also as it moves through the application process if there is a loss of money it would not go forward.

**P.O. LINDSAY:**

I'm going to continue the dialogue, and I'm not, you know, rejecting the idea. We're skipping over it until Commissioner -- but there is some other Legislators that would like to weigh in. Legislator Kennedy.

**LEG. KENNEDY:**

Thank you, Mr. Chair. I did support this in committee, but with Dr. Chaudhry here, Mr. Chair, if I can just ask him to speak a little bit more about one of the questions that I had in committee about the operations of the actual ambulance districts? And the fact that the ambulance volunteers do operate on under the medical license, I believe, of the EMS Director and is that process still going to be validated by virtue of this merging or transfer. Can you tell us about that, Doctor.

**COMMISSIONER CHAUDHRY:**

Sure. Thank you, Mr. Chairman and members of the Legislature. This resolution merely asks for permission to go ahead and apply to New York State. As far as the specific question is concerned, what this resolution seeks to do is to codify and strengthen which -- something that is existing practice and that is day to day operations to be run by FRES and Commissioner Williams is in support and will speak later this afternoon about this. The Department of Health Services will retain

medical oversight over any aspects of EMS that require medical oversight. So as far as credentialing and moving ahead with things like that, with the physicians and the ambulance corp, the medical oversight will retain -- will be retained in the Department of Health Services.

**LEG. KENNEDY:**

And so, Doctor, that protocol, any decisions that are made as far as how a volunteer ambulance team responds at an emergency site -- in other words, medical decisions are going to remain with medical people. Is that correct?

**COMMISSIONER CHAUDHRY:**

That is correct.

**LEG. KENNEDY:**

Okay. Fine.

**P.O. LINDSAY:**

Legislator Alden.

**LEG. ALDEN:**

As far as a chain of command, do they have to go through FRES first to get to your department for medical questions or would it be handled directly.

**COMMISSIONER CHAUDHRY:**

Some of the details would have to be worked out in a memorandum of understanding, but the way this would work is already FRES plays a major role in running Emergency Medical Services. It actually is part of the E in FRES. So what we would do is work with the FRES Commissioner in making sure that any medical oversight, medical concerns, or medical questions are addressed, but really day to day operations and control and oversight would be with the FRES Commissioner.

**LEG. ALDEN:**

And I think that just touches on my major concern here, because when you start putting emergency medical services, medical -- the people in FRES are not, you know, they are not all licensed physicians or licensed for any of that type of -- or some of the type of emergency services that they have to give. So you would still retain control over what is appropriate in the medical end of it?

**COMMISSIONER CHAUDHRY:**

That is correct. And I should also mention that there is some precedence for this. Westchester County also has a similar arrangement. We're not doing something that's necessarily brand new.

**LEG. ALDEN:**

Are you going to be available later on? Because it sounds like we might end up skipping over this.

**P.O. LINDSAY:**

Well, it's up to you guys.

**LEG. ALDEN:**

I'd prefer to hear from FRES also, but I really would like to hear a little bit more testimony from both of you, with both of you there that you can work out as far as protocol between medical questions --

**COMMISSIONER CHAUDHRY:**

Sure. I'd be happy to answer any additional questions. The other comment I would like to make is something that Commissioner Williams said at the Health and Human Services Committee and that is that neither the Department of Health Services nor the FRES would move forward with this if any penny of Article 6 funding with the Public Health Law would be jeopardized. So that is the other

point. This is just an application to see if we can move forward. If there is any risk to the money we are not going to move forward.

**LEG. ALDEN:**

Oh, okay. So we still would have another opportunity that if all the details cannot be worked out and you'd still get New York State approval, it would come back here?

**COMMISSIONER CHAUDHRY:**

That is my understanding.

**LEG. ALDEN:**

All right.

**LEG. MYSTAL:**

Through the Chair.

**P.O. LINDSAY:**

Yes, Legislator Mystal.

**LEG. MYSTAL:**

Through the Chair. Legislator Alden, most of the questions that you are asking, if not all of them, were addressed at the committee level. And it seems to me that Commissioner Williams and Commissioner Chaudhry were in sync as to what they wanted to do. And there will be a review between the two departments as to what ability and what duties each will have. The question that arose was one of money and as Commissioner Chaudhry just said, is that we will proceed with anything in terms of Fthis transfer if we found from either the Federal Government or the State that we were going to lose any money if we did that. So that's the question that we had and Commissioner Williams -- so I can withdraw -- no, I can withdraw my motion to table and make a motion to approve because we had approved it in committee and I think my question has been answered, you know, by Mr. Brown really.

**P.O. LINDSAY:**

Okay. So I have a motion to approve. Do I have a second?

**LEG. COOPER:**

Second.

**P.O. LINDSAY:**

Second by Legislator Cooper, to approve it. So we're not going to, you know, Legislator Mystal seems satisfied. He doesn't want to pass over it and wants to approve it at this point because it's a preliminary step towards --

**LEG. MONTANO:**

Did he withdraw the motion to table?

**P.O. LINDSAY:**

Yes, he did.

**LEG. MONTANO:**

Okay. That's what I didn't hear. Thank you.

**LEG. ALDEN:**

So just to make sure that we are correct on this, if we pass this it gives you the opportunity to apply to New York State, and then you'd still have to come back to us with a detailed plan, including the answer to the question if we are going to lose any money.

**COMMISSIONER CHAUDHRY:**

That's correct.

**LEG. ALDEN:**

Okay. Good.

**LEG. MYSTAL:**

We have a second by D'Amaro.

**P.O. LINDSAY:**

Everybody satisfied? Okay. Thank you, Commissioner Chaudhry.

**LEG. LOSQUADRO:**

Mr. Chairman?

**P.O. LINDSAY:**

Yes, Legislator Losquadro.

**LEG. LOSQUADRO:**

Before we go on I would just like to get one thing off of our plate. If we could just go back for a moment to 1675A, the bond.

**P.O. LINDSAY:**

Well, let me --

**LEG. LOSQUADRO:**

I got a copy of the bill.

**P.O. LINDSAY:**

But let me vote on this first and then I'll be happy to recognize you, okay, because we're right in the middle of this debate. On 1504, all in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

And now I recognize Legislator Losquadro.

**LEG. LOSQUADRO:**

My apologies, Mr. Chairman. I thought you had already called the vote. Back to 1675A, I pulled up a copy that had come before us as a Certificate of Necessity and I'd like to read you the title which says, "Accepting a grant award from the United States FAA and appropriating funds in the 2007 Capital Budget and Program in connection with the pavement management rehabilitation at Gabreski Airport". That's the title of the CN that we approved, accepting a grant award, yet buried in the back in it is a \$4,500 bond with a \$554.11 interest charge. So this was a CN that we approved. I'm certainly not inclined to approve that bond, especially given -- in light of the title of the CN that we approved. So I'll make a motion to table.

**LEG. SCHNEIDERMAN:**

Can I comment.

**P.O. LINDSAY:**

Does that mean you're going to give one of your aides a raise? Legislator Schneiderman.

**LEG. SCHNEIDERMAN:**

It's typical with FAA grants that there is some local component. It is usually about 5%. So it's

probably 95% of the money is coming from the FAA. And we have yet to hear why it's being bonded, I agree. It probably cost more to do the paperwork for that bond, you know, paying bond counsel, than we're borrowing, so that ought to be adjusted. But I don't want to see it held up, in a sense. We'll just get the information. I'm sure they can find 4,500 somewhere and we can move forward. I don't want to lose the FAA money.

**P.O. LINDSAY:**

Okay.

**MR. BROWN:**

The grant, it's \$171,000 from the Federal Government, \$4,500 from New York State, \$4,500 for the County. If the Legislature wishes we would -- we have the ability to amend the original resolution and pay it other -- the other way. It would take one more cycle if you want to do it that way. Tabling wouldn't be the best way. Either we amend the original resolution or you pass this one, either or. We'll do whatever you prefer.

**LEG. ROMAINE:**

Do a CN.

**LEG. SCHNEIDERMAN:**

Can you do a CN?

**LEG. ALDEN:**

Not from the 477 account, though.

**P.O. LINDSAY:**

Can you guys do that? Can you come back with the -- instead of me voting on this now can we just come back with a CN to take the \$4,500 out of pay-as-you-go or something and get it disposed of instead of leaving it on the agenda?

**MR. BROWN:**

We will try to do that. Thank you.

**LEG. LOSQUADRO:**

I'll withdraw my motion.

**P.O. LINDSAY:**

***1512, A Local Law to strengthen County Policy enhancing zoning and building code enforcement by Suffolk County towns and villages.***

**LEG. CARACAPPA:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Caracappa.

**LEG. BROWNING:**

Second.

**LEG. MONTANO:**

Explanation.

**P.O. LINDSAY:**

Second by Legislator Browning. And I'm being asked an explanation by who?

**LEG. MONTANO:**

Explanation.

**P.O. LINDSAY:**

Legislator Montano wants an explanation.

**LEG. CARACAPPA:**

Counsel, you got this one too?

**MR. NOLAN:**

If you want to take it.

**LEG. CARACAPPA:**

This is basically an amendment to the bill that the County Executive and I sponsored, I guess a year ago or so, that gives the financial incentives to the townships for enhancing their zoning and housing codes. In an effort to help the towns reach that point in amending their codes to strengthen their housing codes and zoning codes we made an adjustment to the original bill.

**LEG. MONTANO:**

I may.

**LEG. CARACAPPA:**

If counsel wanted to tell what that change was.

**LEG. MONTANO:**

Okay.

**MR. NOLAN:**

The original bill, which creates a monetary incentive to towns and villages if they change their code and create a rebuttable presumption of the code violation, if there are two mailboxes or two meters, etcetera. That law also had a requirement. After a town or village received evidence that created that presumption that they had to go to the owner of the property and ask them to provide an affidavit or statement saying that they were, in fact, in compliance with the code.

This law is deleting that requirement, that the town actually go to the owner and ask them for a statement or an affidavit saying that they're in compliance with the code and also gets rid of the requirement that the town or village impose upon the owner a fine in the event he fails to provide a verified statement to that effect.

**LEG. MONTANO:**

So just so I understand this. This actually -- I'm looking at, I pulled it up on the computer, and it says requires such town or village after obtains presumptive evidence. You're saying that that's being deleted?

**MR. NOLAN:**

That's being deleted.

**LEG. MONTANO:**

And the other part where we empower towns and villages to impose upon the owner of the building a fine; that's being deleted?

**MR. NOLAN:**

That section is being deleted as well.

**LEG. MONTANO:**

Oh, okay. I think it should be deleted.

**LEG. CARACAPPA:**

As it relates to the affidavit.

**MR. NOLAN:**

Correct.

**P.O. LINDSAY:**

Okay. We have a motion and a second. Mr. Zwirn, did you want to comment on this?

**MR. ZWIRN:**

No, just that the County Executive -- we worked on this amendment with the Towns of Huntington and Brookhaven because they want to opt into the plan but they wanted a little more flexibility. So in order to accommodate them and get them on board we've made this change.

**LEG. MONTANO:**

But the change is to delete.

**MR. ZWIRN:**

Yes.

**P.O. LINDSAY:**

Okay. I recognize Legislator Viloría-Fisher.

**D.P.O. VILORIA-FISHER:**

I have a question for the Chair of the committee. I understand that there were some objections to this in committee. Was it from the Long Island Housing Partnership that had objections and can you just let us know what they were?

**LEG. MYSTAL:**

The Long Island Housing Partnership thought that this bill might somehow put an obstacle in the way of workforce housing. That's what they thought. And I didn't agree with the idea.

**D.P.O. VILORIA-FISHER:**

Okay.

**LEG. MYSTAL:**

The letter was very -- they sent a letter saying that they are not in favor of this bill because they think it might be an impediment to the development of workforce housing.

**D.P.O. VILORIA-FISHER:**

But they didn't give specifics on how?

**LEG. MYSTAL:**

No, there was just, I guess a philosophical point of view that they have. And it was just a letter.

**D.P.O. VILORIA-FISHER:**

Okay. Thank you.

**P.O. LINDSAY:**

Legislator Montano, do you have another question?

**LEG. MONTANO:**

Well, I'm just trying to pick up on the language where it deletes these two sections. Oh, that's because they are bracketed?

**MR. NOLAN:**

Yes.

**LEG. MONTANO:**

Okay. I got you.

**P.O. LINDSAY:**

Everybody okay now?

**LEG. MONTANO:**

Okay.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**LEG. D'AMARO:**

Please list me as a cosponsor on that.

**MR. LAUBE:**

Yes, sir.

**P.O. LINDSAY:**

Everybody okay? *IR 1673, Declaring September 2007 as "Polio Awareness Month" in Suffolk County.*

**LEG. ROMAINE:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Romaine.

**LEG. D'AMARO:**

Second.

**P.O. LINDSAY:**

Second by Legislator D'Amaro. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*1696A, Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$155,000 Bonds to finance the cost of a study in connection with the proposed Tick Eradication Project (CP 4085.110).*

**LEG. ROMAINE:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Romaine.

**LEG. SCHNEIDERMAN:**

Second.

**P.O. LINDSAY:**

Second by Legislator Schneiderman. I have a question. Why didn't we address the bond with the original resolution?

**MR. NOLAN:**

I believe this came on as a Certificate of Necessity and there just was no bond resolution. Bond counsel couldn't prepare it in time for the last meeting.

**P.O. LINDSAY:**

I see. Okay. So we have a motion and a second on the bond resolution. Roll call.

**(\*THE ROLL WAS CALLED BY TIM LAUBE, CLERK OF THE LEGISLATURE\*)**

**LEG. ROMAINE:**

Yes.

**LEG. SCHNEIDERMAN:**

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:**

No.

**LEG. ALDEN:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. EDDINGTON:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. CARACAPPA:**

Yes.

**LEG. BROWNING:**

Yes.

**D.P.O. VILORIA-FISHER:**

Yes.

**P.O. LINDSAY:**

Yes.

**MR. LAUBE:**

Seventeen.

**Parks & Recreation**

**P.O. LINDSAY:**

*1660, Authorizing a management plan for the Commerdinger property.*

**LEG. KENNEDY:**

I will make a motion to approve, Mr. Chair.

**P.O. LINDSAY:**

Motion by Legislator Kennedy. Second by Legislator Cooper. On the question? I see none. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*1667, Authorizing use of the Long Island Maritime Museum by the Rotary Club of Sayville for Annual Beefsteak Fundraiser. I'll make a motion.*

**LEG. EDDINGTON:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*1671, 1671A, Appropriating funds in connection with improvements to County Marinas (CP 7109).*

**LEG. NOWICK:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Nowick.

**LEG. STERN:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

On the accompanying bond resolution 1671A, same motion, same second. Roll call.

**(\*THE ROLL WAS CALLED BY TIM LAUBE, CLERK OF THE LEGISLATURE\*)**

**LEG. NOWICK:**

Yes.

**LEG. STERN:**

Yes.

**LEG. COOPER:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. MYSTAL:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. BARRAGA:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. EDDINGTON:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. CARACAPPA:**

Yup.

**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:**

*IR 1672, Linking County park fees for Community Emergency Response Team volunteers to park fees for senior citizens.*

**LEG. ROMAINE:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Romaine.

**LEG. COOPER:**

Second.

**P.O. LINDSAY:**

Second by Legislator Cooper. Any questions on the motion? Legislator Losquadro.

**LEG. LOSQUADRO:**

I'm just a little confused. Which one is lower now? Is this giving the same rate as senior citizens to the CERT volunteers?

**LEG. ROMAINE:**

Yes.

**LEG. LOSQUADRO:**

Or is it giving --

**LEG. ROMAINE:**

The rate is that senior discount to CERT.

**LEG. LOSQUADRO:**

I just wanted to clear that up. Thank you.

**P.O. LINDSAY:**

I just have a question to the Chair of Parks. Was the Commissioner and the Parks Trustees okay with this? Did this get all the necessary approvals?

**LEG. NOWICK:**

There was nobody to speak against this at the meeting.

**P.O. LINDSAY:**

Okay. It just seems to me that we are giving discounts to a lot of people. I wonder if anybody is paying the full rate.

**LEG. MYSTAL:**

Yes, Legislators.

**P.O. LINDSAY:**

Right.

**LEG. NOWICK:**

How old do you have to be a senior citizen and get a discount?

**P.O. LINDSAY:**

I ain't old enough. Don't go there. All in favor? Opposed? Abstentions? I'll pay the full price.

**MR. LAUBE:**

Eighteen.

**LEG. CARACAPPA:**

Bill, you have to recuse yourself on that one, right?

**P.O. LINDSAY:**

That's was a low blow, Joe.

**Public Works & Transportation**

***1639, 1639A, Amending the 2007 Capital Budget and Program and appropriating funds in connection with safety improvements on CR 3, Wellwood Avenue in the Village of Lindenhurst, Town of Babylon (CP 5001).***

**LEG. HORSLEY:**

Motion to approve.

**P.O. LINDSAY:**

Motion to approve by Legislator Horsley. Seconded by Legislator Mystal.

**LEG. ALDEN:**

One question.

**P.O. LINDSAY:**

On the issue, Legislator Alden.

**LEG. ALDEN:**

To the sponsor, through the Chair, this was on the project list for this year? What is it, moving it up or?

**LEG. HORSLEY:**

Yeah. We switched the appropriation of a former project that was scheduled for Legislator Eddington's district, and may I add thank you for preaching and walking the walk and talking the talk and all that. Then it was moved over to this because it was literally the same type of project.

**LEG. ALDEN:**

Okay, and that's the amendments.

**LEG. HORSLEY:**

That's right.

**LEG. ALDEN:**

Okay. Thanks.

**LEG. HORSLEY:**

'07 monies.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**LEG. HORSLEY:**

Thank you, Legislator Eddington.

**P.O. LINDSAY:**

Wait until we approve the bond first and then you can thank him.

**LEG. HORSLEY:**

Okay.

**P.O. LINDSAY:**

Same motion, same second, on 1639A, the pending bond resolution.  
Roll call.

*(\*THE ROLL WAS CALLED BY TIM LAUBE, CLERK OF THE LEGISLATURE\*)*

**LEG. HORSLEY:**

Yes.

**LEG. MYSTAL:**

Yes.

**LEG. COOPER:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. STERN:**

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.

**D.P.O. VILORIA-FISHER:**

Yes.

**P.O. LINDSAY:**

Yes.

**MR. LAUBE:**

Eighteen.

**LEG. HORSLEY:**

Now it's worth a second thank you.

**P.O. LINDSAY:**

Okay. ***1648, Approving maps and authorizing the acquisition of lands pursuant to the New York State Eminent Domain Procedure Law, in connection with the acquisition of properties for the reconstruction of CR 16, Portion Road, from the vicinity of Ronkonkoma Avenue to the vicinity of CR 97, Nicolls Road, Town of Brookhaven, Suffolk County, New York (CP 5511, Phase I PIN 0755.98).*** Joe, do you want to make this motion?

**LEG. CARACAPPA:**

Motion.

**LEG. LOSQUADRO:**

Second.

**P.O. LINDSAY:**

Legislator Caracappa make a motion, seconded by Legislator Losquadro. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**LEG. EDDINGTON:**

List me as co-sponsor.

**MR. LAUBE:**

Yes, sir.

**P.O. LINDSAY:**

***IR 1657, 1657A, Appropriating funds in connection with the County share for participation in the reconstruction of CR 80, Montauk Highway, Shirley/Mastic, Town of Brookhaven (CP 5516).*** Counsel informs me that we don't have a bond on this project yet, so I'm going to make a

motion to table.

**LEG. ALDEN:**  
Second.

**P.O. LINDSAY:**  
Second by Legislator Alden. All in favor? Opposed? Abstentions?

**MR. LAUBE:**  
Eighteen.

**P.O. LINDSAY:**  
On 1657A, the pending bond resolution, same motion, same second, same vote.

**MR. LAUBE:**  
Eighteen.

**P.O. LINDSAY:**  
And on *PM. 10, Procedural Motion to retain a consultant for the purpose of reducing pollution, traffic congestion and financial impact of current solid waste disposal practices in Suffolk County*. I will make the motion.

**LEG. SCHNEIDERMAN:**  
Second.

**D.P.O. VILORIA-FISHER:**  
On the motion.

**P.O. LINDSAY:**  
Second by Legislator Schneiderman. Legislator Vioria-Fisher.

**D.P.O. VILORIA-FISHER:**  
I am going to make a motion to table this because I did attend the Solid Waste Management Commission meeting where there didn't even seem to be a unanimity among the members of the Commission that we needed to expend \$30,000 at this time. And so I just think for the two weeks that are coming up we should think more carefully about this. I'm making a motion to table.

**P.O. LINDSAY:**  
Okay. Motion to table. Do I have a second? Legislator Schneiderman, did you want to comment?

**LEG. SCHNEIDERMAN:**  
If I could just say that this is a request from Michael White, our Director of the Long Island Regional Planning Board, to have a graduate student from Stony Brook who is also involved with the Waste Management Reduction Institute basically compile data that will be used for this -- the ultimate report. This is a solid waste management plan for Suffolk County, so it's a big undertaking. We're all volunteers at the Commission and this is basically to pull together the data that the Commission will ultimately need to do the analysis.

*(\*The Following was Taken & Transcribed by  
Alison Mahoney - Court Stenographer\*)*

**D.P.O. VILORIA-FISHER:**  
Mr. Chair, we have a number --

**P.O. LINDSAY:**  
Legislator Vioria-Fisher.

**D.P.O. VILORIA-FISHER:**

Thank you. We have a number of commissions and boards in Suffolk County. If we begin to extend this type of money for consultants to pull together the reports, I think it can become a very expensive issue. I haven't -- and other members of the Solid Waste Commission, when I attended at the last minute, didn't seem to feel this kind of urgency on the part of Michael White, he was not at that meeting and I think that delaying this for two weeks to take another look at this would certainly be the prudent way to proceed. And so I hope that there can be a second to my motion to table and that we wait for two weeks --

**LEG. MONTANO:**

I'll second it.

**D.P.O. VILORIA-FISHER:**

Thank you -- to look at this.

**LEG. ALDEN:**

On the motion?

**P.O. LINDSAY:**

On the motion, Legislator Alden.

**LEG. ALDEN:**

Are we going to have a presentation then from somebody or are we just, you know, going to wait two weeks and then figure out --

**P.O. LINDSAY:**

Well, if I could weigh in as the maker of the motion to approve. This came at the request of the Long Island Regional Planning Board which, you know, we're trying to use that as a vehicle to move forward a whole set of different agendas for the region, and we want to try and be as supportive as possible. But I, as the maker of the motion, will withdraw my motion and agree to tabling for two weeks and we will --

I will attempt to get someone from the Long Island Regional Planning Board to come in and talk about what they hope to accomplish through this project.

**LEG. ALDEN:**

Good. Because I agree with Legislator Viloría-Fisher that, you know, if we start spending money -- and the Long Island Regional Planning Board, in the past we've given them some grants that might have been spent, you know, on a questionable basis. So I'd like to hear a little bit of testimony and some assurances.

**P.O. LINDSAY:**

Okay, that's fair. So we have a motion to table and a second. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

Okay. I am going to stop at this point and make a motion that we go into Executive Session to discuss some pending litigation, the LIPA lawsuit.

**LEG. ALDEN:**

Second.

**P.O. LINDSAY:**

And I've got a second by Legislator Alden. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

And I would ask that only Legislators be in the room, Budget Review, and Legislator D'Amaro --

**LEG. D'AMARO:**

Yes, Mr. Presiding Officer, please note that I'll be recusing from participating in the Executive Session.

**P.O. LINDSAY:**

Thank you very, very much.

**LEG. D'AMARO:**

Thank you, sir.

*(\*The meeting was moved into Executive Session at 12:02 PM\*)*

*(\*The meeting was reconvened at 12:30 PM\*)*

**P.O. LINDSAY:**

All right, we're back on the record. We're out of Executive Session and I will make a motion to adjourn for lunch.

**LEG. EDDINGTON:**

Second.

**LEG. NOWICK:**

Second.

**P.O. LINDSAY:**

Second by Legislator Eddington. All in favor? Opposed? Abstentions?  
We stand adjourned.

**MR. LAUBE:**

Ten (Not Present: Legislators Romaine, Caracappa, Montano, Alden, Nowick, Stern, D'Amaro & Cooper).

**P.O. LINDSAY:**

Thank you.

*(\*The meeting was recessed at 12:31 PM\*)*

*(\*The meeting was reconvened at 2:32 PM\*)*

**P.O. LINDSAY:**

Okay, we're going to resume our afternoon session. Mr. Clerk, would you call the roll, please.

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

**LEG. ROMAINE:**

Here.

**LEG. SCHNEIDERMAN:**

Here.

**LEG. BROWNING:**

Here.

**LEG. CARACAPPA:**

(Not present).

**LEG. LOSQUADRO:**

Present.

**LEG. EDDINGTON:**

Here.

**LEG. MONTANO:**

Here.

**LEG. ALDEN:**

(Not present).

**LEG. BARRAGA:**

Here.

**LEG. KENNEDY:**

(Not present).

**LEG. NOWICK:**

Here.

**LEG. HORSLEY:**

Here.

**LEG. MYSTAL:**

(Not present).

**LEG. STERN:**

Here.

**LEG. D'AMARO:**

Here.

**LEG. COOPER:**

Here.

**D.P.O. VILORIA-FISHER:**

Present.

**P.O. LINDSAY:**

Here.

**MR. LAUBE:**

Fourteen.

**LEG. KENNEDY:**

Here.

**MR. LAUBE:**

Fifteen (Not Present: Legislators Caracappa, Alden & Kennedy).

**P.O. LINDSAY:**

Okay, we'll start off with the public hearings. First on the agenda is ***Public Hearing on IR No. 1408-07 - A Local Law to improve pool safety and protect against accidental drownings ("Anthony's Law") (Cooper).***

I do not have any cards on this subject. Is there anyone in the audience that would like to address us on this subject? Seeing none --

**LEG. COOPER:**

Motion to recess, please.

**P.O. LINDSAY:**

Motion to recess by Legislator Cooper.

**LEG. LOSQUADRO:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Sixteen (Not Present: Legislators Caracappa & Alden).

**P.O. LINDSAY:**

***Public Hearing on IR 1511-07 - A Charter Law extending and accelerating the Suffolk County Quarter Percent Drinking Water Protection Program for environmental protection (Cooper).*** And I have a number of cards, first is Joe Gergela.

**MR. GERGELA:**

Good afternoon, Members of the Legislature, Presiding Officer. Joe Gergela, Long Island Farm Bureau, Executive Director. I'm here to lend support to the resolution.

Obviously, to me the Agricultural and Farmland Preservation Program as well as the Open Space Programs are very important to the economy of Suffolk County. With agriculture we bring in \$250 million in sales annually, we employ 8,000 people, our background also to tourism which is a billion dollar industry, the economic viability of Suffolk County is related to our open space and farmland. So we, therefore, urge your support of the resolution. We need the money, we can't wait because we have a long list of participating people that want to preserve their land and farmland, and if we wait the price is only going to continue to go up. So we respectfully request that we do it now and do as much as we can due to hold on to what's left. And I thank you for your attention to this matter and urge your support. Thank you.

***Applause***

**P.O. LINDSAY:**

Next is Kevin McDonald.

**MR. McDONALD:**

Good afternoon, Members of the Legislature and Presiding Officer.

I'm Kevin McDonald, I serve as Director of Public Lands for The Nature Conservancy and I'm here to speak on behalf of the Conservancy's support of the resolution currently before you.

I've appeared before you in the past. One of the major issues that has come up was some concern over the future sewer strategies that Suffolk County needed to consider. We've had a couple of conversations with a few members of the Legislature, I think that very shortly that issue is headed toward a better resolution than perhaps I imagine a month ago and it will require a coordinator strategy with the County, the State and the Federal Government working better together and I think the resolution there is a good one.

The other major issue coming forward is that there was an impression left that the towns could do all this acquisition by themselves and the County didn't need to be in the land protection business, and you have I believe in your possession letters from at least five of the six towns that have matching fund programs that are used with the County and I believe that they assert strongly that they still need the County in the land protection business very much as provided for in the bill before you.

And the third important element is the State Legislature -- and somebody else will be speaking on this very shortly, but the State Legislature is poised to passing an authorizing legislation to make this possible, subject to the actions that you take, and we have every confidence that that is possible if you can act on this quickly, expeditiously and decide this issue today, hopefully.

We believe this is a significant opportunity for the Legislature to reassert its environmental commitment to land protection, water quality restoration, habitat restoration and land stewardship; this bill is crafted to do that. And 30 years from now or 25 years from now when this bill is essentially expired, there will be a great legacy left for the future residents of Suffolk County if you act today. I want to thank you again for your support and have a nice afternoon.

**D.P.O. VILORIA-FISHER:**

Thank you, Kevin.

*Applause*

**P.O. LINDSAY:**

Adrienne Esposito.

**MS. ESPOSITO:**

Good afternoon, Members of the Legislature. I'm here representing Citizens Campaign for the Environment and we're also here to urge you to support this afternoon the resolution that's before you to extend the Quarter Cent Sales Tax Program.

Some of you may know, but some of you may not, but this program was first enacted 20 years ago, it's not new; our organization was involved in the first drafting of this legislation back in 1987. This is the most successful environmental program in the history of Suffolk County. It provides a reliable, steady, significant stream of funding for our environmental programs, not just land preservation, but also storm water runoff and farmland preservation. So what we're asking you to do is to extend that today so we have and can continue that reliable source of funding.

I know there's been a lot of discussion over the last month or two. Some of you, you know, want money in different categories or tax stabilization and we understand that, but I think we have to talk about what the public wants as well. And the reason the public has always supported this program is because they believe in it, and frankly it's our way of fighting back. When you go out there and you talk to your constituents, you know what they're saying, okay, they're saying,.

"It's over developed, it's looking like Queens," no offense to Queens, but "It's congested, there's too much traffic, my quality of life is diminished, the beaches are closed because of storm water runoff or high bacteria levels." This Quarter Cent Sales Tax Program addresses and speaks to those issues. People want to buy locally grown farm products and produce, this enables us to do that.

So when the public goes out and votes yes on these referendums, it's our only way of fighting back

because local zoning we feel has failed us. That's how we've become over developed, that's how we diminish and deteriorate most of our valuable wetlands. That's how we've lost so much precious farmland; it's because there aren't any tools left. Our tool, the public's tool is voting yes on these kind of referendums. What we're going to ask you to do today is to give us another opportunity to continue fighting back and continue to have Suffolk County look more in the future like it has in the past, with open spaces and farmlands and beautiful areas.

But this isn't about -- the last thing I'm going to say. This isn't about what's pretty and this isn't about what's nice, this is about what's necessary. Everything we do on the land's surface on Long Island and in Suffolk ends up either in our groundwater or on our beaches. I just came from an extremely large press conference in Long Island City with the National Resources Defense Council, they released a report today on beach closings; unfortunately Suffolk County has the distinction of having 40% of all the beach closings in New York State for 2006, mostly because of storm water run off. And in fairness to Suffolk, we also have the most beaches, we have 62 that are monitored and accounted for. However, there were a number of them that were closed for high bacterior levels in many districts, whether it be west Islip or Amityville or Rocky Point there was a number, Eaton's Neck quite a bit, and this program helps us address that problem.

So my bottom line to you is that this is not a program that is, you know, amorphous and the public doesn't understand, this is one that directly benefits our quality of life and brings us back to the reasons why we live on Long Island. Thank you for your consideration.

*Applause*

**P.O. LINDSAY:**

Maureen Dolan-Murphy.

**MS. DOLAN-MURPHY:**

Good afternoon. I'm Maureen Dolan-Murphy and I'm here as a Suffolk County resident and a homeowner. My husband and I bought a house two years ago in West Islip, we live in Legislator Barraga's district. I know that many times we hear stories about how the younger generation cannot afford to live on Long Island and is choosing a new place to call home. My husband and I chose to stay on Long Island, although it's not easy for us, we chose to stay here because we love Long Island; we love our parks, our beaches and our bays. Although Long Island is known for high taxes, high housing prices, high utility prices and bumper to bumper commutes, the younger generation still strives to call Long Island home. We want to live here because Long Island's many parks, open spaces and recreational activities. Our generation enjoys kayaking after work, boating over the weekend or hiking through the Pine Barrens. It is these types of activities that make Long Island Long Island.

The Quarter Cent Drinking Water Protection Plan is a necessary funding stream to protect the places and activities that we love. Let us, the voters, the homeowners, the people of Suffolk decide if we want to continue this vital program. Vote yes on the Resolution 1511 and extend the Quarter Cent Drinking Water Protection Plan. Thank you.

*Applause*

**P.O. LINDSAY:**

John Turner.

**MR. TURNER:**

Good afternoon, Presiding Officer Lindsay, Members of the Legislature. My name is John Turner and I serve as Director of the Division of Environmental Protection for the Town of Brookhaven and I'm here on behalf of Supervisor Foley and the Town Board of Brookhaven Town who unanimously supports the adoption of Introductory Resolution 1511.

And on behalf of Supervisor Foley, I'd like to read into the record the letter that was sent to you,

Presiding Officer Lindsay, back on July 30th which is now being distributed to you.

"Dear Presiding Officer Lindsay; with profound dismay and concern, I recently read the Executive Summary of Major Findings in relation to IR No. 1511-2007, extending and modifying the Quarter Cent Sales Tax Program prepared by Suffolk County's Budget Review Office. As you know, I had the privilege of serving as a Suffolk County Legislator for many years representing the 7th Legislative District. During this time, I read many reports prepared by BRO and always found them to be insightful and informative and better understanding of the details of the topic upon which the report focused. Unfortunately such is not the case with the above-referenced Executive Summary as it is replete with inaccuracies, highly questionable assumptions and factual mistakes, all with the distinct consequence of undercutting the County's landmark commitment toward open space protection, as embodied in IR 1511-2007."

"While I could provide a detailed point-for-point response to underscore the many shortcomings of the report, I would like to limit my comment to only one glaring, factual inaccuracy that relates to the Town of Brookhaven. Page two of the report, for example, states, "If the November, 2007 referendum to create a Community Preservation Fund, CPF, is passed, Brookhaven Town will be the sixth town to establish such a fund. Based on a preliminary analysis, the Budget Review Office estimates that Brookhaven Town should be able to generate sufficient revenue to acquire just about all of the 10,000 acres of open space and 2,000 acres of farmland targeted in Brookhaven. Any potential shortfall could easily be made up from the County's Farmland component of the existing Quarter Cent Program." This assertion is patently false. Under the most optimistic projections from our finance department, staff from the town's Finance Department and Planning Department project that the proposed Community Preservation Fund will allow for the town to acquire approximately one-half of the 12,000 acres that Budget Review Office contends the town could purchase alone. Under more cautious projections, it may be only 35 to 40% of this amount. Thus, if the Town of Brookhaven is to meet the important open space and farmland protection goals articulated in the reports of several noted conservation organizations, including The Nature Conservancy, the continued commitment of Suffolk County is essential."

Let me just parenthetically note here, just a point to underscore this information to you. The town, with voter approval, had in 2004 established a \$100 million Bond Act. Under that Bond Act, the average price per acre was in the ball park of a hundred thousand. Reasonably assuming that it will cost about \$100,000 an acre from here on out for additional acquisitions in the future, to acquire the 12,000 acres would cost between about a billion to \$1.2 billion. We estimate the CPF will bring in in the ballpark of 510 to \$540 million over its life.

"The effect of the BRO argument is to punish those towns that have stepped up to the land acquisition plate and have committed local resources by having them go it alone without County financial assistance, yet Suffolk County would reward those towns that have made no local commitment to land protection by stepping in to preserved open space. This approach is completely contrary to the very successful partnership" -- and that's something, again, parenthetically, I want to underscore; the wonderful partnership that the Town of Brookhaven has enjoyed with Suffolk County, working with you as Legislators, working with the County Executive as well as the highly professional staff in the County Planning Department and the Department of Environment, working in lock-step, in great cooperation in inquiring lands in this partnership. I think it's a partnership that's, quite frankly, unparalleled in the New York Metropolitan area.

"This approach is completely contrary to the very successful partnership between the County and this administration that has enabled the Brookhaven portion of Suffolk County to preserve a thousand acres in the past year and a half. Let's not tamper with success for our town and County residents."

"Let me conclude by stating that I hope you reject the tone, content and findings of the BRO report and approve IR 1511-2007 as it is now constructed. The adoption of this resolution is essential if

the County and its local partners are to successfully conclude their long-standing and cooperative land acquisition efforts over the coming decade." If you have any questions regarding the program, the fiscal projections, numerous concerns that the Supervisor has about this report, please don't hesitate to contact him. Thank you.

**P.O. LINDSAY:**

Mr. Turner, before you leave the podium. Your program in Brookhaven just was passed recently?

**LEG. ROMAINE:**

No.

**LEG. LOSQUADRO:**

2004.

**P.O. LINDSAY:**

2004.

**MR. TURNER:**

The Bond Act, the \$100 million dollar Bond Act was approved by the voters in 2004 and we've worked very aggressively to try to identify and acquire important open space parcels, farmland parcels that are throughout the town in cooperation with the town's objective Open Space Committee and working, of course, with Town Council; and again, working in partnership with many Legislators that represent the Town of Brookhaven.

**P.O. LINDSAY:**

Does it have a provision to borrow against future revenues?

**MR. TURNER:**

The \$100 million program does have that, we bond as well as the Community Preservation Fund -- which is, again, the other major component that will be before the voters in the fall -- certainly provides the authority if the town elects to bond.

**P.O. LINDSAY:**

Okay, thank you.

**LEG. MONTANO:**

I had a question.

**P.O. LINDSAY:**

Legislator Montano.

**LEG. MONTANO:**

Good afternoon.

**MR. TURNER:**

Good afternoon.

**LEG. MONTANO:**

You said that the Community Preservation Fund is expected to raise 510 million over its life; how long is its life?

**MR. TURNER:**

Its life is 17 years, through to the end of 2025. And by the way, I might add, if you would like for me to elaborate a little bit, I think there were just some wrong assumptions made in BRO's report and I believe that that is one of them. In speaking with our finance people who I think were in communication with staff from BRO, I think there was an assumption that this actually ran out to

2030; it doesn't, it runs out to 2025.

I might add another assumption that is wrong was the belief that the exemption level for developed properties was 150,000, but indeed it's 250,000. Third of all, I can add to you in conversations I had just yesterday with Jim Ryan, the Tax Assessor, our projections might be off a little bit because there has been a downturn. We've had less transactions, real estate transactions in the town in 2007 than in prior years and the amount of those transactions is down a little.

Fourth, we also have in the CPF a first-time home buyers exemption to try to provide an opportunity for those individuals, you know, young couples just starting out to be able to afford a home and not be hit with a tax, the CPF tax. I think all those aspects were not factored in to the BRO report and, hence, you've got this great disparity between the information we have and the report that's before you.

**P.O. LINDSAY:**

Thank you.

**MR. TURNER:**

Thank you.

**LEG. ROMAINE:**

Quick question.

**P.O. LINDSAY:**

Oh, wait, Legislator Romaine has a question.

**LEG. ROMAINE:**

Mr. Turner, just a quick question to clarify for the record. If the Brookhaven CPF is passed, it will be slightly different than the CPF in the five eastern towns; is that correct?

**MR. TURNER:**

That is correct, it will be different to the extent that we have a first-time home buyers exemption provision in our statute that does not exist in the five east end towns.

**LEG. ROMAINE:**

It also would be different in the sense that 25% of the development rights on lands that you purchase could be transferred --

**MR. TURNER:**

That is correct.

**LEG. ROMAINE:**

-- and the town would sell those development rights.

**MR. TURNER:**

That is correct.

**LEG. ROMAINE:**

Which usually when you buy land you extinguish development rights because you're buying it for whatever purpose, open space, environmental, things of that nature, but that would be transferred.

**MR. TURNER:**

That's correct. I didn't want to take the -- if you want me to elaborate on that and spend more time, I'm happy to do that.

**LEG. ROMAINE:**

No.

**MR. TURNER:**

But yes, you're absolutely correct, there is another provision that deals with the development rights.

**P.O. LINDSAY:**

Anyone else? Thank you.

**MR. TURNER:**

Thank you.

*Applause*

**P.O. LINDSAY:**

Julianne Cella.

**MS. CELLA:**

Hello. My name is Julianne Cella, I'm 22 years old, I live in Lindenhurst, New York, on Venetian Boulevard.

Today I stand before all Legislature to urge you to vote yes to IR 1511. This program is extremely important to all of Long Island.

I have enjoyed our beaches and parks here since childhood; it is devastating to think that one day this could disappear. Already scarcely a month goes by where a natural habitat is destroyed for yet another cement building. We must preserve and cherish what's left of our way of life here and stop money-driven over development. Thank you for considering this.

*Applause*

**P.O. LINDSAY:**

Evan Gmora.

**MR. GMORA:**

Hello. My name is Evan Gmora, I am 19 years old. I have been living in the Hamlet of Islip for about 12 years now and I urge all Legislators to vote yes on IR 1511. I've been using these parks that have been funded by this since I was a child and to this day I still go to them and I want them to be there for future generations. And thank you for your time and consideration.

*Applause*

**P.O. LINDSAY:**

Steve Ingamort? Maybe I'm mispronouncing the name; Inganmort?

**MR. NOLAN:**

He's coming.

**P.O. LINDSAY:**

Here he comes, okay. I didn't see you coming across there.

**MR. INGANAMORT:**

Good afternoon. My name is Steve Inganamort; I understand the mispronunciation. I reside in West Islip, West First Street under Legislator Barraga's District and I'm here to comment on IR 1511.

I think it's really important to vote yes because in my short lifetime of 19 years, I have seen a significant change in the quality of our life, the quality of our water, our parks and so forth. And more young children are picking movie theatres over parks, so it's very important to keep the quality of our life high and I urge all Legislators to vote yes. Thank you.

*Applause*

**P.O. LINDSAY:**

Bob DeLuca?

**MR. DELUCA:**

Good afternoon, Mr. Presiding Officer, Members of the Legislature. My name is Bob DeLuca and I serve as President of Group for the East End which represents the conservation and planning interests of several thousand families across eastern Long Island and there's been interest in the issues of land protection and environmental preservation for some 35 years. I'm just here this afternoon to restate my support for IR 1511. From our perspective, the extension of the Quarter Percent Sales Tax really gives you the foundation for the next generation of environmental leadership with the County.

And on a personal note, I just want to point out 15 years ago when I worked for the County and was working on projects like the beginning of the Peconic Estuary Program, most of us understood that there were going to be a lot of long-term needs that folks often kind of push off to a study and don't find a way to implement. One of the points I want to make, obviously the land protection component here is critical, but the environmental management considerations and component of the Quarter Percent Extension are also critical. Virtually every one of the issues, from aquatic habitat restoration to storm water runoff to ag management all need a shot in the arm, they all need funding. In every one of the recommendations that you can find in study after study, going all the way back to the 208 days, needs implementation funding. This program will help to provide that funding and it will assure that you can plan out into the future and know that some of these recommendations are going to happen.

So I ask, as you further consider this, not just to look at the land protection component but look at the implementation, those things which make recommendations from County agencies operational after decades worth of research and effort has gone into making those recommendations. We hope that you will take swift action on this measure.

And finally, I want to thank you very much for the good work that you've done and ask that you put this out to the ballot and let the public decide for itself how it wants to see its money spent on behalf of the environment. Thank you.

*Applause*

**P.O. LINDSAY:**

Richard Amper.

**MR. AMPER:**

My name is Richard Amper, I'm with the Long Island Pine Barrens Society. Like many of you, I was concerned to hear that the New York State Assembly might not be acting on Suffolk sales taxes, so I took the extraordinary step of going to Albany when the Assembly met on the matter of the city congestion pricing issue to actually address those people who were concerned. And I must tell you it was a very, very positive experience.

I didn't really know what to encounter. I had written to everybody in the Long Island Assembly Delegation explaining exactly how important this program is. Clearly the 1% is important as well, but that's really of an automatic thing, this has to get on the ballot, and so I went to Assemblyman Ramos and to others in his caucus, explained the implications for all of us economically and environmentally and he understood well, went to the caucus, shared with them his concerns about not making victims out of the people of Suffolk County. They, in turn, went to Assemblyman Fred Thiele, a Republican, and Englebright, a Democrat and all of us went to the Speaker and asked for assurance that this could be put before the Assembly -- and as you know, it doesn't go before the

Assembly if it doesn't pass, if it isn't going to pass -- and they agreed to do that. They agreed to do it in September and they agreed to do it on a notwithstanding basis which, simply put, there is nothing then in law that would prevent its being able to go on the ballot in November in a timely way.

I know there's been some concern about whether the 1% would or would not be released, the Quarter Percent would or would not be released. The Speaker of the New York State Assembly told me personally that it was his promise that both of these would be in front of the Assembly and approved in September. I am eager to have this body do the same thing, preferably today. I want to keep the need clear in front of these people as we approach the deadlines that we're all facing, that is something very, very important for us to be able to continue to do. We issued a white paper in April that made it clear, that the County's principal role would be extension of the Quarter Penny Sales Tax, new taxes involved, we're just extending something the public has universally supported by margins of anywhere from 75 to 84% of the vote.

There were many, many issues that were not correct in the Budget Review Office Report; I think you folks know them by now, I'm going to be extremely brief with them. First, you can't pay for land on a pay-as-you-go basis if that land is gone. We can't pay in 2030 for land if the land has been consumed in 2015. Preserving 35,000 acres doesn't increase the cost of the remaining 35,000 acres any more than developing that land would, and then you'd have 70,000 more kids in school and more taxes to pay.

We've never once preserved an acre of land targeted for affordable housing and there's not a single parcel on Suffolk's Affordable Housing Prospect list that is proposed for preservation. The 35,000 acres is not a wish list, 90% has been approved by this Legislature through your group acquisitions and your individual legislative acquisitions. The Legislature has also the benefit of it's being prioritized by the Planning Department on the basis of the importance of this land.

The towns cannot meet their preservation goals by themselves, County and State partnering is required. We need now to pressure the State to increase its commitment to preservation, the State was way off last year, we can do that by showing that the County and the towns are doing what is not being done anywhere else in the State and we intend to take that battle to New York State Government.

Bond ratings improve and government saves land because the cost of government service is being in control. Look any place where you have land use programs and they use that to improve their bond ratings. The environmental community has agreed to work with Federal, State and County government, and specifically members of this Legislature, to meet Suffolk's sewer needs. Suffolk's open space and farmland programs are national models and should be completed successfully as soon as possible. I urge you to act today and we will continue to take this matter to the State and finish this job together.

**P.O. LINDSAY:**

Mr. Amper? Before you leave the podium, Mr. Amper. First, I want to commend you and your colleagues for going to Albany and fighting on our behalf. I certainly hope that you also mentioned the extension of the 1% on the sales tax, that could be devastating to this County.

**MR. AMPER:**

We did. There was no discussion about immigration or labor, we talked about Suffolk County's needs and the taxpayers needs here and there was just universal agreement that this was something that had to move ahead.

**P.O. LINDSAY:**

Here's the problem I have with it, and we've had this discussion in my office. The Speaker called, what is it, about 150 Assembly people in the State Assembly, something like that?

**LEG. BARRAGA:**

Right.

**P.O. LINDSAY:**

Called them back in session in July and they agreed to come back in September to approve these bills; why didn't they just approve them then?

**MR. AMPER:**

I must tell you, I tried that very same persuasion at the time. The Speaker explained to me that he had understandings when he recalled the Assembly that he would not address new issues because the Senate had declined to do certain things, he had an understanding with Senator Bruno, and that he did not want to upset the apple cart by doing anything other than what they had agreed together he would do and that was the Congestion Pricing Program for New York. But he -- it was literally a hand-raised word of honor and I take him at his -- I've know this man for 15 years. But more than that, the members of his caucus were urging him to do it, you had the Republican Assembly Members saying that they would agree to vote unanimously in support of this; it was really a very, very gratifying experience for me in government, people saying, "We need to see this happen. Suffolk needs to see this happen and we're going to do it."

**P.O. LINDSAY:**

Forgive me if there's just a little bit of a lack of trust on this end.

**MR. AMPER:**

I can't really do anything about trust except to say when I --

**P.O. LINDSAY:**

I'm not asking you to do anything. I'm commending you for the action that you and your colleagues took by going to Albany. It's just very -- extremely confusing to me that they promised in July that they'll reconvene in August, in September to do what they could have done really by a hand vote in July.

**MR. AMPER:**

Government confuses me constantly, sir. All I can tell you is that I spoke with these people individually and so many of them said there had been no dialogue on this issue and on this conflict. And that when the people of Suffolk County were expressing their concerns, there was an immediate response that they needed to do something, not on the basis of any kind of political feud, but because the people of Suffolk County needed this thing done and they were going to do it and they weren't going to let anything stand in its way, and too many of them said this to me. I cannot tell you how well this was received and how much they came to understand Suffolk's very special need of the Assembly and I think that was persuasive.

**P.O. LINDSAY:**

The unfortunate thing by their actions, and it doesn't have anything to do with the Quarter Cent extension but it does have something to do with the 1%, is we're going to have less police on the street as a result of their actions and that's unfortunate. Legislator Mystal, you wanted to recognized?

**LEG. MYSTAL:**

Good afternoon, Dick. How are you? I waited for you because various people spoke before you and I figured I'm not going to pick on anybody; if I'm going to pick on somebody, I pick on the top gun.

**MR. AMPER:**

And I felt bad that I wasn't here the last time you were picking on folks.

**LEG. MYSTAL:**

Yeah. Well, I waited for you, I'm going to pick on you because you're the big gun.

**MR. AMPER:**

I'm not sure about that.

**LEG. MYSTAL:**

Well, you do a lot of work and we do appreciate the work you have done, you know, to preserve land and to conserve our way of life on Long Island, we do appreciate that, but I have a couple of issues that I wanted to talk to you about.

We have two young people coming over here, one from Lindenhurst and one from Islip and they were very grateful and almost, you know, gleeful over the fact that we are going to borrow all this money so we can take the drinking water. Could you please tell them that not a dime of this money is going to go to protecting their drinking water in Lindenhurst or Islip?

**MR. AMPER:**

I would like to do that on your behalf, but I can't do it.

**LEG. MYSTAL:**

I'll do it for you.

**MR. AMPER:**

Listen, here's the problem. We do have to start looking at Long Island I think as a region. And when we protect sewers in the west and open space in the east, we're looking at -- Joe Gergela was up here before, boy, do he and I fight about stuff all the time, but here's a fella who says, "I protect the farmland anyplace," and farming needs to be protected, it just happens to be in that location. We need sewers, we've talked to so many of your colleagues about the need to improve sewers which are absolutely elemental to protecting drinking water.

**LEG. MYSTAL:**

I have sewers, you don't. But I just wanted to tell these young people who live in Lindenhurst, Islip, Babylon, Huntington, not a dime of this money is going to go -- let me finish -- going to go to protect drinking water in your town. Because unfortunately, what is never said to people in Suffolk is that water does not flow east to west, it flows north to south, so whatever water you preserve in the east end is going to flow either in the south bay or in the sound; so that's number one. Could you please tell them?

**MR. AMPER:**

If you want me to -- if you do want me to speak to them, I'm happy to do that. I want to say that hundreds of millions of dollars have been spent to protect drinking water in the areas where they were most imperiled, the western parts of this County. And you can count on that continuing through sewers through preserving remaining open space, some of the most expensive there. I want to say that the people of the western towns shocked me, they vote by higher percentages even than the people on the east end to preserve these resources and that's because they do care about their children and grandchildren and drinking water is just a part of it. But the people in those towns are more likely to support the Quarter Penny Sales Tax.

**LEG. MYSTAL:**

Thank you. Thank you, Richard.

**MR. AMPER:**

I always try to do what you ask me to do, sir.

**LEG. MYSTAL:**

Good, let me do the rebuttal. What Richard just said to you is buck, but that's a different story. The money that we spend is mostly spent on the east end, there is no more land to be reserved in the west end, so most -- the bulk of this money. That's my rebuttal, and I'm going to ask you question

number two. Question number two --

**MR. AMPER:**

Three thousand acres, we've earmarked 3,000 acres we still want to get on the west, you know.

**LEG. MYSTAL:**

Okay, question number two for you.

**MR. AMPER:**

Don't forget about those, those are important, your constituents want that preserved.

**LEG. MYSTAL:**

This is for the kids also, this young man came up and said, "I have enjoyed the park," you know; could you please tell them also that when we buy these lands they can't go into them. Most of the lands that we are preserving, nobody can go in there except park rangers or scientists, the public is not even -- we're not even allowed most of the time in those lands. Or when we buy farmland preservation, explain to them, when we buy farmland preservation --

**LEG. CARACAPPA:**

That's not accurate.

**LEG. MYSTAL:**

-- it belongs to the farmer, they can't go in there.

**MR. AMPER:**

Okay, let me -- I think there may be more information coming from BRO than I knew about.

**LEG. MYSTAL:**

No, no, no, this is not BRO, this is me.

**MR. AMPER:**

The answer here is very, very simple, most of it's parkland. What we are doing now, just beginning to do now in the Central Pine Barrens where the largest tracks have been preserved is to do the Stewardship Component. Very, very few acres are set aside for research and kept away from the public; what we're trying to do now, of course, is management, the ATV problems and those kinds of things. But I want to tell you that this is an absolute wealth. With respect to the Farmland Program, we want the farmers to keep going on farming that land, it's a big industry, Suffolk remains still the number one agricultural producing --

**LEG. MYSTAL:**

I understand that.

**MR. AMPER:**

Well, that's affecting our economy and it also affects tourism which is worth \$4.3 billion.

**LEG. MYSTAL:**

I want to explain to the young man that he can't go tracking down somebody's farm.

**MR. AMPER:**

Oh, yeah, and I'm prepared to take him -- I'm going to take him through the Pine Barrens personally so he has that opportunity.

**LEG. MYSTAL:**

Yeah, right. Now, the third question I have for you, you said that this involves no new taxes; when we float the bond, who's going to pay for it?

**MR. AMPER:**

Well, the same people who volunteered to pay for it 20 years ago and then again in 1991 and again in 1996.

**LEG. MYSTAL:**

Who are those people?

**MR. AMPER:**

They're the people of Long Island. They are so badly --

**LEG. MYSTAL:**

There you go. The taxpayers, right?

**MR. AMPER:**

As badly over taxed as they are, they go out and vote in record numbers because they want to control over development and higher taxes.

**LEG. MYSTAL:**

Good. Now, would you do me -- would you agree to put down how much money we're going to borrow and how much money we're going to pay in interest? We are going to borrow \$232 million and pay about \$180 million in interest, which is costing about \$522 million. The way the bill is worded, we're going to have to borrow this money in the next four years, right? Now, question number five for you --

**MR. AMPER:**

Can I answer that one?

**LEG. MYSTAL:**

Okay, go ahead.

**MR. AMPER:**

The answer is you are only going to borrow what you want to borrow. It's left to the discretion of this Legislature on the basis of how the economy is working. We haven't gone out and said to the public, "You're out \$400 million." And as for the borrowing as opposed to pay-as-you-go, it's like taking a mortgage on your house, you don't wait until you have \$500,000 to buy a house.

**LEG. MYSTAL:**

No, no, I'm not talking about pay-as-you-go. I'm saying that what I want them to do, when the referendum -- because I think we're going to have a referendum. I would like to have -- I would like to have on the referendum saying to the Suffolk County taxpayer, "You are going to borrow \$522 million," that's what I want to do. Can you do that; can you put that on the referendum?

**MR. AMPER:**

Yes, if you commit to spend --

**LEG. MYSTAL:**

You said yes.

**MR. AMPER:**

Wait a minute. If you commit to spending \$500 million, we can put it on the ballot. If you say --

**LEG. MYSTAL:**

That's not the borrowing.

**MR. AMPER:**

If you say you may spend as much or as little as you want of that \$500 million, put that on the ballot. Just tell the public what you're are doing --

**LEG. MYSTAL:**

Exactly.

**MR. AMPER:**

-- not what you might do.

**LEG. MYSTAL:**

We will tell the public that we are going to borrow \$522 million --

**LEG. D'AMARO:**

No, that's not right.

**MR. AMPER:**

You're committing to this?

**LEG. MYSTAL:**

We are going to borrow 242 million --

**LEG. D'AMARO:**

We may.

**MR. AMPER:**

I don't think -- you're binding the other members of this Legislature, I don't think they want to make a commitment for \$500 million.

**LEG. MYSTAL:**

No, I'm saying --

**MR. AMPER:**

Don't tell the public you're going to bond \$500 million unless you're going to do it; and if you are, by all means. I don't understand.

**LEG. MYSTAL:**

Good.

**MR. AMPER:**

All we're doing is leveling to the public; isn't that what you're for?

**LEG. MYSTAL:**

That's exactly, that's exactly what we're going to do. That's number one.

**MR. AMPER:**

We can borrow whatever is prudent for us to borrow, no?

**LEG. MYSTAL:**

I know, I have to talk with Amper; Dick, I've got to talk with Dick, I have to have a conversation with Dick. Dick, this isn't -- this is -- it's going on and nobody is telling, you know, to me the whole thing. So you will agree to put some kind of a number on the referendum.

**MR. AMPER:**

Up to, at the discretion of the Legislature, whatever you're going to do, tell the public you're doing it. Mr. Lindsay and I had the conversation, he's absolutely right, but what I wouldn't want you to do is to say, "We're going to bond \$500 million," and then say, "April Fool," next April, "We're only going to bond 100."

**LEG. MYSTAL:**

Next question.

**MR. AMPER:**

Sure.

**LEG. MYSTAL:**

The new -- this is the last one because they want me to shut up. The drinking bill that we have now doesn't expire until 2013, right? We are in 2007 which means we are six years away from the end of the old program. Why the rush right now?

**MR. AMPER:**

That's the best question of the day and why I would like you people to do this today. And that is because we have regularly and successfully borrowed against anticipated revenues and we've reached the end of that borrowing capacity. The reason we need to act now is we are depending on the revenue generated between 2013 and 2030 to complete acquisition that has to be done by 2015; if we don't do it now, it won't be there for us to do it in 2030.

**LEG. MYSTAL:**

So therefore, whatever monies that we were going to borrow the last time we did this, we did borrow all of it.

**MR. AMPER:**

Say again?

**LEG. MYSTAL:**

Whatever money that we said we were going to borrow the last time we had the referendum, we borrowed all of it.

**MR. AMPER:**

We are not going to --

**LEG. MYSTAL:**

So now we are going to borrow more and we may not spend it?

**MR. AMPER:**

No, no, no, I would absolutely not --

**LEG. MYSTAL:**

You would have to spend it.

**MR. AMPER:**

Nobody in the environment -- no one would suggest that you borrow money you're not going to spend. I want to go out and get the remaining land that we've all agreed we should get and be done with land preservation and have our children and grandchildren be the beneficiaries of it. I think we've done a great job. I think it's one of the things I have routinely commended this Legislature for having done, I think it's your greatest achievement and I think we should just finish it, we have the model, it works, let's get it done.

**LEG. MYSTAL:**

And -- well, I said it was going to be my last question. You have -- and I know you said that in your opening statement that the County buying the land, the 35,000 acres, has absolutely no pressure under remaining 35 or the same pressure that if it were being developed.

**MR. AMPER:**

Exactly well put, exactly correct. In fact, I would argue that if we finish buying the 35,000 acres

miraculously next year, the very first thing the developers would do would be to turn to affordable housing; a little late but very, very necessary. I think the completion of the open --

**LEG. MYSTAL:**

To turn to affordable housing?

**MR. AMPER:**

I think that as long as they can build McMansions on two --

**LEG. MYSTAL:**

Dick, you've got to be kidding me.

**MR. AMPER:**

Can I finish this?

**LEG. MYSTAL:**

You're talking about land that's going to cost at least a thousand dollars or more.

**MS. ESPOSITO:**

If you're going to ask him a question, let him answer it.

**MR. AMPER:**

Let me answer the question.

**LEG. MYSTAL:**

Go ahead.

**MR. AMPER:**

Let me answer the question. The supply and demand economics works the same whether the land is developed or not; if it disappears, if there once was 70 and then there's only 35, the pressure on the other 35 is there. Affordable housing is about density. There is not a single example in the history of the Open Space Program where we ever purchased a land, an acre of land that would otherwise have been used for affordable housing. And when we identified the 35,000 acres of land that we wanted to save, we held it up next to the 257 locations that have been identified for affordable housing with a view to simply eliminating from the open space program any parcel that was so targeted, and there weren't any.

What we need to do is give the developers the density they need, you as a policy making body have decided yourselves that we want to direct this kind of development to downtown where people do want to live, where they can access public transportation, where they can shop, where they can work. We need those kinds of communities but there is not a single one of them that would ever be in a wetland area or in an area that we need for drinking water recharge; it's just a false choice.

**LEG. MYSTAL:**

Dick, this is under fallacy. We don't have that much land to develop in any kind of downtown area. I'm looking at the Town of Babylon or the Town of Huntington, we don't have anything to develop in the downtown area. We have a few at most where we can put maybe ten units on top of stores; that's not affordable homes, that's just ten units of little apartments. I am talking about development whereby, whereby you mean to tell me that the land developer is going to turn to affordable home in Southampton, in East Hampton?

**MR. AMPER:**

If you want to know the truth, I think we need affordable --

**LEG. MYSTAL:**

On the north fork?

**MR. AMPER:**

Oh, if you talk to the people in Southampton and East Hampton, they think they need affordable housing every bit as much as we do in the west.

**LEG. MYSTAL:**

Oh, I'm sure they do.

**MR. AMPER:**

What I'm -- What I'm trying to --

**LEG. MYSTAL:**

We don't have that power.

**MR. AMPER:**

No, but let me -- we brought 40 people --

**LEG. MYSTAL:**

I'm taking too much time.

**MR. AMPER:**

The people of Newsday's Editorial Board brought 40 of the top experts in open space, planning and affordable housing together and asked for a show of hands, were there any among them that thought we were not doing affordable housing because we were protecting open space and there was not a one among them that did that. I think your affordable housing guru believes that, I think the County Executive is committed to affordable housing and he doesn't think that we're interfering with that, can't find an example. And I want to tell you, the developers are going to keep developing and when they're done building McMansions, they're going to build the housing Long Island needs.

**LEG. MYSTAL:**

Dick, four years from now you have that conversation, there will be maybe a hundred units built.

**MR. AMPER:**

There --

**LEG. MYSTAL:**

That's it, I'm done,

**P.O. LINDSAY:**

Okay. Legislator --

**MR. AMPER:**

If we don't build, if we don't preserve the open space we seek, do you expect a lot more to be built?

**LEG. MYSTAL:**

Yeah, because there will be more land.

**MR. AMPER:**

Okay, we should have a further conversation.

**P.O. LINDSAY:**

Okay, Legislator Viloría-Fisher.

**D.P.O. VILORIA-FISHER:**

Actually, I'm going to ask you a question by which I'm going to use you as a conduit to answer a

question that Legislator Mystal asked which frustrated me, because the question was do you think that the people of Suffolk County can use any of the thousands of acres of land that we have preserved, and -- so just bear with me.

**MR. AMPER:**

Oh, sure.

**D.P.O. VILORIA-FISHER:**

Are you aware that every time we look -- I'm the Chair of the committee on Environment & Land Acquisition -- every time we look at a proposal for an acquisition for open space, one of the questions that we ask is is there public access; you are aware of that?

**MR. AMPER:**

I am aware of that and in most -- in overwhelming cases, there are -- there are some areas out near the Calverton Ponds that are somewhat restricted because of their sensitivity and there will be others, but 90% of this land is available to the public.

**D.P.O. VILORIA-FISHER:**

But that's ver rare. Are you aware that even in our very restrictive preserves that people are allowed to go on the park preserves?

**MR. AMPER:**

We take them on guided tours ourselves.

**D.P.O. VILORIA-FISHER:**

Okay, I just wanted to clarify that, that the thousands of acres --

**MR. AMPER:**

I probably did not do a good job answering that question.

**D.P.O. VILORIA-FISHER:**

Well, there were a lot of questions. So I just wanted to make it very clear to the people, the kids who are in the back --

**MR. AMPER:**

Sure.

**D.P.O. VILORIA-FISHER:**

-- that they can go on the County lands that we are acquiring.

**MR. AMPER:**

Thank you for that; yes, ma'am.

*Applause*

**LEG. MYSTAL:**

Yeah, they can go to Montauk from Wyandanch, right.

**P.O. LINDSAY:**

Legislator Montano.

**LEG. MONTANO:**

Good afternoon, Mr. Amper. I just want to pick up on something that Legislator Mystal mentioned. I'm looking at the bill and you indicated earlier that Suffolk County residents overwhelmingly approved these type referendums and, you know, that's a fact. But in -- the other thing is I think you were involved in the drafting of this resolution, along with Legislator Cooper; am I accurate in

that? Because the question I'm asking may not be fair to ask of you, but I'm looking at the ballot proposition and it talks about extending the existing Suffolk County One-Quarter Sales Tax, Drinking, etcetera, etcetera. But as I read the bill, in addition to extending the Quarter Percent which doesn't expire, as Legislator Mystal said, until 2013, it also changes the formula for the use and the collection of that money. Nowhere in this proposition does it indicate that in addition to extending, we're also changing the formula.

The other question, concern that I have is in looking at the proposition, nowhere in the proposition does it even mention that we're extending it from the year 2013, aside from the changes, to the year 2030. And my question is that, you know, while I have no problem putting a proposition to the voters and letting them decide --

**MR. AMPER:**

Thank you.

**LEG. MONTANO:**

-- don't you think it's unfair that voters would come to the ballot and not really get a clear indication of what they're voting on?

**MR. AMPER:**

Let me deal with both of those questions.

**LEG. MONTANO:**

Would you please?

**MR. AMPER:**

When we completed our white paper in April, the recommendation that we made was that we needed to shift the percentage of the Quarter Penny Sales Tax Program to close to 50% so that Suffolk could match the towns and induce the State's. We didn't get there because you and your wisdom, and then through the Legislative process, thought that that would be taking too much money away from either of the two other pots. I should tell you that we did not tell the public when we were moving money away from environmental programs either, when we first created the tax stabilization; there was no notification about that. But if in the ballot extract it is important to you to tell the public what this money is to be used for, so much the better because I think the public is so behind these land preservation programs -- let me put it this way; if we put a proposition on the ballot that said, "Do you want to pay a tax to stabilize taxes," I'm not sure how many votes you'd get, but if we put the environment on it, it always wins big. And the 2013 versus 2030 number is simply this, and it's important for you to ask your planners and the County Executive's Office, this County has been in the business of preserving open space and farmland since John Klein started it in 1960 and we're out of that business this year if we don't take this action.

So I just think it's a no-brainer and that after we've all discussed it -- we delighted in talking to many, many of you about your concerns, made commitments to so many of you about your ongoing needs down the road, this is something that this Legislature and the people of Suffolk County should do together and happily.

**LEG. MONTANO:**

Mr. Amper -- if I may continue?

**P.O. LINDSAY:**

Go right ahead.

**LEG. MONTANO:**

The problem that I have with -- and I heard what you said and I understand that. We're all insiders, we all know what the deal is, we've looked at the formulas, we understand that. If you ask anyone in Suffolk County, "Are you in favor of preserving open space, cleaner beaches, you know,

preservation," everyone is going to say yes. As I've before, the devil is in the details.

Now, you know, I don't have a problem with putting a proposition before the voters, but I am extremely concerned about the generalities that are included in this proposition and they seem to me to be somewhat evasive. I think you can accomplish your same purpose and get your same vote if you were clear -- if we were clearer in the language that we put in there. And the minimal amount of information if -- if I may finish, I see you're eager to answer.

**MR. AMPER:**

Sure.

**LEG. MONTANO:**

The minimum amount of information would be for how long a period of time are people going to assume an obligation to pay a tax? In addition to that, while we may not legally be required to tell people we're changing horses in mid-stream, it really is good to let people know what the facts are so that they can make an intelligent decision when they go into that booth to vote. Because they're not going to have access to the kind of information that -- you know, they're not going to be privy to what's going on here, etcetera, and that's the point that I'm making. Do you have a problem with amending this language to include the two items that I indicated?

**CHAIRMAN LAVALLE:**

I think that the ballot abstract is the source of information that most voters turn to when they're looking for a referendum and that's the place all of the accurate information should occur. I can tell you that we will spend a lot of time promoting this and we are perfectly happy to say that more money of it's going to go to land preservation than has occurred in the last ten years and I think the public will be enthusiastic as well. Whatever we need to do to make sure that the public understands that we are advancing their will, they've told us time and again how they feel about this, we have the obligation to tell them that we're doing exactly what they want us to do.

**LEG. MONTANO:**

But why isn't it in the ballot proposition, the one that's proposed here, is what I'm asking.

**MR. AMPER:**

Well, I might have asked that question when we -- at one point this was principally an environmental measure and over the years it's been eroded. We first got into the sewage stabilization, then we moved into the tax stabilization component and we didn't run back out to the public and say, "Okay, the Quarter Penny this year is going to be divided in this way and this year is going to be divided in that way." Historically, I think that's why that happened, but I don't think anybody in the environmental community would care one wit if we explained in whatever ways you think is desirable, not only as Mr. Mystal said, how much money we're actually going to spend but what we're going to spend it on; that would be actually beneficial to the cause, not a harm.

**LEG. MONTANO:**

All right, I'm going to yield because I think Legislator Alden had some questions; I don't know if he's next.

**P.O. LINDSAY:**

Legislator Alden.

**LEG. ALDEN:**

Hi. Mr. Amper --

**MR. AMPER:**

I am so glad that I didn't miss this by not having been here the last time, it's just great.

**LEG. ALDEN:**

You said a couple of interesting things and one of them -- or a couple of them I'd like some clarification on. You said that if this doesn't pass we're out of the land preservation business, yet the legislation that's currently -- we're operating on, the law that expires in 2013 provides for tens of millions of dollars every year to be spent for water protection. So that's the purchase of lands that would be very sensitive as far as for our drinking water and for our bays and estuaries and things like that. So how do you square up your comment just a minute ago with the intent and actually the operation of what Suffolk County is doing today and plans on doing next year and the year after?

**MR. AMPER:**

Well, the County has wisely decided to buy now and pay later, to basically take a mortgage on this important land. So what the --

**LEG. ALDEN:**

What do you mean?

**MR. AMPER:**

The County is entitled to borrow against anticipated revenues so we can get the land, A, while it's less expensive than it's going to be or, B, before it's lost forever to development. So while the program continues to generate money through 2013, that's not going to get us to the 35,000 acres that we have agreed to, so --

**LEG. ALDEN:**

Okay, now I understand what you said, it won't satisfy your goal --

**MR. AMPER:**

I'm sorry, I should have made that clearer.

**LEG. ALDEN:**

Right, it won't satisfy your goal. We'll still be purchasing thousands of acres, but maybe not the full 35,000.

**MR. AMPER:**

Well, it --

**LEG. ALDEN:**

And you mentioned something before about the 35,000 acres; you said that none of that property is appropriate for affordable housing or any other purpose. So if it's not appropriate for other type of purposes, then what is it; is it all -- is it wetlands, is it -- what kind of property is it, then?

**MR. AMPER:**

Well, first of all, we're talking about of the 35,000, 10,000 acres is farmland. The Farm Bureau has, I think quite accurately, projected that if we fall below 30,000 acres of active agricultural land, farming becomes no longer viable. The people who are selling --

**LEG. ALDEN:**

Okay, so now we're up to -- now we're down to 25,000.

**MR. AMPER:**

So now we're talking about 25,000 acres, if they were wetlands they would be protected and so we wouldn't have to buy them. So they are, in fact, large tracts of contiguous land that sit above our drinking water supply that are important to our scenic vistas to the health of our bays and our rivers and our estuaries; these are all environmentally sensitive lands. They could be used for something other than preservation, I agree.

**LEG. ALDEN:**

Okay, so they actually could be used --

**MR. AMPER:**

McMansions; we could put houses on all of them if -- we're not in the game.

**LEG. ALDEN:**

Right, affordable houses, affordable houses.

**MR. AMPER:**

But not if -- these McMansions are not affordable, I've looked at them.

**LEG. ALDEN:**

Okay, but then the proposition would be that the only use of that land would be McMansions; is that because of the zoning that's currently laying on those lands?

**MR. AMPER:**

The zoning is part of it and because clearly if the people don't preserve the land, the developers are going to make money developing it. I don't even think it's evil at this point.

**LEG. ALDEN:**

Well, that's the American way and that's how all of us got our properties, whether we rent or whether we own a house. We're here because somebody decided to take do vacant land and put housing on it, so let's not kid ourselves that we're not going to need that in the future.

**MR. AMPER:**

And I think we also -- but I think we're also here because we have a healthy tourism economy and we have farming and fishing and nice places to live in. The young people who said, "I could go someplace else but I don't want to, I love it" that's part -- we wouldn't love it so much if it looked the way it will look if we don't preserve it, you know?

**LEG. ALDEN:**

That was the other thing, because I read your -- you know, that booklet or whatever that you sent out to our Legislative offices. Who developed that proposition that our tourism would take such a precipitous nose-dive if we don't preserve X number of pieces of acres?

**MR. AMPER:**

Well, we talked -- over the years we've talked, and we've actually brought some of these people to see you when we first kicked off this preservation campaign several years ago, we asked the folks at tourism to come forward. Tourism is a very interesting thing on Long Island; you go to Disney World and 80% of the tourist dollars are coming from some other place. But I don't know whether you understand it here, on Long Island 80% of the tourism dollars are actually generated by the people of Long Island themselves, they're people who come and visit who we then take out to the farmland and to the beaches and to the bays. It's a very, very interesting and sensitive economy.

I'm looking around, I asked the different folks who have been in tourism what it is that attracts people to Long Island, I don't think I'm wising you up; it's the beautiful places, it's the kinds of things that make Long Island so special. We don't have a lot of tourists in Levittown. So it makes sense here that when -- if we had to trade the environment against the economy that would be a tough call, but on Long Island we don't. It was the late Senator Daniel Patrick Moynihan that first coined the expression on Long Island, "Our economy is our environment and our environment is our economy." This is so important.

I sometimes feel like I'm telling you something that you don't know;  
I know most of you understand this, that's why you've been supportive.

**LEG. ALDEN:**

And after that answer, I have to agree a lot more with Legislator Montano, then we have to be more honest than this proposed ballot proposition with the people because this is not water quality protection, this is a couple of other things other than water quality protection. And you just mentioned aesthetics, so that's what -- we're talking about aesthetics.

**MR. AMPER:**

This is exactly what your predecessors supported and approved with an 84% plurality in 1987; it's the exact same usage, it's the exact same thing. It's a wonderful success story.

**LEG. ALDEN:**

I believe that was Water Quality Protection, though.

**MR. AMPER:**

It's Water Quality Protection as is this, but there was nothing that put --

**LEG. ALDEN:**

Well, there was a limit to what type of property we could buy under that.

**MR. AMPER:**

It is not functionally different from the 1987 resolution except now we've got a lot of sewers and tax stabilization in it.

**MS. ESPOSITO:**

It's the same thing.

**MR. AMPER:**

And by the way, that's responding to an important need, so that was all right.

**LEG. ALDEN:**

So sewers don't -- but according to you --

**MR. AMPER:**

You okay on this, Wayne?

**LEG. HORSLEY:**

Keep going.

**LEG. ALDEN:**

Now your answer, though, is so sewers don't protect the quality of water?

**MR. AMPER:**

No, I'm saying they do.

**LEG. ALDEN:**

Oh, okay, good.

**MR. AMPER:**

That's what I've been talking about.

**LEG. ALDEN:**

Then we agree, on one thing anyway.

**MR. AMPER:**

So as the priorities have shifted we've moved another way. We're not going to actually solve Long Island's sewerage problems with one-third of one-quarter of one percent, we're going to need \$2

billion from the Federal government, a major Statewide program of the sort that is being talked about in many communities. We certainly wouldn't want to deceive the public that a third of a quarter of a penny of sales tax would do the job.

**LEG. ALDEN:**

I just have one further question, then. The list of properties that you've developed that have to be preserved, so it was 70,000 acres, now it's down to about 10,000 of farmland.

**MR. AMPER:**

About half; it's like the Pine Barrens thing, about half of what's left.

**LEG. ALDEN:**

Okay. Where does that list fit with the list that we already have, our master list?

**MR. AMPER:**

It is almost identical; 90% either appears on a master list or on those things that you have individually put forward for a planning steps, etcetera. In fairness, you've done a good job and the planning people, when they rank them, are doing a good job. We're not out buying junk, I'll tell you that.

**LEG. ALDEN:**

Okay. I have to look at it again and in more depth because one thing I do remember from the last time I went over the list to compare to what we were doing, a lot of the things on the master list were less than an acre of property; as a matter of fact, most of the properties that were listed were small parcels.

**MR. AMPER:**

I must tell you that the reason that the County is having as much trouble, and I think the towns are saying it too, is that the number of large parcels are far fewer so it takes many more transactions to acquire the same volume of land. And I think some of these small pocket parks that some of the western Legislators are concerned about are playing a very important need and it's something that the public knows about and supports and always has. There always has been a greater quantity of big, vast tracks of open space on the east than there were in the west. But I have to tell you, when we look at tourism and farming and fishing and the quality of life, I think most of the people who are voting for these things are not looking at their individual Legislative Districts, they're looking at Long Island as a whole and they should be.

**LEG. ALDEN:**

No, but my point is that if you're talking about some of it is aesthetics because that's how you're going to attract tourists and things like that, if you're talking about scattered one-acre sites, that's not really what people are thinking about when they think of wide open spaces, you know, like the rolling hills or whatever.

**MS. ESPOSITO:**

That's not true.

**LEG. ALDEN:**

Even vineyards and things like that. So if we're going to borrow money to assemble a whole bunch of half-acre parcels that are scattered throughout the east end or the west end or all throughout Suffolk County, that's something that, you know, we have to really think seriously about because I'm not so sure that that's acquiring land for the purposes that either one of us are talking about.

Because I like to talk about what we did in 1999 and that's Water Quality Protection, and I think we ended up with a very nice balance. We finally put to bed that whole issue of the Southwest Sewer

District and all the other sewer districts and we put them on a very firm financial footing which was very honest with the people because that ballot called -- told everybody exactly what we were going to do with the money and that was preserve water quality, and that's why we got overwhelming support. So we might be on the same page, as long as --

**MR. AMPER:**

I think we're on the same page, but --

**LEG. ALDEN:**

-- we're being honest with the call that goes out to people and we don't deceive them at all. And in the advertising that you're going to do and the advertising the other groups are going to do, I think we have to be 1,000% honest and we have to watch out that we don't slant it one way or the other because that would be a travesty because we are -- actually, we're hocking the future of the people that are going to be here for generation after generation. Maybe that's a good thing, maybe it's not a good thing, that's why the devil is in the details.

**MR. AMPER:**

Here's where I think you're going to feel better. Like the amount that we're going to bond, the parcels we buy are up to you. If there's something we shouldn't buy, you can decide that we're not buying it and you should.

**LEG. ALDEN:**

I do that now.

**P.O. LINDSAY:**

Okay. Mr. Amper, we seem to be wearing you out.

**LEG. ALDEN:**

No, he's not, he's getting stronger.

**P.O. LINDSAY:**

You seem to be the guy that everybody likes to debate with. I'm going to wrap this up and try to identify what some of us feel around the horseshoe.

I don't think anybody is opposed to extending the Quarter Cent to 2030. The legislation before us is a very complicated piece of legislation with a lot of different components. I don't think we're against putting it on the ballot, because we all pretty much feel that, you know, let the voters decide. But to echo some of my colleagues, we really think that there should be full disclosure on that ballot initiative and it should not be in the ballot abstract. If one in a thousand voters even know that there's a ballot abstract, I would be amazed.

**MR. AMPER:**

Whatever --

**P.O. LINDSAY:**

And from my -- and I think the number was wrong and I'll refer to Ms. Vizzini; I think we're talking about \$566 million?

**LEG. MYSTAL:**

Five seventy-six.

**P.O. LINDSAY:**

No, I'm not giving up until I'm done with my --

**LEG. MONTANO:**

What's the ballot abstract, because I don't know.

**P.O. LINDSAY:**

The ballot abstract is a narrative that you can --

**LEG. MONTANO:**

Oh, the proposition; I called it the proposition.

**P.O. LINDSAY:**

No, it's the narrative that you can get at the polling place.

**LEG. HORSLEY:**

It's on the table.

**P.O. LINDSAY:**

It isn't what's on the ballot.

**LEG. MONTANO:**

Thank you.

**P.O. LINDSAY:**

You don't know what the number is? Whether we're talking 522 million or 560 --

**MS. VIZZINI:**

Yeah, the total debt service for land would be 556.

**P.O. LINDSAY:**

Five fifty-six, okay. All I'm looking for is on the ballot that would allow us over the next four years to borrow up to \$556 million to preserve property and protect groundwater and sewer stabilization. You know, that's what I want and the resolution before us does not have it and the sponsor won't change it and I won't vote for it.

**MR. AMPER:**

Well, I'm sorry because I don't know of anybody around this horseshoe that don't want full disclosure. I don't think that explaining to the public what they're investing in does anything but help the proposition, and so I don't see the problem so long as it's fairly presented. When I talked to Mr. Mystal, I wanted to make a distinction between what you could do and what you were saying. I don't want to tell the public that we're going to do something that you may not do.

**P.O. LINDSAY:**

But if you put in up-to, over the next four years, it would allow Suffolk County to borrow up to \$556 million for this program.

**MR. AMPER:**

I would love it if you would put a minimum and a maximum; I think it would be sensational if you said, "We're going to spend between 300 and 500."

**P.O. LINDSAY:**

Well, how do you know what the minimum is? We're -- the ballot initiative, if approved, will allow the spending up to \$556 million; it's up to, it could be -- you know, if we don't approve any resolution from now on for land preservation, it might be zero.

**MR. AMPER:**

As long as we level with the public, that's fine. We have never before had this problem.

**P.O. LINDSAY:**

So let's do it.

**MR. AMPER:**

We have never had the problem and what has troubled so many of my colleagues and me is that whatever we've asked the public to do, on a town, County or State basis, they've said yes and we're acting as though something is different, that the resolve to do this is --

**P.O. LINDSAY:**

Yeah, because the number isn't in there. I have ballot initiatives before me from past bond issues that list the amounts, there's no amount in this resolution. Why can't we tell the people how much money we want to borrow? If you're right, the public is going to approve it overwhelmingly.

**MR. AMPER:**

No one is saying we shouldn't --

**P.O. LINDSAY:**

But just tell them what the number is.

**MR. AMPER:**

No one is saying that we shouldn't do it, Mr. Presiding Officer. My question --

**P.O. LINDSAY:**

Yeah, but it is not in the bill.

**MR. AMPER:**

Because we don't -- it's a little bit misleading to say what we might do in the language or a proposition --

**P.O. LINDSAY:**

It ain't misleading if you say, "Over the next four years you can borrow up to \$556 million"; there's nothing misleading about that statement.

**MR. AMPER:**

In the process, in the process, we're not moving this ahead, and that's my principal concern. I got Albany lawmakers to say they would do their part, and I don't want to see this come apart by simply putting it off and putting it off to where nobody has to do anything.

**P.O. LINDSAY:**

Change the ballot language and it won't be put off.

**MR. AMPER:**

Well, since nobody in the environmental community has objected, I'm going to lean to the Legislature, as we routinely have to do, the best method of resolving this. I don't want to -- I absolutely do not want to represent to the public that we're committed to doing something we're not committed to doing, but anything that's truthful we're perfectly supportive of.

**P.O. LINDSAY:**

I'm not sure whether this will pass today, and it very well might pass, but if it goes forward to the voters without the number on that ballot initiative, then shame on all of us. And it will be shame on you folks in the environmental movement because you're not being -- you're not honest with the public.

**MR. AMPER:**

If it goes to the ballot and the public is not told about it, then I have broken a promise to you.

**P.O. LINDSAY:**

Okay. I'm not talking about it through some narrative, I'm talking about putting it on the ballot itself.

**MR. AMPER:**

I think only you folks can put it on the ballot, I'm afraid. And if that's the price for doing this --

**P.O. LINDSAY:**

That's true, that's true. That's absolutely true. Okay, thank you very much.

**MR. AMPER:**

It was a lot of fun. Thank you very much.

**P.O. LINDSAY:**

I don't think anybody else wants to chat with you.

**MR. AMPER:**

They're not standing in line.

*Applause*

**P.O. LINDSAY:**

Britney Feene; I'm not sure I'm pronouncing it right because I'm having difficulty with the handwriting. Britney Feene, is that correct, or is it Feere?

**MS. ESPOSITO.**

It's Fear now.

**P.O. LINDSAY:**

You don't have to be afraid, we would never question you, Britney, like we did Mr. Amper.

**MS. FERENZ:**

I'm not afraid and it's Ferenz.

**P.O. LINDSAY:**

Ferenz; oh, I'm sorry.

**MS. FERENZ:**

It's okay.

**P.O. LINDSAY:**

It looked like an E at the end.

**MS. FERENZ:**

I live in Greenlawn in Suffolk County for all 21 years of my life and I would -- I also came here to urge you folks to vote yes on IR 1511.

As a voter, I'm fully aware of what this entails. It is about the awareness of living on Long Island, that it turns in from a developed city into farmland after a few hours drive throughout Long Island. It's not about being able to personally enjoy various activities. Even though I've never lived on a farm out east, I'm still devastated to watch them disappearing. I want future generations of Long Island to enjoy how we see it today and that's why I came here today to speak to you.

*Applause*

**P.O. LINDSAY:**

Thank you very much. Ben Fruchtman?

**MR. FRUCHTMAN:**

Hello, Legislature. How are you doing? My name is Ben Fruchtman, I'm from Melville, I'm 23 years old. And I think you should vote yes on the IR 1511, I think it's important for you to protect all the

natural environments of Long Island. We don't need any more condos or shopping malls around here. So thank you very much.

**LEG. ALDEN:**

Can I ask Ben a question?

**P.O. LINDSAY:**

Hold on, Ben, Legislator Alden has a question for you.

**MR. FRUCHTMAN:**

What's up?

**LEG. ALDEN:**

Hi, Ben. Thanks for coming down. Ben, what do you think Suffolk County is doing, if anything, to protect properties right now?

**MR FRUCHTMAN:**

I have no idea. I don't think they're doing much, though.

**LEG. ALDEN:**

You don't think we're doing much?

**MR FRUCHTMAN:**

No.

**LEG. ALDEN:**

Okay, thanks. That's enough.

**MR FRUCHTMAN:**

All right, cool.

**D.P.O. VILORIA-FISHER:**

Wait a minute, wait a minute.

**P.O. LINDSAY:**

Hold it, Ben. Legislator Viloría-Fisher wants to enlighten you.

**D.P.O. VILORIA-FISHER:**

Sorry, Ben. I couldn't pass the teachable moment, but actually Suffolk County is doing a lot. And because of that, we went through the \$75 million bond that people voted on a few years ago and we've gone through that money, that's why this is before us, because we've used up the money that we've set aside because we have saved so many thousands of acres of land. But we want to continue to do this, that's why this is before us.

**MR FRUCHTMAN:**

All right. So --

**D.P.O. VILORIA-FISHER:**

Were you aware that we've gone through the \$75 million in a few years?

**MR FRUCHTMAN:**

I think -- I don't know, don't we need more money, though?

**D.P.O. VILORIA-FISHER:**

That's why this is here; because we've been doing such a great job, we've run out of money.

**MR FRUCHTMAN:**

All right. So --

**LEG. MYSTAL:**

Presiding Officer, I want to ask -- since we're picking on Ben. Ben, where do you live? Where do you live now?

**MR FRUCHTMAN:**

I live in Melville.

**LEG. MYSTAL:**

You live in Melville.

**MR FRUCHTMAN:**

Yep.

**LEG. MYSTAL:**

You live with your parents?

**MR FRUCHTMAN:**

Yes.

**LEG. MYSTAL:**

You do, huh?

**MR FRUCHTMAN:**

Oh, yeah.

**LEG. MYSTAL:**

Could you afford an apartment?

**MR FRUCHTMAN:**

No.

**LEG. MYSTAL:**

Oh; why not?

**LEG. HORSLEY:**

He's 23.

**MR FRUCHTMAN:**

Good question.

**LEG. MYSTAL:**

Why can't you afford to live somewhere besides your parents?

**MR. ZWIRN:**

Well, I don't have a lot of money.

**LEG. MYSTAL:**

You don't have a lot of money and you can't find anything you can afford.

**MR. ZWIRN:**

No, not with the job I have.

**LEG. MYSTAL:**

Yeah, but you're willing to let us spend \$556 million to preserve land, but you don't have a place to stay; you're a smart man.

**MS. ESPOSITO:**

He's allowed to -- (Inaudible).

**MR FRUCHTMAN:**

Yeah, I am a smart man.

**P.O. LINDSAY:**

Sit down, Adrienne. Sit down.

**LEG. MYSTAL:**

Sit down.

**MS. ESPOSITO:**

Picking on a 23 year old, you should be ashamed of yourself.

**P.O. LINDSAY:**

Sit down.

**MR FRUCHTMAN:**

That's all right.

**LEG. MYSTAL:**

Sit down.

**P.O. LINDSAY:**

I'm not going to have any back talk from the audience.

**LEG. MYSTAL:**

Thank you, Ben.

**P.O. LINDSAY:**

Thank you, Ben.

**MR FRUCHTMAN:**

Any more questions?

**LEG. MYSTAL:**

No, that's it.

*Applause*

**P.O. LINDSAY:**

Wait a minute, Ben, wait a minute. Legislator Barraga, go ahead.

**LEG. BARRAGA:**

The only comment I was going to make to Ben is that this whole issue is a complicated issue, Ben, and it's -- I'm sitting here and I'm listening for most of the afternoon because on the one hand you want to be a pro-environmentalist; I sat here for a year and a half, I don't think there's been one bond issue in this area that I haven't voted on. And I think most people will tell you, Ben, that we've done a very, very good job in Suffolk County with reference to land preservation.

Now, the question comes up whether or not our vision is such which is so unlikely, you know, compared to the private sector where from a vision perspective, a CEO of a company can't tell you

what's going to happen with his company or his industry for three or six months, all of a sudden we're going to make a change here to make a major priority for land acquisition over the next 24 years.

So, you know, when you're young you have a certain perspective, when you're a little older a different perspective. But this issue is a complicated issue and I'm still toying with it whether or not I'm going to support it or not support it predicated on the information I'm getting.

**P.O. LINDSAY:**

Legislator Nowick, did you want to chime in?

**LEG. NOWICK:**

I don't know where Ben went.

**P.O. LINDSAY:**

Ben is sitting down, you scared the hell out of him, the whole bunch of you's, I don't blame him.

**LEG. NOWICK:**

Ben, come back.

**LEG. MYSTAL:**

Come back Ben.

**LEG. NOWICK:**

Ben, you don't have to talk, you don't have to say anything.

**P.O. LINDSAY:**

So let him sit in his seat.

**LEG. MYSTAL:**

We're not picking on you, Ben.

**LEG. NOWICK:**

No, I just want to tell you something.

**LEG. SCHNEIDERMAN:**

We want to see you stay in Suffolk.

**LEG. NOWICK:**

And as you heard, we all try very hard to preserve land, but I will say one thing. Congratulations for coming up here, having the guts to -- you're a young man, you're 23, I have daughters a little older than you. I give you credit for coming here and facing all of us. And if this is your belief, just do take the time to listen to us and see what we do in the future, you'll be delightfully surprised.

**MR FRUCHTMAN:**

All right, I hope I'm delightfully surprised.

**LEG. MYSTAL:**

Don't go yet, Ben. Presiding Officer?

**P.O. LINDSAY:**

Legislator Mystal.

**LEG. MYSTAL:**

Could all the kids who are working as canvases for Citizens Campaign please stand up?

**LEG. CARACAPPA:**

Be honest.

**LEG. MYSTAL:**

All of you, all of you, please. Those of you who are working for Citizen Campaign, be honest, all the canvases. All the canvasses, please stand up. Come on, don't be ashamed, what you do is good work. Don't be ashamed, come on.

*Applause*

You all are canvasses for Citizens Campaign, right, that's why you're down here. Thank you.

**UNKNOWN AUDIENCE MEMBER:**

But we are here as citizens also.

**P.O. LINDSAY:**

Okay. Are you done? Okay, Legislator Eddington.

**LEG. EDDINGTON:**

Well, I just wanted to add something, that for me, I love seeing the young people here because this is why this issue is so hard for me, because we're talking about mortgaging their future and listening to them telling me that it's important helps me. Because, you know, we really are -- I think it's past just us, we're really trying to decide what's best for their future. And so I think it's very important that you are here. I don't care what motivates you, just that you're saying that it's the right thing to do.

And the other issue, what I'm hearing from my colleagues is they want to make sure that it's written very clearly so that you guys don't come to us and say, "Oh, you didn't tell us the whole story." So I want you to understand, that's the debate right now. We are a hundred percent in doing the right thing based on what you say, but we want to make sure that you and all your peers know exactly what we're doing. So that I see is the big debate here right now. And Ben, I appreciate you coming up and verbalizing.

**P.O. LINDSAY:**

Hurry up, Ben, sit down before one of them asks you something else.

**MS. ESPOSITO:**

Again.

*Applause*

**P.O. LINDSAY:**

Good job, Ben. Andrea Spilka. Hi, Andrea.

**MS. SPILKA:**

Good morn -- good afternoon, hi. I'm Andrea Spilka, I'm the President of the Southampton Town Civic Coalition. I live in Eastport, but most of the work I do is with civic organizations on the western end of Southampton Town.

I'm coming here for a variety of reasons, most of which has to do with the every day battle that we fight in trying to stop development in our area, and I'm going to get to the McMansion question and affordable housing in a minute. Everywhere we look in our area, they're trying to take whatever parcels of land are left and develop them, and not develop them in a way that's necessarily useful for the people that are living there. So I'm asking you, please, to -- regardless of what the wording is, to pass -- let me finish, because there are other ways to get around it. I don't want to take the

chance that this isn't going to be passed or that the State will use this as an opportunity to say, "You know what, if Suffolk County doesn't care enough about it, why should we?"

I think it's very important that this pass not just for the community where I live, which certainly would benefit, whether it's the drinking water or from just having the pleasure of the open space, but for every person who travels to the east end to do any of the recreational activities that mean so much to Suffolk County. There's such a difference as you travel west, from west to east, to see what's going on area by area from the very over -- you know, the more overdeveloped areas in Nassau to the less so in western Suffolk to the east end. I think you have to take a look at the cost of not doing this, I think it's very important. We keep talking about how much it's going to cost us, but let's take a look at what it will cost us in the future if we don't do it, what will their lives be like if we don't pass this now, if you don't keep buying the land, if we don't preserve the drinking water; there's a real price to pay for that.

I think the other thing to talk about, I know it's been mentioned several time, if you didn't preserve this open space, then you would be able to put in more affordable housing; the experience I have in western Southampton Town is that's not the case. Every piece of land that's being developed at this point, almost every one, is being developed for something that is not affordable. It doesn't behoove these developers right now to do something that will cost them anything in their way of profits. One example, there were 189 units that were approved on a drag strip in Westhampton and what happened with the -- what happened with the development, there were supposed to be 18 affordable units. Well, it turns out there are 18 out of 189; those 18 units, in order to afford them, you had to have \$800,000 of net worth; how is that affordable? What is there? The developers aren't doing what you're saying, so I don't think to put the two arguments together makes sense.

I'm asking you once again, please, pass this, work out whatever you have to work out to get it passed so that the -- so that really we're not even more behind the eight ball than we were before in terms of what this area is going to look like in the future.

**P.O. LINDSAY:**

Andrea, before you go.

**MS. SPILKA:**

Okay.

**P.O. LINDSAY:**

Just to enlighten you on a few things. First of all, in the first meeting we had in the month of June, I kept this group in session longer to pass the Home Rule Message to get it to the State Legislature so it would be timely for them to pass the legislation that we could put it on the ballot; we fulfilled our commitment, they didn't.

**MS. SPILKA:**

Oh, I know that.

**P.O. LINDSAY:**

They didn't, okay.

**MS. SPILKA:**

I know that.

**P.O. LINDSAY:**

So don't say that if we don't pass this today it will give the State a reason not to; they had their excuse to pass it and they didn't, they want to play games with it. So let's put that on the record.

The second thing is what we're asking now, nobody is against putting it on the ballot --

**MS. SPILKA:**

Okay.

**P.O. LINDSAY:**

-- we want the public to know how much money they're going into debt; if they say yes, I don't think any of us have a problem with it. There's a bit of a subterfuge here by not putting the amount of money on the ballot and that's what we want.

**MS. SPILKA:**

Am I allowed to ask a question?

**P.O. LINDSAY:**

Go right ahead.

**MS. SPILKA:**

What's the chance, though, that doing that -- first of all, to me, there are lots of ways of doing it. You know, we spend a lot of time --

**P.O. LINDSAY:**

There's only one way to do it, put the number on the ballot.

**MS. SPILKA:**

Is there a chance that it will not be on the ballot because of that?

**LEG. CARACAPPA:**

Yes.

**P.O. LINDSAY:**

Well, yeah, there's a chance if this Legislature doesn't vote for it. But I am not going to put future generations in debt around here without them knowingly know what they're buying. It's a half of billion dollars, we're not talking about chump change. Mr. Amper talked about previous Bond Resolutions; it was \$75 million, we're talking about five times, six times that amount now.

**MS. SPILKA:**

Was the Quarter Percent Tax before written that way? You know, I know it's been a couple of times that it's been approved.

**P.O. LINDSAY:**

It's \$566 billion -- million dollars, why wouldn't you tell the public that?

**MS. SPILKA:**

I'm not -- I don't think anybody is saying no. I think the question is --

**P.O. LINDSAY:**

Well, then do it, then somebody do it, tell Mr. Cooper to do it.

**MS. SPILKA:**

Well, wait.

**P.O. LINDSAY:**

The legislation before us doesn't have those numbers in it.

**MS. SPILKA:**

Again, my only request, sir, and I understand what you're saying, I really do. But I beg you, really, to make sure that if that's going to happen, that it happens in time to be on the ballot so I don't have to go another year without it. Thank you.

**LEG. MONTANO:**

We have time.

**LEG. ALDEN:**

Well, we have questions.

**LEG. MONTANO:**

Can I --

**LEG. MYSTAL:**

It will be 2013 when this thing goes over.

**LEG. MONTANO:**

Bill, if I may.

**P.O. LINDSAY:**

Yes, Legislator Montano.

**LEG. MONTANO:**

Yeah. Young lady, Miss --

**LEG. ALDEN:**

I'm on the list.

**P.O. LINDSAY:**

Oh, Alden, I'm sorry. Legislator Alden was on the list, forgive me.

**LEG. ALDEN:**

That's all right.

**LEG. MONTANO:**

Oh, no, you wanted to go?

**LEG. ALDEN:**

I'll get it next.

**LEG. MONTANO:**

I didn't want you to leave with the wrong impression. I'm going to ask Counsel -- hold on one second, he's engaged.

**LEG. ALDEN:**

He's got a question for you.

**LEG. MONTANO:**

It's my understanding that this resolution does not have to be passed today. It can be adjourned because we're coming back in two weeks, so we actually do have time to pass this resolution this year with the appropriate changes so that we inform the public. It's not something -- I don't want you to leave here with the impression that we have to do this right now this minute or we lose it. We still have an opportunity to pass the legislation, change the language to an appropriate language, at least appropriate in my way of thinking to disclose fully to everyone in Suffolk County what they're voting on and put this initiative on the ballot for November; am I correct in that assessment, Counsel?

**MR. NOLAN:**

Yeah. Well, we certainly have to act by the next meeting.

**LEG. MONTANO:**

Yeah, we have -- we have two weeks before we run out of time, but we also have time to change the resolution. And I think what some of us are arguing is not whether or not we want this on the ballot, but the manner in which it goes on the ballot. So don't leave here thinking that, you know, if we don't get it done now your issue is not going to be resolved.

**MS. SPILKA:**

I appreciate that. My only question is is there a chance the State will turn around and say, "You know what, I don't like what Suffolk County wrote," and they're going to stall.

**LEG. MONTANO:**

No, that's not --

**MS. SPILKA:**

I mean, again, I'm looking at the end result and that's my only concern.

**LEG. MONTANO:**

They're not -- they're not even concerned about that aspect, and I wouldn't worry about that. This is going to be done -- you know, whatever misinformation is out there I want to clarify it. Don't -- let's not create ghosts out here. The reality is that we have plenty of time to do this, do it right, get it on the ballot before November so you can vote on it intelligently. Thank you.

**MS. SPILKA:**

Okay. Thank you.

**LEG. ALDEN:**

There are still other questions.

**LEG. MONTANO:**

Wait, wait, we're not done.

**P.O. LINDSAY:**

Legislator Alden.

**LEG. ALDEN:**

Hi, and thanks for coming down. Some of the comments you made involve things that seem to me to be under the town's jurisdiction. Have you voiced your concerns, pretty much the same think you said today, to the town?

**MS. SPILKA:**

I'm sorry, people are laughing. Yes, absolutely, I speak frequently and our groups are quite active. What we're looking for, though, is the partnership so that the towns very often say, "You know what, the piece of land we're asking them to buy or take a look at, it costs more than they can afford. With this money, I felt they could partner more.

**LEG. ALDEN:**

Okay. We partner with Southampton and other towns right now.

**MS. SPILKA:**

Yeah, and Brookhaven for me.

**LEG. ALDEN:**

As a matter of fact, there's a couple of large pieces, the Duke parcel was just purchased with a Suffolk County, New York State I believe and a town sponsor, cosponsorship. But you said some other things that are interesting, too.

How about their -- have you talked to them about their master plan? Because all that property does not have to be zoned so that McMansions or whatever you want to call it can be built, especially when something is a farm, there's not an automatic right for that person to convert and build a hundred McMansions on it if there's a hundred acres. So the main priority of a town in developing a master plan should be some of your concerns, in addressing your concerns. So I'm interested, how did they respond to you when you went down and brought the same concerns you brought to us?

**MS. SPILKA:**

We're in the process now -- for example, let's use East Quogue as an example. In East Quogue, there are large tracts of open space that the developer has an as-of-right to develop, I think it's over 300 homes in the area, that drastically changes, it's maybe a third or a half.

**LEG. ALDEN:**

Oh, can I just stop you?

**MS. SPILKA:**

The same thing in East Moriches.

**LEG. ALDEN:**

I'll just stop you for one second. If property is in a developer's hands right now, there's a slim to none chance that --

**MS. SPILKA:**

Well, it's an owner's hand; it's not a developer's hand, it's an owner's hand.

**LEG. ALDEN:**

Okay, but go ahead then.

**MS. SPILKA:**

And what we've done is we're -- you know, quite actively fighting, you know, with -- fighting the town, fighting the developer. They're sitting, there was a moratorium that the town passed in East Quogue just so that they could take a look at this, so there's no question the Town of Southampton -- and again, I'm very active in terms of voicing the opinions of all of our civics in Southampton. We work very hard to do just what you're talking about. The predicament is the money isn't always there, so that the more money that the County has to partner with the town to do some of these things, the better it is for us.

**LEG. ALDEN:**

And I would also urge you to go back and really push them on the fact that if they have a requirement that X number had to be affordable houses, that doesn't fit any New York State or any Federal guidelines having \$800,000 worth of net weight -- net worth, that doesn't fit any affordable housing guideline at all. So that was either a sham or worse, it could have been a complete fraud. So you might want to press the town on --

**MS. SPILKA:**

We have and that was a big issue for us.

**LEG. ALDEN:**

Good.

**MS. SPILKA:**

It was just an example of what not to do and they have since changed their legislation because of this. But what I'm saying is typically there's the developers, every developer that comes forward, no matter what it is, none of them are saying it's worth their while to build affordable housing. I don't see it as an either/or, I see it as preserve the land, do what we can. And in addition, my groups, as are others, are pushing forward to build more affordable housing where it should be built, so I don't think it's an either/or. Again, thank you.

**LEG. ALDEN:**

Good. Thanks for coming down.

**P.O. LINDSAY:**

Andrea -- uh, we're not done yet; Legislator Kennedy. You're almost as good as Dick Amper, yeah.

**MS. SPILKA:**

As Ben, right. Oh, Dick Amper? I thought you meant Ben.

**P.O. LINDSAY:**

No, no, you pass Ben. Go ahead, Legislator Kennedy.

**LEG. KENNEDY:**

Thank you, Mr. Chair. I have just one other kind of area I'd like to talk to you a little bit about when it comes to the affordable housing aspects.

Like all of my colleagues here, I am in favor of putting this out to the public. I do feel somewhat concerned that we don't have the price tag in there, and I hear your message, basically, which is let's get this worked out so it gets out there. But you speak specifically about efforts in Southampton Town associated with affordable housing, and affordable housing, as you know, often times goes to density and density often times, most times goes to sewerage. So I'll ask you specifically what, if anything, happened when you look at Southampton or the villages and efforts to create sewer districts and efforts to create mains; where does it go in a community that wants to go ahead and preserve land, yet at the same times speak to the creation of affordable housing so we get out of this dilemma associated with developers who say I don't think get to yield. What happens?

**MS. SPILKA:**

What -- and again, there's no question, I'm a little prejudice on that count. My areas are fighting strongly not to put in sewers. What we are pushing for when it comes to affordable housing is more infilling within the area, so that we have Eastport, for example, lots of older homes; take those homes, convert them, three families instead of one, you know, they're a little older.

At the same time, what we've encouraged both the Town of Southampton and other areas to do is to build small pockets of affordable homes. It doesn't have to be, you know, 30 homes or 50 homes. If every hamlet in Southampton Town builds ten affordable homes, that's a lot of affordable homes in my area. So there are other ways to do it without sewerage, that would be my goal, and it doesn't change the overall environment.

I come from Rockaway, I know what it's like when you build lots of homes in a very small place, you don't necessarily want to do that. You don't want what used to be the projects in {Arvern} and Edgemere in the Rockaway area, what you're looking for is to incorporate affordable housing within the community and I think it can be done with small, you know, components of affordable housing throughout the area, at least that's we're looking for in our area. And again, I don't think it's mutually exclusive when you preserve land in our area and at the same time build this affordable housing.

**LEG. KENNEDY:**

I appreciate you --

**MS. SPILKA:**

I don't know if I answered your question because, again, I'm not a Dick Amper or I'm not a Bob DeLuca.

**LEG. KENNEDY:**

No, no.

**MS. SPILKA:**

I'm a person.

**LEG. KENNEDY:**

No, I appreciate it, you're a person from the community who's coming forward.

**MS. SPILKA:**

I'm a regular, less educated person, sorry; I'm a regular, less educated person as far as the environment is concerned.

**LEG. KENNEDY:**

No, as a matter of fact -- no, you're quite articulate. And as a matter of fact, you speak to your community well. But the reason I bring that issue up is because I do think that we're wrestling, once again, about issues that each one of us have to go ahead and contend with.

In the area that I represent, we're looking at the small pocket parks and things like that, but sewerage is critical to us. We want to be able to go ahead and see protection of property, but at the same time relief and remedy to a groundwater system and an aquifer that's being significantly impacted on a regular basis.

So I thank you for sharing your thoughts, but I think that that's something that, you know, we have to look at peacefully coexisting with. I don't think we can put one in opposition to the other.

**MS. SPILKA:**

And I'm hoping, sir, that it doesn't have to be, that you can come up with some mechanism that will help all of it, you know, so that --

**LEG. KENNEDY:**

A rabbit out of a hat maybe?

**MS. SPILKA:**

No, no. You know, I have faith in you guys. Thank you. And sorry, Dick.

**LEG. KENNEDY:**

Thank you.

**P.O. LINDSAY:**

Okay. Andrea, you were the last speaker. Is there anyone else in the audience that would like to speak on 1511?

**LEG. MYSTAL:**

No.

**P.O. LINDSAY:**

Please come forward, ma'am.

**MS. KENNEDY:**

My name is Mary Kennedy.

**P.O. LINDSAY:**

You've got to speak, Mary, into the microphone and identify yourself for the record.

**MS. KENNEDY:**

Oh, okay. My name is Mary Kennedy and I would like to address this to Mr. Mystal. He mentioned the Town of Huntington; I have lived in the Town of Huntington for 45 years, approximately, and things have changed there drastically. We had beautiful property for affordable housing, but all that changed about 1998 -- I mean, 1998. It was believed that this area in Huntington was going to be designated for expanding of the Town of Huntington many years before for -- when the town grew, that homes could be built. This area is up in Huntington Station and the Town of Huntington. My Legislator, Jon Cooper, came and he made some open space; I'm right in the middle of that property which I have been prosecuted for ten years. That is my issue right now. But all this property could have provided beautiful homes for the people that could afford them, not the mega-mansions that have been sprouting up all over, on wetlands with tremendous parcel connections to destroy beautiful wetlands.

There is now a 1.5 -- one point four hundred ninety-five million dollar home on Cannon Drive on a property that was subdivided, a beautiful, old homestead and that was built on wetlands. How do we know to believe that the Legislators of the different towns are going to protect the properties from these developers? I have been a victim. I know I don't speak well, but I do care and I have struggled to keep my little property of two acres in the pristine way that it was when I purchased it, but restored for many years.

I ask you now to be honest with the people with this bill, that you do let the people know what amount of money and the true facts. If this bill goes through without you letting know all the facts to the people, there are a lot of very basic, average people out there and they don't understand everything, but you have to give them an opportunity to understand what you're doing. We're not all fools all the time, we're simple people and with simple needs. And one of those things that our Town of Huntington has taken away most of all from the average people are the old homes that used to be one and two family homes, but now all those homes have been sold to different people and those are preferably business and offices, no room anymore for those people, they have been pushed out. We've got to stop and think and stop hurting people, not -- you're not hurting the people that can afford millions of dollars or well affluent, they have all the comforts of the world, but you have to think of the children that are taken away from good schools because the parents can't afford to live in these communities anymore. You've got a lot to think about.

And open space, there is one thing that I would like to the address and that's our fresh water. There's an issue that has never been discussed before, we've -- you've discussed sewers, but you haven't ever discussed what happens with cesspools. Cesspools are constantly being pumped out, they are treated with acid; those pools collapse and they have to be replaced. The material they take from those cesspools are then distributed for soil into different areas of landfill to fill in different sloping areas, all this acid is seeping down into different areas in the drains, wherever they're going to drain, and that is causing a certain amount of pollution in our bays and nobody has ever looked into this situation with the acid.

So I don't know what else to say, but I'm still going to struggle to hold on to my home and my property. And I am a little bit tired of the ridicule I have suffered all these years. I'm not a smart, smart person, but God did create me and bring me in to this world and I had a wonderful, hard-struggling family and I'm proud of myself and my heritage.

And Mr. Mystal, there was areas in the Town of Huntington and people wouldn't buy there when I moved to Huntington years ago because it was a black area, but now that black area has been bought out with people that have built mega houses, so I guess times have changed. But we've got to stop. I may not be getting through to you and you may laugh at me, whatever, but this is very, very serious, and I will not give up my property to any developer. If the town and the County, I'm stuck between the developer, the town behind me and next to that the County, and they have tried everything for 12 years to get me out of my property, but for some simple reason, in my own simple way, I always told the truth, and I guess the truth set me free in many ways, but not completely

because now the town is suing me for \$45,000 that I didn't pay municipal taxes.

**P.O. LINDSAY:**

Mary, your time is up. Thank you very much for your comments.

**MS. KENNEDY:**

So anyway, I'm still in limbo, but don't put anybody else in limbo, be truthful with the people.

**P.O. LINDSAY:**

Okay.

**LEG. MYSTAL:**

Thank you.

**MS. KENNEDY:**

Thank you.

**P.O. LINDSAY:**

Thank you, Mary. I don't have any other cards. Anybody else want to talk on this subject? Commissioner, you want to talk on this subject?

**COMMISSIONER MEEK-GALLAGHER:**

Sure.

**P.O. LINDSAY:**

Okay.

**COMMISSIONER MEEK-GALLAGHER:**

I just --

**P.O. LINDSAY:**

You want to pick up where Mary left off. Are we buying limbo, that's what I want to know.

**COMMISSIONER MEEK-GALLAGHER:**

We're beyond limbo, we're out of money. I just wanted to -- in case there was still any question in anyone's mind as to the need for this program now, there -- I don't know if these got passed around, but these are the latest --

**D.P.O. VILORIA-FISHER:**

I have them.

**COMMISSIONER MEEK-GALLAGHER:**

You have them? Legislator Viloría-Fisher, if you could --

**D.P.O. VILORIA-FISHER:**

You want me to --

**COMMISSIONER MEEK-GALLAGHER:**

Yeah, if you could pass them around. This is the information we share every month at EPA Committee and it shows the status of our acquisition programs, the fact that we're in the red. And it's actually deceptive, we're in the red more than it looks like because several of the programs are programs that cannot be utilized except for very specific areas, specific parcels that were on a list at one time; we've called those lists and they can't be -- can't be purchased. So as of almost the end of July, we were \$1.5 million in the red in the Acquisition Program.

I would like to just make you aware also that this Legislature, since 2000, has passed 17,000 acres worth of planning steps, about 6,000 of those have been acquired which means that there's 11,000 acres still outstanding already approved by this Legislature. And at the current rates of funding, if this is not extended, just to acquire what's already been approved by this Legislature, it would take about 28 years.

So just in case there are any questions about the need for funding for the program, we wanted to reiterate that, and I'm happy to answer any other questions that you might have.

**P.O. LINDSAY:**  
Legislator Alden.

**LEG. ALDEN:**  
Let's start with the last statement you made; it would take 28 years because of your staffing?

**COMMISSIONER MEEK-GALLAGHER:**  
No, funding, funding. If we don't accelerate and reconfigure this program, we'll have next year 50 million, the following year 50 million and then it drops down to 35 million in existing programs.

**LEG. ALDEN:**  
But that sounds a lot -- that sounds like a lot of money compared to the nothing that you said just a minute ago. So we would have 130 million in the next two years, or year and a half basically.

**COMMISSIONER MEEK-GALLAGHER:**  
Yes, with current funding programs, which at the cost of land -- and that's why I was pointing out that there have already been so many thousands of acres approved in planning steps resolutions that we're trying to work our way through. We don't have the funding to go after all of the parcels that have already been approved, let alone any future parcels that we might want to acquire.

**LEG. ALDEN:**  
Okay. So just bring me through the process, you're not actually negotiating now over parcels, you've have stopped because we have no money?

**COMMISSIONER MEEK-GALLAGHER:**  
Only what you see in negotiation line here, so we do have some parcels in negotiation, about \$12 million worth of parcels in negotiation.

**LEG. ALDEN:**  
And the rest of them you've stopped negotiating then, or you haven't even started negotiating?

**COMMISSIONER MEEK-GALLAGHER:**  
Right, we're trying to be very fiscally responsible and not negotiate --

**LEG. ALDEN:**  
Okay, even though we have 130 million coming in within the next year and a half, two years, you've stopped negotiating? I just want to find out how we're doing this.

**COMMISSIONER MEEK-GALLAGHER:**  
Only if it would be, say, a Legacy Fund Project where there's -- we know there's a 50/50 partnership. We've already -- in other words, with all of the stuff that's already been approved and gone through Environmental Trust Review Board, we could easily spend all that money. We aren't going beyond making offers into say a certain percentage of funding for -- that we can anticipate in 2008 because we know that we're already going to be short.

**LEG. ALDEN:**

Well, you're saying you're only short a million and a half and yet next year we'll have \$50 million; so is that a prudent way to approach the acquisitions?

**COMMISSIONER MEEK-GALLAGHER:**

When there's 11,000 acres of planning steps resolutions that have all been approved, we can't be making offers on -- we can't be moving forward on those parcels that have already been approved for acquisition.

**LEG. ALDEN:**

I don't understand why because -- and I do real estate, so sometimes things --

**COMMISSIONER MEEK-GALLAGHER:**

Well, that's one \$1.1 billion we would need at today's -- at rough estimate.

**LEG. ALDEN:**

No, no, but you're making the assumption we want you to close today or tomorrow. You can go into contract and close a month from now, six months from now, there's all different stages that you can actually close properties and it's done all the time. Even though on a normal residential transaction, sometimes it takes three to six months or longer for those parcels to close. So I really am perplexed at why you've stopped negotiating and maybe even gone into contract where you could close in a couple of months, because we're really closing in on the end of the year, we're starting '08 very soon and we would have a fresh pot of money, basically, if you want to look at it that way.

**COMMISSIONER MEEK-GALLAGHER:**

Well, \$50 million is not that much money for the cost of land on Long Island and in Suffolk County. But the concern being that as Suffolk County, whenever we make an offer, we're putting the full faith and credit of the County on the line, so we don't want to be out there negotiating for hundreds of millions of dollars worth of properties when we know we're not going to have -- you know, unless we know we're going to have that money within a reasonable timeframe, we're not going to be telling people, "Well, maybe in 2010 we'll be able to close."

**LEG. ALDEN:**

Well, a year seems or six months seems to be a reasonable timeframe to close, because some of these properties -- I've been here ten years, we've negotiated for some of these properties for five or eight years and we still haven't bought some of them, so.

**COMMISSIONER MEEK-GALLAGHER:**

And the timeframe does -- it is about a year to a year and a half on average, assuming no hurdles, so we don't want to go beyond that at this point.

**LEG. ALDEN:**

Well, then you should be using closer to \$100 million worth of available funds, you know, in the scheme of things or in your budget for negotiations. You can negotiate on almost \$100 million worth of properties if you're using a year, year and a half timeframe.

And now to go on to one other thing, it was mentioned before, Mr. Amper told us that they have a list of properties and it's about 25 million of open space?

**COMMISSIONER MEEK-GALLAGHER:**

Twenty-five thousand of open space.

**LEG. ALDEN:**

Twenty-five thousand acres, right; I'm sorry. So 25,000 of open space, 10,000 of farmland; do they

coincide exactly with our master list that we've already --

**COMMISSIONER MEEK-GALLAGHER:**

Actually, our master list was incorporated into that list, because we do not have that many acres outstanding.

**LEG. ALDEN:**

So our master list did not include that 35,000 acres.

**COMMISSIONER MEEK-GALLAGHER:**

No, they incorporated our master list into that list. So the 35,000 acres includes all the parcels on our master list, New York State Open Space Conservation List, Pine Barrens Core, Nature Conservancy list, the towns' list, the Critical Lands Protection List from the Estuary Programs.

**LEG. ALDEN:**

But I thought when we developed our master list, that we took -- we conversed or whatever way you want to call it, we contacted the towns, we asked them for lists of property that they would like to see preserved and we contacted New York State, The Nature Conservancy and all the other people that had -- or stakeholders, whatever you want to describe it as. I thought that when we developed our list that we had talked to all the stakeholders?

**COMMISSIONER MEEK-GALLAGHER:**

We did talk to all stakeholders, but remember, our master lists were developed in 2000 -- our large master list was developed in 2004 and 2005, the Long Island Last-Stand List came out in 2006. They broadened the scope, they did -- they added additional lists and additional parcels that were not -- that are not part of our master list. We do not have 35,000 acres or approximately 30,000 acres on the list.

**LEG. ALDEN:**

Didn't we have certain criteria when we developed our master list?

**COMMISSIONER MEEK-GALLAGHER:**

Yes.

**LEG. ALDEN:**

Okay. So --

**COMMISSIONER MEEK-GALLAGHER:**

It was Watershed Protection -- it's actually all -- if you look in the criteria that's in the bill itself, the Quarter Percent, what would be funded, it's those types of things, it's Open Space, it's Farmland, it's Aquatic Habitat areas, it's Watershed Protection, Hamlet Parks.

**LEG. ALDEN:**

So these other parcels are stuff that didn't qualify for our master list? I want to understand why those parcels weren't on our master list.

**COMMISSIONER MEEK-GALLAGHER:**

I can't -- I'm not positive to that, I wasn't here then. I only know that our master list was definitely incorporated into the Long Island's Last-Stand list which tried to take a broader perspective. If we're actually going to say, "Here's the last stand," let's go to all the sources that are out there that have been scientifically evaluated.

**LEG. ALDEN:**

So would all those 35,000 acres, would they have qualified for our master list?

**COMMISSIONER MEEK-GALLAGHER:**

I would think so.

**LEG. ALDEN:**

But they weren't on it.

**COMMISSIONER MEEK-GALLAGHER:**

Well, no, that's a -- that would be a lot of parcels and a lot of money for us to target just for Suffolk County. We're hoping that --

**LEG. ALDEN:**

But a master list targeted more than we could afford to buy anyway, that was a wish list, supposedly.

**COMMISSIONER MEEK-GALLAGHER:**

Well, I don't think -- I wouldn't call it a wish list, I would say that these are all the lands that we think should be protected based on environmental sensitivity or other factors.

**LEG. ALDEN:**

So then what was the financial plan to supply the capital to purchase that -- our master list, which was a little bit smaller than this?

**COMMISSIONER MEEK-GALLAGHER:**

I don't think there was a financial plan put together at the same time. I think the --

**LEG. ALDEN:**

How about a projection then?

**COMMISSIONER MEEK-GALLAGHER:**

I would assume the projection is that this Legislature and the residents of Suffolk would continue to approve and find new sources of funding.

**LEG. ALDEN:**

New sources or to use the -- utilize the existing ones?

**COMMISSIONER MEEK-GALLAGHER:**

Well, existing, expand them, do new bond initiatives, extend the Quarter Percent Sales Tax.

**LEG. ALDEN:**

Would 150 million in the next two years have kept us on pace to purchase our master list? Because actually if you take --

**COMMISSIONER MEEK-GALLAGHER:**

No, because this would be the shortest amount because we don't have any -- SOS expires at the end of this year, so we'll be down to only three main land acquisition programs next year; Multi-Faceted, Legacy Fund and the Quarter Percent, and Legacy Fund expires in 2009, so then you're down to two land acquisition programs.

**LEG. ALDEN:**

Okay, then obviously you've got these numbers. So from now til 2013, how much money would we have generated or would Suffolk County generate under the current program to purchase property?

**COMMISSIONER MEEK-GALLAGHER:**

I want to say 137 million, but let me just double check. Yes, we estimated that through 2013, under existing programs, we would have 137 million.

**LEG. ALDEN:**

That sounds low. Because the Quarter Cent is generating how much per year?

**COMMISSIONER MEEK-GALLAGHER:**

The Quarter Percent is generating -- let's see.

**MR. LIPP:**

Sixty-six point eight -- oh, not for --

**COMMISSIONER MEEK-GALLAGHER:**

No, no, it's different every year, though. I don't have it broken down, but it's --

**LEG. ALDEN:**

No, just a rough -- it's all a guess anyway when you do budgeting.

**COMMISSIONER MEEK-GALLAGHER:**

Yeah, I wouldn't want to guess, though, because it is a different amount every year because it's based on the anticipated revenues plus what the debt -- but what is actually going to the Open Space Program, I mean, the whole program doesn't -- the whole Quarter Percent doesn't go to Open Space.

**LEG. ALDEN:**

No, but we have projections on how much goes to that land acquisition program.

**COMMISSIONER MEEK-GALLAGHER:**

Right. I mean, the total through 2013 is 40 million, so if you want to break that down over six years.

**LEG. ALDEN:**

That's how much the Quarter Cent is generating for open space?

**COMMISSIONER MEEK-GALLAGHER:**

Well, through --

**LEG. ALDEN:**

No, there's two or three components.

**COMMISSIONER MEEK-GALLAGHER:**

No, for the Open Space Program.

**LEG. ALDEN:**

There's Open Space and then there's Farmland Preservation comes out of the Quarter Cent and there's Water Protection; there's three components to it, so it's got to be more than \$7 million a year.

**COMMISSIONER MEEK-GALLAGHER:**

But the Water Protection component, the 11.25% currently does not purchase Open Space or Farmland, it goes to non-point source pollution reduction --

**LEG. ALDEN:**

That's the 477 account, right.

**COMMISSIONER MEEK-GALLAGHER:**

It's 477, storm water remediation.

**LEG. ALDEN:**

Right, but there's other components that go towards purchasing.

**COMMISSIONER MEEK-GALLAGHER:**

Only Farmland and Open Space, and the amounts at the tail-end years are always smaller than earlier in the program.

**LEG. ALDEN:**

This is a pay-as-you-go program, I would -- through the Chair, can I go over to Budget Review? Hopefully they have the number.

**MR. LIPP:**

I believe that she's basically correct. Farmland and Open Space, under the current program, would generate, according to our numbers, 107 million, I believe she said 110, so that's about in the same ballpark, it's a projection.

**LEG. ALDEN:**

Through 2013?

**MR. LIPP:**

Through 2013, and that's 2007 through 2013, that's Farmland and Open Space combined which are the land acquisition programs.

**LEG. ALDEN:**

Okay. How about the other programs that it's in? Because there's one that was --

**COMMISSIONER MEEK-GALLAGHER:**

Legacy Fund is 50 million over three years, but we're already half-way through 2007.

**LEG. ALDEN:**

So that brings us up to 157 million, roughly.

**COMMISSIONER MEEK-GALLAGHER:**

Well, no. See, I have the existing Quarter Percent at 40 million; old Quarter Percent at 7.8 million; SOS, three million through the rest of this year, although some of that is Hamlet Park which is probably going to get left on the table; Multi-Faceted, 37 million; and Legacy Fund, 50 million. We didn't --

**LEG. ALDEN:**

Are those in addition to the open -- the Quarter Cent monies? Quarter Cent you said is about 107 million.

**MR. LIPP:**

We stated in the Energy Committee meeting that there was a discrepancy in our numbers, our numbers were \$100 million higher and we said that the difference is we were looking at moving forward in terms of meeting the last stand requirements that we included 2007 numbers. So for in particular, if you look at the numbers that Energy & Environment looked at in terms of in negotiation, accepted offers in contract, those are parcels that have not been purchased yet, that's in '07. Even if they are purchased in '07, that's still going to towards our last stand, so we're including that \$100 million as additional to what she had.

**COMMISSIONER MEEK-GALLAGHER:**

And we don't include that as available because it's already committed.

**MR. LIPP:**

Yes, but what we were looking at is in terms of what are commitments going towards meeting the total requirements of the last stand. So we're not arguing, we're just looking at it from a different

perspective.

**LEG. ALDEN:**

What I'm asking, though, is a different -- I guess it's a different question. What I'm asking is under the current program, how much are we generating til 2013; current programs. And if you want to lump them together or if you want to break them down, I just want to understand what the numbers are. You know what, we can get it later, too. Thanks.

**COMMISSIONER MEEK-GALLAGHER:**

The bottom line, we estimate that we'll have available to spend, meaning not already committed, available to spend on future acquisitions, including those in negotiation, 137 million.

**P.O. LINDSAY:**

Okay, you satisfied?

**LEG. ALDEN:**

Yeah, I'm going -- I'll talk to them later.

**P.O. LINDSAY:**

Okay. Legislator Mystal.

**LEG. MYSTAL:**

Hi. Just -- I'm over here. Continuing on Legislator Alden, would you happen to know, if you take out the Farmland Preservation and you take out the western town, would you happen to know how much -- and I'm going to ask the same question from BRO; Gail, I'm asking the same question. How much are we paying on the average per acre in the east end for when we buy land? On the average, like in 2007, in 2007, how much did we pay per acre, more or less, when you average everything out?

**COMMISSIONER MEEK-GALLAGHER:**

Yeah, I don't -- I use a rough estimate of everything altogether.

**LEG. MYSTAL:**

Yeah.

**COMMISSIONER MEEK-GALLAGHER:**

No, I mean, what I have is a rough estimate if you county total acquisitions together. I wouldn't -- I mean, it can range from -- you know, the price can range, but it's expensive but it's very expensive in the west end towns as well because you're buying building lots.

**LEG. MYSTAL:**

Yes.

**COMMISSIONER MEEK-GALLAGHER:**

You know, if you look on a per acre, price per acre --

**LEG. MYSTAL:**

Well, we don't buy a whole bunch of things on the west end anyway.

**COMMISSIONER MEEK-GALLAGHER:**

No, but it is expensive.

**LEG. MYSTAL:**

I know, I'm just trying to find out how much we --

**COMMISSIONER MEEK-GALLAGHER:**

But we just preserved 16 acres in Legislator Lindsay's district.

**LEG. MYSTAL:**

Huh?

**COMMISSIONER MEEK-GALLAGHER:**

We just preserved 16 acres in Legislator Lindsay's District.

**LEG. MYSTAL:**

Sixteen acres, and how much did you pay for that; do you remember?

**COMMISSIONER MEEK-GALLAGHER:**

That was --

**LEG. ALDEN:**

You need a calculator.

**LEG. MYSTAL:**

Ballpark figure.

**LEG. ALDEN:**

Somebody divide 16 by 1.2 million.

**P.O. LINDSAY:**

Yeah, I think it was 1.2 million.

**COMMISSIONER MEEK-GALLAGHER:**

Two point six million.

**P.O. LINDSAY:**

One point six? I thought it was 1.2.

**LEG. MYSTAL:**

Two point six, 2.6.

**P.O. LINDSAY:**

No, it was 1.6.

**COMMISSIONER MEEK-GALLAGHER:**

One point six?

**LEG. MYSTAL:**

I don't know, BRO is telling me 2.6.

**P.O. LINDSAY:**

No, no; no, you're wrong.

**LEG. MYSTAL:**

Well, you both can't be right.

**LEG. ALDEN:**

It's Bill's district.

**P.O. LINDSAY:**

It's mostly wetlands, you couldn't do anything with it anyway.

**LEG. MYSTAL:**

I know, but I'm just trying to --

**COMMISSIONER MEEK-GALLAGHER:**

There's 12 building lots, though.

**LEG. MYSTAL:**

That's not where I'm going. I'm going -- I'm trying to find out how much it costs --

**COMMISSIONER MEEK-GALLAGHER:**

Sorry, it was 2.7, my Division of Real Property Acquisition & Management is telling me.

**P.O. LINDSAY:**

Oh, really?

**LEG. MYSTAL:**

All right, Bill Lindsay --

**P.O. LINDSAY:**

I'm wrong.

**LEG. MYSTAL:**

You're a Legislator, so back off, you don't know what you're talking about. Two point seven million dollars, so basically, you know -- and you know how much it costs in the east end per acre.

**COMMISSIONER MEEK-GALLAGHER:**

I mean, it ranges, you can get -- obviously you saw there was one parcel that was almost a million dollars for an acre.

**LEG. MYSTAL:**

Do you think -- okay, do you think we pay a fair price for what we buy?

**COMMISSIONER MEEK-GALLAGHER:**

Oh, we --

**LEG. MYSTAL:**

We negotiate hard and we pay a full price.

**COMMISSIONER MEEK-GALLAGHER:**

Yes, we have a very rigorous appraisal review standard. It goes through you, it goes through -- we order two appraisals for anything that costs -- that we estimate is going to be above \$300,000.

**LEG. MYSTAL:**

So --

**COMMISSIONER MEEK-GALLAGHER:**

It's certified then by our outside appraisers, it then goes through an internal Appraisal Review Unit, it then goes through Environmental Trust Review Board which Legislator Losquadro sits on and Legislator Lindsay sends a representative --

**LEG. MYSTAL:**

So we're not being taken in.

**COMMISSIONER MEEK-GALLAGHER:**

-- Legislator Nowick sits on. Huh?

**LEG. MYSTAL:**

We're not being taken in.

**COMMISSIONER MEEK-GALLAGHER:**

No.

**LEG. MYSTAL:**

Okay.

**COMMISSIONER MEEK-GALLAGHER:**

No. In fact, we get many sellers who are upset because they think that we're not offering them enough money.

**LEG. MYSTAL:**

So we're paying a lower price. Do you think that --

**COMMISSIONER MEEK-GALLAGHER:**

We're paying the fair market value.

**LEG. MYSTAL:**

Fair market value. Do you think that --

**COMMISSIONER MEEK-GALLAGHER:**

Fair market value as certified by two outside appraisers, our internal Appraisal Review Unit.

**LEG. MYSTAL:**

And you don't have an idea how much, you know, an acre would cost, do you, BRO, more or less?

Let me ask BRO, on the average.

**MR. LIPP:**

We looked at some of the data. As Carrie Meek-Gallagher is saying, I believe -- we're using as a rule of thumb \$100,000 County-wide.

**LEG. MYSTAL:**

Yeah.

**MR. LIPP:**

Now the problem is when we've looked at parcels purchased this year or last year, we find very few parcels out east, so therefore it's very difficult to make a determination. Like you'll see a couple of the towns extremely low and a couple of them extremely high, but that's because of the parcels we just purchased. So the point to be made, too small a sample size, you have -- it's called background. So therefore, it's too difficult to say. I mean, if we used the actual averages that were there, we would have some ridiculously high and low numbers in specific towns that really wouldn't make sense. So the County-wide number is the best we could do right now; if we had more data, maybe like from all the towns and we had a larger sample size, maybe we could fine tune that better.

**LEG. MYSTAL:**

Okay. The question I'm driving at is like, you know, of the remaining acreage that is left that is not included for buying by the environmentalists, would it be fair to say that -- the acres, I assume, would be about the same price?

**COMMISSIONER MEEK-GALLAGHER:**

Well, it depends on the timing that we buy it. I mean, if we're buying over the next couple of years, yes, I think we can still use that as --

**LEG. MYSTAL:**

No, I'm talking about the acreage that we are not buying, we haven't considered buying at all; the acres that will be left, let's say, for development. That would be the 35 --

**COMMISSIONER MEEK-GALLAGHER:**

-- thousand acres that are left for development.

**LEG. MYSTAL:**

Would you say that would be roughly about the same price, since we're doing a good job in negotiating?

**COMMISSIONER MEEK-GALLAGHER:**

Well, there's going to be a difference in the value of land, in the price of land that is going to be developed versus the land that you're buying for open space.

**LEG. MYSTAL:**

It's going to be higher; it's going to cost higher?

**COMMISSIONER MEEK-GALLAGHER:**

If you're going to develop it, you'll probably -- you'll get more money. It would be a higher cost-breaker because you don't have farmland purchase of development rights in there which bring our per acre cost down.

**LEG. MYSTAL:**

Yes, so it would be higher. So if I'm buying land, let's say, at two thousand -- at \$200,000 an acre, how am I going to get an affordable home on that?

**COMMISSIONER MEEK-GALLAGHER:**

Well, I doubt that the land is going to be purchased for -- we have money sitting in an affordable housing account that can be used to purchase land.

**LEG. ALDEN:**

Let's do it; how much?

**COMMISSIONER MEEK-GALLAGHER:**

Five point five million dollars.

**LEG. ALDEN:**

Let's do it; we can do it right in Islip.

**D.P.O. VILORIA-FISHER:**

Unfortunately there's many --

**P.O. LINDSAY:**

Unfortunately I've got a planning step in since February to buy some property for affordable housing, I can't get it appraised.

**COMMISSIONER MEEK-GALLAGHER:**

You can't get it appraised?

**P.O. LINDSAY:**

Appraised, that's right; that's right, I can't get it appraised.

**LEG. ALDEN:**

Oh, there's a problem.

**COMMISSIONER MEEK-GALLAGHER:**

Well, we'll have to remedy that. I wasn't aware of that.

**LEG. MYSTAL:**

I was trying get to the point like, you know, if we're going to buy land to build affordable homes and the acre is going to cost us roughly \$200,000 -- and I was just informed by my very learned attorney, Lou D'Amaro, that you can subdivide. Given the fact that most towns don't want to give you any great density, what would it cost -- when we say affordable home, we start with a base, the land costs \$200,000, I have one acre, maybe I could put -- how many houses can you put on there, sir, my learned friend?

**COMMISSIONER MEEK-GALLAGHER:**

It depends on what town you're in.

**LEG. MYSTAL:**

Two?

**LEG. D'AMARO:**

It depends on the code.

**LEG. MYSTAL:**

On the code.

**COMMISSIONER MEEK-GALLAGHER:**

It depends on the code. The big hurdle with affordable housing is not --

**LEG. MYSTAL:**

Maybe two or three houses?

**COMMISSIONER MEEK-GALLAGHER:**

The big problem is not money to purchase land for affordable housing, it's the zoning, that's --

**LEG. MYSTAL:**

The zoning.

**COMMISSIONER MEEK-GALLAGHER:**

And if you ask Commissioner Morgo --

**LEG. ALDEN:**

(Inaudible).

**COMMISSIONER MEEK-GALLAGHER:**

If you ask Commissioner Morgo, that's what he will tell you. We have a lot of -- I mean, one of the unique components of this program is that for the first time in the history of the Quarter Percent Program, we're actually putting in a TDR component, so you can strip the development credits.

**LEG. MYSTAL:**

I know, but TDR only -- can only work if the town will give you the zoning; if the town will give you the zoning.

**COMMISSIONER MEEK-GALLAGHER:**

No, the County approves the sewerage flow credits.

**LEG. MYSTAL:**

Yeah, but it's dependent if the town will give you the zoning.

**LEG. D'AMARO:**

Oh, yeah, any project.

**LEG. MYSTAL:**

Any project.

**COMMISSIONER MEEK-GALLAGHER:**

Right, any project is dependent, of course. Any development project is dependent on the town's approval.

**LEG. MYSTAL:**

Okay, I'm just saying if I start with a base of \$200,000 for the land, an affordable home is not something that I'm looking at.

**COMMISSIONER MEEK-GALLAGHER:**

No, but that's why we have a program to help subsidize the cost. There's actually a lot of programs that we have for affordable housing that help subsidize it.

**LEG. MYSTAL:**

We have plenty of programs, we're just not building anything.

**COMMISSIONER MEEK-GALLAGHER:**

Well, according to Commissioner Morgo, we've got 3,953 units in the pipeline; I think I put it in my memo that I circulated.

**LEG. ALDEN:**

Just in Suffolk County?

**LEG. MYSTAL:**

In the pipeline.

**LEG. ALDEN:**

Just in Suffolk County.

**COMMISSIONER MEEK-GALLAGHER:**

Yes.

**LEG. MYSTAL:**

Yeah, in the pipeline, yeah.

**LEG. ALDEN:**

No, that's for all the towns.

**P.O. LINDSAY:**

Okay, let's go. Vivian, you have my list, so I don't know who's next.

**D.P.O. VILORIA-FISHER:**

Oh, Kennedy.

**P.O. LINDSAY:**

Legislator Kennedy.

**LEG. KENNEDY:**

Two things; one for the Commissioner, I guess, and then I'm also going to ask BRO to make a comment, if they would, too.

Commissioner, I'm just going to ask you with the bill, we talked about this a little bit in committee

and I'm going to ask you to speak about it a little bit again. One of the aspects of land purchase, I guess, is the various approvals and steps that have to be gone through, including the Groundwater Water Quality Review Committee. There's a Stewardship, a Land Stewardship Committee that is being created in this bill also?

**COMMISSIONER MEEK-GALLAGHER:**

No, actually, what it would do is it would expand the existing Quarter Percent Committee, the Water Quality Review Committee to be a Water Quality & Land Stewardship Review Committee. Because we're adding a land stewardship component so that people could -- agencies or outside entities, in partnership with a County agency or municipalities, could request funding, put an application for funding to perform certain land stewardship activities that would benefit water quality because you're, say, removing invasives or cleaning up debris from waterways, etcetera and so forth.

**LEG. KENNEDY:**

How is that going to expand the process? Again, I try to approach it pragmatically; we've worked on the Smithtown program, partnering for 477 work there. Is this a process that's going to be now almost mandatory in order to get an approval by partnering with a municipality or with an environmental entity or somebody else like that and get committee approval?

**COMMISSIONER MEEK-GALLAGHER:**

I don't think it's mandatory that it -- that you have to do it. I think if an outside entity wants to receive -- if a non-County entity wants to receive funding, there is a 50% match requirement. So in other words, you're leveraging the funds, so if they're applying for \$40,000 worth of County funding, they have to match it with \$40,000 of funding on their own. After it's already been -- the funding has to be spent, there has to be a resolution supporting it and the funding would have to be spent after the fact, it couldn't have been spent beforehand and then you come to us for funding.

**LEG. KENNEDY:**

Oh, that's a whole nother (sic) story, we'll talk about that down the road.

The other question that I have is just a more generic question, Mr. Chair, it doesn't necessarily involve the Commissioner, although it may. It was just about debt service, I guess, and what this will do; if I can shift to BRO. Can you just speak a little bit to debt service with this initiative in comparison to what we will be seeing with our -- the balance of our debt service going forward into '08 or '09?

We've had that pipeline of debt that's been out there forever, so what's this going to do to it?

**MR. LIPP:**

Well, the current resolution, 1511, would allow for four years of borrowing up-front and would allow for 80% of that. Actually, the 550 some odd million dollars, \$557 million is 80% of the projected stream of revenues going for land acquisitions. Now, as a rule of thumb, 50% of the principal amount turns out also to be interest, so therefore it's two-thirds principal, one-third interest. The point to be made is in reality, if you're going to put anything on the ballot, that the maximum that would be spent in terms of principal amount would be two-thirds of 557,000 or \$372 million. The other third, or approximately 185 million, would go over, say, a 20 year period which is a typical bond for interest on the borrowings for the land acquisition component of IR 1511.

**COMMISSIONER MEEK-GALLAGHER:**

But we can only borrow up to 322 million as per --

**MR. LIPP:**

Well, I'm using -- I don't think we're that far off; I'm using our projections, your projections I guess are a little bit lower.

**COMMISSIONER MEEK-GALLAGHER:**

No, as per the Budget Office with what we would be able to borrow from outside sources.

**MR. LIPP:**

Yeah, I think it's just a difference in projections, I don't think there's a disagreement.

**LEG. KENNEDY:**

Again, when we get up into that many hundreds of millions, not that a million here and a million there doesn't make a difference, but the point is, I guess, two-thirds of this principal, a third interest. But then again, that's not that different from many long-term financing mechanisms.

But my question is more of a structural question to you; what does this block of borrowing and debt payment do with the already existing stream of debt that we have that we have to address going forward? How does it impact it; percentage-wise, what are we looking at?

**MR. LIPP:**

Okay, the answer is in a certain sense they're separate. Really the problem that we do have, and we have a problem, is increasing debt service in the General Fund which is putting pressure on the General Fund; this is not in the General Fund, this is sales tax and Fund 477. So even though, yeah, it increases debt service overall to the County --

**COMMISSIONER MEEK-GALLAGHER:**

And all the debt service will be paid out of the revenue stream.

**MR. LIPP:**

Right.

**LEG. ALDEN:**

Maybe, if there's a revenue stream.

**MR. LIPP:**

Well, I believe -- you know, in terms of the projections, you know, the 80 -- at least in theory, the 80% maximum limit, if you will, on allowable borrowings are supposedly a relatively conservative estimate because you're talking about 3% growth in sales tax, the 2030 which is clearly less than what the long-term trend has been. So yes, it's true that if the revenue doesn't show up, then it would be a General Fund obligation, but I think that most parties do agree that that's conservative enough that that is not likely to be the case.

**LEG. KENNEDY:**

How does that mechanism work, though? So In other words, if we get less than 3% sales tax revenues in the calendar year, automatically it becomes an obligation then of General Fund?

**MR. LIPP:**

Only if the monies are not physically in the -- in Fund 477, you're talking about a low probability scenario, though; it's sort of like, you know --

**LEG. MYSTAL:**

That it could happen.

**MR. LIPP:**

Anything could happen, but basically what we're doing is -- I mean, bottom line is you're talking about extending it out to 2030, so anyone would be incorrect to say, "I know with certainty how much we're going to have." You know, when you look at trends, 3% is a conservative number.

**LEG. KENNEDY:**

Do we have any other bonds right now, bond obligations that take us out that far?

**MR. LIPP:**

Oh, no. Actually, at least in terms of our estimates, we're assuming -- and typically what happens is we don't borrow more than 20 years, so that's not likely to be the case. We could go all the way out to 2030 which would be maybe 23 years at most, so you're not talking a big difference, but typically we're just going to borrow for 20 years; the period of probable usefulness could allow us to borrow for 40 years, but we're not doing that.

**LEG. KENNEDY:**

But as of right now, we don't go out that far with any other existing debt structure.

**MR. LIPP:**

Correct.

**LEG. KENNEDY:**

Okay. Thank you.

**P.O. LINDSAY:**

Legislator Alden.

**LEG. ALDEN:**

Actually, that partially answered my question. This is a dedicated stream for a payback of principle and interest, but it's full-faith and credit of Suffolk County. So for instance, if that stream of income doesn't materialize say, for instance, the downturn in the economy or depression or recession, then we dip into General Funds to pay that back.

**MR. LIPP:**

Yes, I would say that the most likely scenario would be not a downturn in the economy. I think in general, a 3% trend-wise should be okay, but rather if there's something more serious like a terrorist attack or a natural disaster.

**COMMISSIONER MEEK-GALLAGHER:**

In which case we'll have plenty of affordable housing.

**LEG. ALDEN:**

Oh, you mean like 2001?

**MR. LIPP:**

No, worse.

**LEG. ALDEN:**

Or worse, right. 2001 would have shown us basically dipping into the revenue stream that we use for every day government, because basically the economy just stopped operating for X amount of time.

**P.O. LINDSAY:**

Okay.

**LEG. ALDEN:**

Thank you.

**P.O. LINDSAY:**

You're welcome. Anybody else? Commissioner Gallagher, thank you very much for your very informative presentation.

**COMMISSIONER MEEK-GALLAGHER:**

You're welcome; any time.

**P.O. LINDSAY:**

Would anybody else like to speak on this subject? You've got anybody else, Jon, that's up there? Oh, hey, Paul Sabatino, hey.

**LEG. MYSTAL:**

Paul, yeah.

**P.O. LINDSAY:**

Forgive us, we're getting a little giddy, you know?

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

I understand. I'll really keep it brief. I think everything has been touched upon --

**LEG. MYSTAL:**

Excuse me, Mr. Presiding Officer. Before you start, Paul; Happy Birthday.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

Oh, thank you, Legislator Mystal.

**LEG. ROMAINE:**

It's your birthday?

**LEG. MYSTAL:**

It's his birthday.

**LEG. ROMAINE:**

Hey, hey, it's your birthday.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

Actually, I had written a poem for my birthday with political satire --

**P.O. LINDSAY:**

Oh, would you like to be the Poet Laureate?

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

-- but -- and I was going to read it --

**LEG. MYSTAL:**

Yeah, Poet Laureate, Paul Sabatino.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

I was going to read it, but when I saw the reaction to last week's Poet Laureate who was much more modest and tempered than I, I decided not to read it today, but thank you.

Real briefly, I just want to walk through the logistics just so everybody is comfortable with what has to be done or not be done to bring this to fruition. A couple of quick points. One is that the State Legislature, acting or not acting, has no bearing on your ability to set the referendum. The referendum is set by existing State Law as long as you pull the trigger in a timely fashion, which means that you have Legislative approval and County Executive approval no later than September 6th; the ball then goes in to the State Legislature's court. That's been the case in the past, irrespective of the problems they're having. All the other referenda, the State Legislature has acted after the fact; in this case they have to operate, or act I should say, no later than November 30th. If the referendum fails, obviously it's a moot question, there's not a problem. If the referendum passes, then the burden is on the State Legislature. So I would not be concerned about the failure of the Assembly to act, even though the Senate was very generous and, quite frankly, out of character compared to previous referenda by voting first; that was one technical point.

The other point is that if the hearing is -- we're requesting that the hearing be closed today because we're really tight in terms of time lines. The County Executive is truncating his portion of the roll to allow this thing to have an opportunity to be eligible in the upcoming referendum, which means we're going to have to do our legal notice ahead of time which means there can be no changes after today. If you hold the hearing today and conduct the vote, the County Executive won't take the full 30 days he normally would have, he'll act immediately and the bill will go forward. If you let it go one more cycle, if you don't pass it today and you table it, again, we're going to have to do the legal notice in advance which means you can't make changes when you come back two weeks from today, so that would preclude the ability to make a change on the 21st. And again, we would have a limited period of time to act. So although you can act on the 21st if push came to shove, it would be -- there would be a very small margin of safety as opposed to a little margin of safety by acting today.

And the last point I wanted to make was that the borrowing number has been repeated and I think misstated a few times. The way it's structured with the four years of the ability to borrow with the 80% provision, a 20% cushion, is you would be borrowing up to \$322 million; the total cost of that is about 570, but you're not borrowing 570. I've heard the number thrown around today 566, 570; I think it was just a misstatement on some folks part. But I just want to clarify the record that the way this was structured, you can only borrow in four years upfront because that's consistent with the last-stand concept. If you're truly making the last-stand to acquire land, the borrowing is going to happen in 2008, 2009, 2010, 2011. The 20% cushion that was built in that Mr. Lipp just mentioned a few minutes ago was also something done to make it very, very conservative. And the 3% growth rate in sales tax revenue, that's projected over the entire 22 years, that's extremely conservative. So you really would need literally a doom's day scenario to somehow not be able to meet that 80% stand, so I would not be concerned about that.

But again, the key is you're borrowing up to, and you will control that by individual resolutions, up to 322 million, not 300 -- 566 or 570.

**LEG. MYSTAL:**

Paul?

**P.O. LINDSAY:**

No, wait, I get him first. Then why can't you put on the ballot referendum, "Borrowing up to \$322 million plus interest"?

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

Well, I -- I --

**LEG. MYSTAL:**

That's 150 million in interest.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

The language that I've just seen I think addresses the concern that you've raised, I believe the draft --

**LEG. COOPER:**

It's going to be circulated.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

The draft is being circulated. I think that your point has been -- not with that exact wording, but it's going to say up to \$322, it will say up to "borrowing up to \$322 million with" --

**P.O. LINDSAY:**

Plus interest.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

I was going to say, with the repayment of all of the costs associated, because you have to be careful, it's not just interest, it's interest, it's the principal and it's the bond issuance costs; you don't want to start enumerating all of those costs because then the question will become so long, your eyes will get a little bit blurry. But it is going to say, "The costs to be repaid" --

**LEG. MYSTAL:**

All associated costs.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

"The costs associated with the borrowing to be repaid." So your point is being addressed, up to \$322 million and a sales tax stream is going to be used to repay that amount.

**P.O. LINDSAY:**

Legislator Vilorio-Fisher and then Mystal.

**D.P.O. VILORIA-FISHER:**

Paul, I just want to make sure I'm clear on what you just said. If we make the change in the ballot language today, I just asked Jon and he's been crafting the language for that -- now, I'm asking you and I'll be asking Legislative Counsel as well -- would we then have to look at that before we close today's public hearing, or would that require another public hearing? Because is that a substantive enough change in the law to require another public hearing?

**MR. NOLAN:**

I've already --

**P.O. LINDSAY:**

No.

**MR. NOLAN:**

I've already advised Legislator Cooper that it would not be so substantial as to require another public hearing; he could close the public hearing and not have to reopen it with this change.

**D.P.O. VILORIA-FISHER:**

Okay. All right, so --

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

That's why we're circulating it now before you close the hearing.

**D.P.O. VILORIA-FISHER:**

Okay. So then what you just said about any changes doesn't impact on that ballot language then; okay, thank you. Thank you, George.

**LEG. MYSTAL:**

Paul, don't go yet. I'm just trying to go --

**P.O. LINDSAY:**

Legislator Mystal.

**LEG. MYSTAL:**

Thank you. I'm just going with that language thing. We're borrowing \$322 million and we're paying in interest and related costs. It doesn't have to be a long sentence, it could just be we're borrowing \$322 million and repaying 576 of related costs. I can make it simple, like I said, we're borrowing 322 and the figure is 180; how's that?

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

We'll, I'll just read it to you, I think the phrase --

**LEG. MYSTAL:**

What's the phrase? Read the phrase for me.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

I think the phrase that came together encompasses your concern. It now says, once you get past the part about the accelerating the land acquisition component, it says, "By permitting borrowing of up to \$322 million over the next four years only with the cost of this borrowing to be repaid from the Quarter Percent Sales Tax revenue stream."

**LEG. MYSTAL:**

No, it has to say the total amount that we're going to repay.

**LEG. NOWICK:**

Can it say that?

**LEG. MYSTAL:**

Why can't we say the amount we're going to repay? You know, you're saying -- you keep saying that we're only borrowing -- it's like having a mortgage, I know when I go for a mortgage I'm borrowing \$200,000, but I know exactly how much I'm going to pay after 30 years because they tell me. Okay? All I want the voters to know, I want the voters in my district, okay, because I know -- contrary to what Dick Amper said and according to what anybody else has said, people in my district does not benefit from all this land acquisition out on the east end because they can't take the bus down there.

**LEG. ALDEN:**

It would require 20 changes.

**LEG. MYSTAL:**

That's right, plus they need a passport. I want the voters in my district to know that what they are going to pay for, when we say we are going to borrow X amount of dollars, I want it to say in the referendum, "This is how much we're going to repay; we're borrowing 322, we're going to repay 570 in related costs."

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

I think --

**LEG. MYSTAL:**

We don't have to enumerate everything, just related costs.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

I hear your point. I think the only concern I would have about putting that other figure in is that the actual final amount, somewhere between zero and 322 is going to be determined by the actions that you collectively take as a Legislative body in 2008, 2009, 2010 and 2011.

I don't know because we've got conflicting -- we've had conflicting viewpoints expressed today and at the last two hearings with respect to how much is really going to be necessary to make the last-stand.

**LEG. MYSTAL:**

You can say we're paying up to 576, we don't have to repay up to 576, it could be 500. Up to -- you put we're borrowing up to 322 and we're repaying up to 576; simple.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

Well, again, you -- you could do that, that's another option, but I think the problem with that, though, is then it kind of forecloses -- well, it leaves open, it leaves open to mischaracterization, I

think, the possibility that Legislators collectively may opt to borrow less and then you won't be hitting that \$569 million figure.

**LEG. MYSTAL:**

What is the reluctance in telling the voters how much you have to repay for something that we're borrowing? If you -- what I'm hearing, from everybody that speaks, they tell me whatever you put in front of the voters, they always approve it because they always want to buy land; that's fine. But what is wrong to say to the voters, "Okay, you want to buy land, you want to preserve it? We know you do because we can read your mind and we know you very good, therefore this is what you're borrowing, this is what we're going to go in hock for." We're going to go in hock for over 500 -- over half a billion dollars.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

I hear what you're saying. I think two things are going to happen; one, the level of attention that's been given to the wording of the proposition today is going to heighten everybody's sensitivity in terms of the public debate. But more importantly, the abstract which is required by State law to be prepared by the County and which, in fact, is already in the process of being prepared in anticipation of this being adopted which then gets distributed, as you know, prior to Election Day in as many public places as possible so people can read about the actual legislation and ascertain and find out what the implications are, as well as on Election Day at the polling places, will incorporate the kind of detail I think that you're looking for. It will talk about not this just land component, but also how money is being added to the Water Quality component, how the Land Stewardship component is being added, so that the public will be totally --

**LEG. MYSTAL:**

Paul. Paul.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

-- well versed with respect to all the changes that are being made.

**LEG. MYSTAL:**

I don't want to stop you, Paul, but let's be real, okay, let's be real. Of the 18 Legislators that are here, very few of them even knew what an abstract was, and they're politicians.

**P.O. LINDSAY:**

That's right.

**LEG. MYSTAL**

Okay? And they're politicians.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

I don't agree because --

**LEG. MONTANO:**

That's right, I didn't know.

**LEG. MYSTAL:**

So don't tell me that the people -- yeah, some tree hugger environmentalist is going to know what an abstract is, but I can guarantee, I'll go to my district, nobody knows what an abstract is, okay? I'm saying to you that people don't know what an abstract is. What will they do? They'll call my office, "Elie, what is this proposition about?" That's what they do, so they can understand it.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

Well, two -- that's why you try to make the --

**LEG. MYSTAL:**

And maybe I can read from the abstract.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

-- propositions as concise as you can and still incorporate as much information as is humanly possible.

**LEG. MYSTAL:**

Concise.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

I've done this for 30 years and I can tell you that --

**LEG. MYSTAL:**

Paul, I know you've done it, I've seen you do it.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

-- no matter what -- no matter what proposition you write, and I've written a hundred of them.

**LEG. MYSTAL:**

I've seen you do it, Paul; i've seen you do it all the time.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

No matter what one you write, somebody always says you can write it differently, and I agree, there's always somebody else that can write it differently.

**LEG. MYSTAL:**

Of course.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

But the key to making these things work is you have to try to get the consensus. You've got to find what language which is still accurate, still concise, still fully informational in terms of what the impact is, can draw at least the majority or a super majority of support for that particular wording, because you can write something that's perfect --

**LEG. MYSTAL:**

Everybody is here, you can get a consensus right here.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

That's perfect for you as one individual, but it's not a consensus-type of a bill.

**LEG. MYSTAL:**

No, no, Paul, you can get a consensus around this horseshoe right here for the language, you can; up to \$322 million we're going to borrow and we're going to pay up to 576.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

Well, I don't agree because I think the dialogue that started with Presiding Officer Lindsay raising the issue on June 12th has resulted and culminated today in a process that has probably a better proposition than we had prior to today, so I think the process has actually worked. I think the sponsor of the bill has listened --

**LEG. MYSTAL:**

Paul, we're going around so I'm going to leave it alone.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO,**

-- you know, he's worked with other people to try to find --

**LEG. MYSTAL:**

We're going around and around, we're doing circular languages, okay, so let's --

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

We've changed words, we've gone all day long.

**LEG. MYSTAL:**

Okay, we're doing circular arguments, so I'm going to leave it alone.

**LEG. NOWICK:**

Bill?

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

Thank you, Mr. Chairman.

**P.O. LINDSAY:**

I'm sorry, Legislator Nowick.

**LEG. NOWICK:**

Hi, Paul. I just didn't understand one thing. If we have the ability to borrow over a certain amount of years, how are we coming up with that interest figure? Don't borrowing rates change over the years?

I mean, how are we coming -- we're all talking about 570 million, that's three hundred and -- what is that, 342 for borrowing and then we're adding the interest. I was just -- I wondered how we came up with -- interest rates change all the time, right? They go up, they go down.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

That's right, that's --

**LEG. NOWICK:**

Do you just take an average, is that how we came up to that?

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

Yeah, they were -- they asked outside investment bankers to look at what a structure would be reasonable over this period of time. And one of the reasons, one of the additional reasons why it was limited to the four years was to try to keep those projections as accurate as possible. Obviously, the longer you allow the borrowing to go out, the less reliable or comfortable you can feel about the projection. So because it's a relatively short period of time and because conservative estimates were used, that's where the figure came from. So it's -- I mean, you're right, interest rates change. If this was --

**LEG. NOWICK:**

Okay, I just wanted to know how we found out.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

If this was 10, 12, 15 years, I would say to you, you know, you're absolutely correct, the numbers would be much more volatile. But I think in a short four year period which is historically for land preservation a very short period of time, based on what the experts are saying, they seem to feel comfortable.

**LEG. NOWICK:**

We're comfortable with that. Okay, that's all I wanted to know.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

It's a good point.

**P.O. LINDSAY:**  
Legislator D'Amaro.

**LEG. D'AMARO:**  
No, that's okay; they asked and answered. Thank you.

**P.O. LINDSAY:**  
Okay. Legislator Montano.

**LEG. MONTANO:**  
Mr. Sabatino, the language that -- the new language that you said is being passed around, does that also include the time limit for which we're extending the tax, from 2013 to 2030?

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**  
No, not in the -- not what's being circulated, no.

**LEG. MONTANO:**  
Why not?

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**  
It was not -- it was not raised to me as an issue.

**LEG. MONTANO:**  
But don't you think that that's a vital, easy component to put into the proposition? I mean, letting people know.

**MR. AMPER:**  
It's never been a bond issue before, ever.

**LEG. MONTANO:**  
Because it says we're extending the tax but it doesn't say for how long a period of time. And I think -- you know, I feel like I'm in a closing with some subprime mortgage company that doesn't want to tell you what your interest rate is or how long you're going to be paying. I mean, to me it's very basic; it's a tax extension from 2013 to 2030; and that's not included in the proposition?

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**  
It's not, no.

**LEG. MONTANO:**  
Is there a reason for that? Don't you think it's needed?

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**  
I think it's permissible, but is it needed, is it a prerequisite to the proposition being eligible for consideration? No.

**LEG. MONTANO:**  
Well, then wouldn't it be -- if it's not a prerequisite, wouldn't it make it clearer to people who are voting on this what they're buying into? I mean, when you do a closing, because we're asking people to mortgage, basically as was said earlier we're asking the younger generation to mortgage their future, and that's fine and we're going to put this on the ballot. But don't you think we're ought to let them know for how long a period of time they're going to be mortgaging, paying this tax? I mean, that to me is basic, to be quite honest with you. I made that point earlier and I don't understand why it's not included or what the reluctance is to, you know, do open disclosure or good faith -- you know, good faith explanation. I mean, we ask that of any mortgage company; we're a

government, why can't we do that?

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

I personally have no objection to adding it. You're asking me is it an absolute prerequisite, the answer is no. I --

**LEG. MONTANO:**

Okay, you have no objection to it -- I'm sorry, go ahead.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

No, I was saying, to the extent that Legislators talking to each other are trying to reach a consensus, if that becomes a change that broadens the consensus, I have to defer to the sponsor. It's not an Executive bill, so.

**LEG. MONTANO:**

Okay; no, and I appreciate that. You have no objection to it, from what I understand, Mr. Amper has no objection to it, but somehow we still don't have it in the language. Okay.

**P.O. LINDSAY:**

Legislator Alden.

**LEG. ALDEN:**

Paul, I have -- I think it's a quick question. I believe that you did help draft this, or drafted, did some of the --

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

I gave guidance, I cannot take credit for the work product.

**LEG. ALDEN:**

No, I'm not asking you to do that either. But in this, under I guess it's the old D, now -- or old E, now it's D, Section D, and it's Sewer Taxpayer Protection where it's reduced from 35.7 to 25%?

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

Right.

**LEG. ALDEN:**

In that same paragraph -- and you did draft the one for Joe Rizzo and I back in '98 and '99. We included a 3% increase requirement in the sewer district to assess the stabilization funds, but we did that with the projection that by 20 -- about 2011, somewhere in that neighborhood, the tax -- not the tax, the bonds would have been paid down to a sufficient level that you would have had a nice cushion or a nice balance in the Stabilization Fund and you might not have to increase any rates for the sewers. This includes a 3% per annum rate increase requirement to assess the stabilization funds, which in the original legislation we did in '99 or you did for me, we didn't anticipate past 2013 having to raise by 3%, it would have been what would have been required at the time because the stabilization fund would have been sufficient balance.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

No, I don't agree, I respectfully disagree. In fact, there was some talk from --

**LEG. ALDEN:**

Because what this does is essentially locks in any sewer district in Suffolk County to 3% --

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

Well, it absolutely locks it in at 3% because that was the concern --

**LEG. ALDEN:**

-- for the next twenty something years, even after --

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

You have to go back to 19 --

**LEG. ALDEN:**

After the bonds are paid off, though, that was my point.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

You have to go back to 1997, '98. This was not just the Southwest Sewer District, this was all of the sewer districts in Suffolk County. Some of them were getting a thousand percent increase, literally thousand percent increases, some were getting 50, 90; I know you remember because you were there.

**LEG. ALDEN:**

Right.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

And if you recall, the fiscally conservative thing that Fred Pollert came up with was don't mislead the public into thinking they can never have another rate increase in the history of a sewer district, let's hit at least 3% before you start to tap into the reserve so that the funds will be available to cushion that sewer rate shock. So it was always, always -- I underscore the word always -- envisioned that the 3% cushion would remain. Some people want to change it in the new scenario to a higher number, but our position was, in working with the sponsor, let's be consistent with the 3%, but the 3% is to avoid going back to the problems we had in 1996 and 1997 when for extraneous reasons rates were being -- you know, rates were being suggested as being, you know, 0% increases for a long period of time, then all of a sudden they got hit with these thousand percent increases; this will avoid that kind of shock.

**LEG. ALDEN:**

Being a little bit more specific, Southwest Sewer District, the anticipation is that once those original bonds are paid off, the refinanced bonds, refinanced bonds, they'll be paid off in 2011 to 2013, somewhere in that neighborhood. There was an anticipation that some years you might not have to raise the sewer rates in that particular district in -- going forward from 2013.

So I really am reluctant to support something that is going to lock in a minimum -- because there's always something that has to be rebuilt, and now we're going to be five years down the line. So just an ordinary rebuilding process, they couldn't -- they're not going to be able to assess those funds or use those funds to do even ordinary rebuilding without increasing 3% per year every year for the next 20 something years.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

No, but I -- you made a statement that they're not going to be able to do less than 3%; if a district can contain its costs on its own for whatever reasons and if, in fact, the debt service has dropped significantly from the prior year, they have a 2% increase or a 0% increase they have a 0% increase. They're not going to have to come to 3%, they only have to come to 3% if they want to access the money from the County.

**LEG. ALDEN:**

Right, which has to be paid --

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

You only have -- you have to get to three to get to the County money.

**LEG. ALDEN:**

But Paul, but that money has to be repaid to the stabilization fund anyway. So why penalize somebody with a 3% increase for the next 20 years just to be able to assess the stabilization funds? It's going to act contrary because then you're going to want to -- I'm going to want to put it on the

Capital, go back to the Capital Program and just stick any improvements to the district or rebuilding on the Capital where we don't have to raise the rate by 3%. It just -- it sounds like it's really sticking the people that were defrauded and had these huge increases over the past 40 years, it's sticking them with another 20 years a 3% increase. Why couldn't it just be set on a yearly basis? If it's in a referendum, if it's in a referendum, you've got it for 20 years.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

Because that's how the County -- because that's how the County got into trouble in the 1990's, okay? When we hit that flash point in 1996, in 1997, when everyone was struggling to try to come up with an alternative, a big part of the problem was that --

**LEG. ALDEN:**

But Paul, those bonds are paid off by 2011, 2013, those bonds are paid off. That was the big problem, the bonds being refinanced.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

I know, but the -- but if people -- if people in the sewer districts are not paying some percentage before they access the County money, you're going to deplete the entire fund within a relatively short period of time and then those folks are going to be very disappointed because --

**LEG. ALDEN:**

No, it has to be repaid anyway.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

-- they had zero, zero, zero, zero, get led in to a sense of complacency that it can go on forever, then suddenly you've got the 50% increase --

**LEG. ALDEN:**

But, Paul, maybe I don't understand how the fund operates.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

That was the philosophy behind it.

**LEG. ALDEN:**

No, but if somebody wants to assess money from the stabilization fund, like Southwest, they can borrow it and then they have to pay it back, it has to be paid back into the stabilization fund. So it's not going to lead to a depletion and you're still requiring a 3% increase where you might not have had a call for a 3% increase in that year. This is guaranteeing that the people in Southwest are burdened for the next 20 years with 3% increases each year, plus the user fee can go up.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

If they want to access, if they want to access County subsidy, absolutely; but not just the Southwest Sewer District, all sewer districts. And again --

**LEG. ALDEN:**

Well, then it would be counterintuitive to assess -- to access that money, they're going to go into the Capital Program where you don't have to raise the 3%, just borrow the money straight out and make it a County obligation.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

Well, no, it won't be a County obligation. What's going to happen is it will be a sewer district obligation and those sewer districts tend -- with the exception of Southwest, tend to be smaller with smaller population basis, so the percentage increases look a lot larger. Look what's happening in Legislator Kennedy's district where people are looking at a \$1,500 rate.

**LEG. ALDEN:**

Right, but that's as required top rate --

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

I thought I'd bring that in just to spice up the debate.

**LEG. ALDEN:**

But that's just -- that's to operate the district, though, Paul, would require that. That's what I'm saying, just let it float and if it's zero one year or if it's 5% or 10%, then that's the way it should go. But this was never anticipated to lock in a 3% rate increase for the next 20 years, this was strictly to get to a point where you had a nice cushion, you had a nice reserve fund that could be borrowed from and that the bonds would be paid off on Southwest.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

Well, I would just -- I would respectfully say two things. One, we have a different recollection of what the philosophical starting point was in 1990 -- and I say that respectfully because I was intimately involved in it, and I know you were, too; we may have seen things differently.

Number two, I would say that in this entire debate, this bill has been going on for six, nine, ten months, unlike the old days when there would be like three or four competing versions where somebody with a different starting point would have an alternative bill; I haven't seen an alternative bill. So this is the bill that, again, got to a consensus based on a variety of Legislators coming together, reaching out to the County Executive.

**LEG. ALDEN:**

Well, the alternative bill is to leave what's going on right now, the bill that was passed that runs out in 2013. Leave that revenue stream there, then this 3% would run out in 2013, like it was planned, and there would be a huge reserve fund that could be assessed by any of the sewer districts, and we would be as a pay-as-you-go basis instead of going and borrowing a ton of money. So but this, I think this is a component that really overburdens anybody that's in the Southwest Sewer District.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

And I respect, you know, the fact that you adhere to that philosophy and that's an alternative philosophical view. And you have to vote accordingly if that's the starting point that you're out, and I respect that, I'm not saying that you're wrong to have that starting point; I don't agree with it, but you're certainly entitled to take that view and you have to vote accordingly.

**P.O. LINDSAY:**

Okay. I'm going to take a vote; is anybody tired yet?

**D.P.O. VILORIA-FISHER:**

Sick and tired?

**P.O. LINDSAY:**

Legislator Kennedy.

**LEG. MYSTAL:**

We are sick and tired of being sick and tired.

**LEG. KENNEDY:**

Just the question I have for Paul is -- and by the way, Happy Birthday.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

Thank you.

**LEG. KENNEDY:**

You know, having had 51 of them -- 52 is questionable on my part, but it's good to --

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

Forty-three is a great year, so I'm happy.

**LEG. KENNEDY:**

Nice. The Sewer Tax Stabilization Fund, as you very jointly pointed out, not only do I have issues with Sewer District 4 in its formation, but also Sewer District 6 and Sewer District 18; I've got literally sewers up to my eyeballs, don't I?

One of the statements that's been made is that the Sewer Tax Stabilization Fund is accessed only for the purposes of actually stabilizing the rate in any one of our 22 districts throughout the County. However, I'm told, in conversation with folks from DPW, that from time to time that fund does get accessed for capital construction; is that correct?

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

I believe -- yeah, there have been several examples and it's been a borrowing with the money repaid back to the fund, yes.

**LEG. KENNEDY:**

How do you reconcile then, I guess, from a policy perspective when we look at going forward with this bill, the way it's set now, with the reduction I guess of almost 10%, on the Sewer Tax Stabilization side? How do we reconcile a philosophy that seeks to embrace sewer construction, and yet at the same time we're voluntarily taking that stream and parcing it down? I know I've heard that sewers cost a lot of money to build, and I know we've heard we have to petition the State and the Federal Government, but with what we have in our control, we're voluntarily reducing it; how does that -- how do you square it?

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

I think the reconciliation is that we're not reducing it, we're expanding it over time because when you add the 17 years of annualized sewer district allocations at 25%, that amount will exceed the amount that you think you've lost between now and 2013 which is only five years. The reason that's important is that I think everybody is doing a static analysis; they're assuming, they're assuming that in the year 2013 there would be a consensus to take sewers out by itself for another 17 years. There may or may not be, but based on the experience that I went through in 1997 and 1998, you can't take that as a given.

In this particular bill where you've got different components of the environmental community coming together for different aspects, Water Quality, Open Space -- and again, the land acquisition component is being dramatically changed, I think that's been understated in this debate, it's being dramatically changed to now pick up the entire west end; the old Quarter Percent Program didn't do that. And I made a big deal about that at the June 12th hearing because it really is expanding dramatically the ability to access those Quarter Percent funds on the west end.

But going back to the sewers, the static analysis is that everybody is assuming there's another 17 years worth of 35% sewer funds automatically renewed. I don't adhere to the philosophy that that's going to happen, so I take consultation and reconciliation in the fact that, A, we're picking up 17 years at 25%; and B, the two people who knew the numbers the best, who are Bob Bortzfield and Fred Pollert, looking at the 17 years at 25% and looking at the way it was modeled, said that anything below 25% would be dangerous and you're in the danger zone, but if you hold it at 25%, they feel confident that we've got sufficient funds to deal with the normal expectations of sewers.

To close out, if we decide to go back to a different philosophy which was the old Southwest Sewer District philosophy when there was 80 and 90% funding from the State and Federal Government which is to expand sewers dramatically, two things are going to happen. One, there would never be enough money in the Quarter Percent Fund to deal with that. Number two, you're going to run into the other argument which is that at what point does additional sewerage lead to overgrowth, over development, increased taxes because of additional services, and that's going to be a whole

balancing debate and dialogue that you're going to have to have when you look at an alternative source of funding. But I could tell you right now that the Quarter Percent Fund could never deal with going back to the sewer kind of construction that we had in the 1970's and the early 1980's.

**LEG. KENNEDY:**

All right, thank you. Mr. Chair, thank you.

**LEG. ALDEN:**

Mr. Chair, I'm sorry, a quick follow-up on that?

**P.O. LINDSAY:**

Legislator Alden.

**LEG. ALDEN:**

Paul, Bergen Point, there's a number of projects to actually increase substantially the gallonage that they can process down at Bergen Point; where is the money coming from to finance that improvement?

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

That's coming from the residents of the Southwest Sewer District.

**LEG. ALDEN:**

And also through the stabilization fund; they're going to borrow the money --

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

Well, to the extent that they get the 3%, right.

**LEG. ALDEN:**

Right, and then it would be paid back.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

Right.

**P.O. LINDSAY:**

Okay. Is everybody talked out --

**D.P.O. VILORIA-FISHER:**

Yes.

**P.O. LINDSAY:**

Any other speakers on this subject?

**LEG. MYSTAL:**

No.

**P.O. LINDSAY:**

Okay. ***Public Hearing on IR 1511-07 - A Charter Law extending and accelerating the Suffolk county 1/4% drinking Water Protection Program for environmental protection (Cooper).*** Legislator Cooper, what was your pleasure?

**LEG. COOPER:**

Motion to close, please.

**D.P.O. VILORIA-FISHER:**

Second.

**P.O. LINDSAY:**

Motion by Legislator Cooper to close, second by Legislator Viloría-Fisher. All in favor?

**LEG. MYSTAL:**

To close.

**P.O. LINDSAY:**

Opposed? Abstentions?

**LEG. MONTANO:**

Abstain.

**LEG. CARACAPPA:**

Opposed.

**P.O. LINDSAY:**

One opposition; is there more than one?

**MS. ORTIZ:**

Abstention.

**LEG. MONTANO:**

Abstention.

**MS. ORTIZ:**

Two abstentions?

**LEG. MYSTAL:**

I'm abstaining.

**MS. ORTIZ:**

Fifteen (Opposed: Legislator Caracappa - Abstentions: Legislators Montano & Mystal).

**P.O. LINDSAY:**

Okay, it stands closed.

***Public Hearing on IR 1582-07 - Proposal to increase the annual rate charged for sewer treatment in the proposed Suffolk County Sewer District No. 2 - Tallmadge Woods in Town of Brookhaven (Adopted Resolution No. 679)(County Executive).*** And I have one card, Herbert M. Balin; and Mr. Balin I'm sure is very happy that he spent the whole afternoon with us.

**MR. BALIN:**

Mr. Presiding Officer, Members of the County Legislature, yes, I've been thrilled to be here and I'm so -- thank you. And I'm so happy to be here and hear my old friend Dick Amper with whom we had many, many debates about the Pine Barrens Protection Act; and let me just give you a little hint, he doesn't wear down, never. But we're good friends.

I'm just here -- I'm Co-Counsel for the Tallmadge Woods Sewer Treatment Plant Joint Venture, I'm here to answer any questions. I don't have a statement to make, it's late, let's get to it. So I'm open for any questions.

**LEG. ALDEN:**

Question.

**P.O. LINDSAY:**

You have a question, Legislator Alden?

**LEG. ALDEN:**

Yes; you agree with the proposed increase?

**MR. BALIN:**

I do.

**P.O. LINDSAY:**

Okay. Legislator Losquadro?

**LEG. LOSQUADRO:**

No, I was just going to make myself available to answer any questions. I worked very closely with the Department of the Public Works on developing this new rate and they actually came down almost 15% from the initial number they put forward in reworking this figure. I have one of the communities that are going to be in this new district, they're very happy with this number, I don't see any problem with it.

**P.O. LINDSAY:**

Okay.

**LEG. LOSQUADRO:**

I'll make a motion to close, if there's no other questions.

**P.O. LINDSAY:**

Anybody else? Seeing none -- well, before I say that, thank you very much, Mr. Balin, for your patience and waiting around for so long.

**MR. BALIN:**

It was fascinating. Thank you.

**P.O. LINDSAY:**

I'm sure it was, I'm sure it is was riveting. I don't have any other cards on 1582. Is there anyone else in the audience that would like to speak on this subject? Seeing none, I'll entertain a motion to close by Legislator Losquadro and I'll -- who seconded?

**LEG. CARACAPPA:**

I will second.

**P.O. LINDSAY:**

Second by Legislator Caracappa. All in favor? Opposed? Abstentions? The hearing stands closed.

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

***Public Hearing on IR 1623-07 - A Local Law to reduce the emission of pollutants from diesel-fueled motor vehicles operated by or on behalf of Suffolk County (Cooper).*** I have no cards on this subject. Is there anyone in the audience that would like to speak on this subject? Seeing no one, Legislator Cooper, what's your pleasure?

**LEG. COOPER:**

Motion to recess.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

***Public Hearing on IR 1674-07 - A Local Law correcting technical errors contained in Suffolk County Section A42-4 (County Executive)***. I have no cards on this subject. Is there anybody in the audience who would like to speak on this subject? Just for the hell of it, I'm going ask what is Section A42-4?

**LEG. MYSTAL:**

Yeah, what is it?

**MR. NOLAN:**

It's correcting a Local Law that we just recently passed. I mean, it's a minor, minor technical correction to a Local Law, but if you give me a second, I'll find out which one it is.

**P.O. LINDSAY:**

Okay.

**LEG. ROMAINE:**

Motion to close.

**LEG. SCHNEIDERMAN:**

I will second the motion to close.

**P.O. LINDSAY:**

Take your time, George.

**LEG. MYSTAL:**

Somebody call --

**MR. NOLAN:**

I'll just read from my Rule 28 which --

**MS. LOLLOS:**

I could answer that.

**MR. NOLAN:**

Do you want to take it, Gail?

**MS. LOLLOS:**

Sure. It has to do with the redemption section. When it was transferred and it was amended --

**P.O. LINDSAY:**

That was my favorite section, too, Gail, you know?

**LEG. ALDEN:**

The Joe Caputo law.

**MS. LOLLOS:**

It was. The reference has to do with set-offs with equity redemptions and it's supposed to reference the section before, the mistake was that it was sectioning -- it was referencing itself; so this just corrects it to reference the set-offs from the section before.

**P.O. LINDSAY:**

Thank you very much. Okay, now that we've answered that riveting question, I'll entertain a motion

to close by Legislator Viloría-Fisher, second by Legislator Romaine. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

And the last hearing of the day is *Public Hearing on IR 1690-07 - A Local Law requiring registered motor vehicle dealers to release vehicles only to licensed drivers (Eddington)*.

And I have one card, William T. LaVelle.

**MR. LaVELLE:**

Good evening to Legislators. I'm here on behalf of the Grandinetti Family and I represent them in regard to the passing of their son on 10/16/06. They're in support of this law to require motor vehicle dealers to copy licenses of any individuals taking vehicles, motorcycles, buying them or having them repaired. This law requires minimal effort on behalf of a dealership to make sure that the person taking out a vehicle or a motorcycle is licensed to operate that vehicle.

The Grandinetti's son bought a vehicle on 9/12/06 without a motorcycle license, without any experience in driving a motorcycle, was able to go by a motorcycle without proving his ability to operate it, was able to insure it even though he didn't have a license in New York State, even a driver's license in New York State, and was able to obtain insurance on this vehicle. This law would require minimal intrusion on the dealership to copy a license, just like a Notary does. In my office, I do Notaries, 20 a day, you copy a license, and that's really the only impetus on the dealer.

The results and the benefits of this law would be protection of the general public to make sure the people who are driving vehicles or motorcycles are licensed; number two, the motoring public; the number three, young adults. We have laws to protect young adults in regards to drinking alcohol, smoking cigarettes and this would be a law that would be very helpful in making sure that the unlicensed, young men mostly, are not able to go out and by motorcycles unless they're properly trained and licensed to do so.

And aside from these issues that would benefit the general public, you have some financial issues. The cost of injuries from motorcycle accidents are not paid by insurance companies because no-fault does not apply to motorcycles. And basically what happens is the general public pays these bills for people that are maimed and killed in motorcycle accidents and it's borne by the general public.

My clients would like to thank Legislator Eddington for championing this cause for them. And based upon all the foregoing reasons, we believe that this board should support this law unanimously. If you have any questions, I'd be glad to answer them.

**P.O. LINDSAY:**

Anybody have any questions for Mr. LaVelle. Seeing none, I appreciate, Mr. LaVelle, for you bearing with us all afternoon and to the parents for bearing with us all afternoon, and I would like to express my condolences for the loss of their son. Legislator Eddington, what would you like to do with this?

**LEG. EDDINGTON:**

Motion to close.

**P.O. LINDSAY:**

I should ask, is there anyone else in the audience that would like to speak on this subject? Seeing none, I'll entertain a motion to close by Eddington. Do I have a second?

**LEG. COOPER:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

Closed.

That concludes the Public Hearings for today. I would like to set the date for the following Public Hearings, Tuesday, August 21st, 2007, 6:30 PM in the Rose Caracappa Auditorium, Hauppauge, New York; IR 1510, a Local Law to establish a prompt payment policy; IR 699, a Local Law to enact consumer protection in connection with musical concerts and performances, a truth-in-music bill; IR 1738, a Charter Law to strengthen and streamline the process of adopting local legislation; IR 1797, a Local Law enacting a social host law to deter the consumption of alcohol by minors; and IR 1799, a Local Law to establish a notification requirement for consultant contracts. I will entertain a motion to set those Public Hearings?

**D.P.O. VILORIA-FISHER:**

So moved.

**P.O. LINDSAY:**

Motion by Legislator Viloría-Fisher, second by myself. All in favor? Opposed? Abstentions? The hearing dates are set.

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

Just give me a minute to find out where we are.

**D.P.O. VILORIA-FISHER:**

Page nine.

*(\*The following was transcribed by  
Donna Catalano - Court Stenographer\*)*

**P.O. LINDSAY:**

We have a couple of resolutions to go back to, but before we get to them, let's finish out the existing agenda.

**LEG. ROMAINE:**

Mr. Presiding Officer.

**P.O. LINDSAY:**

Yes.

**LEG. ROMAINE:**

I'd like to make a motion to reconsider 1672; we passed it, but apparently there's a technical glitch that has to be corrected.

So if we could reconsider it and then table it, it would be advantageous.

**P.O. LINDSAY:**

What page? It's right in front of me, Okay. Legislator Romaine has made a motion to reconsider IR 1672. We approved it earlier. Legislator Romaine is the sponsor, he would like us to reconsider it to

make some corrections. Seconded by Legislator Viloría-Fisher. All in favor? Opposed? Abstentions? This is for the reconsideration vote. Okay, it's been reconsidered.

**1672, Linking County park fees for Community Emergency Response Team volunteers to park fees for senior citizens (Romaine).**

**LEG. ROMAINE:**

Motion to table.

**P.O. LINDSAY:**

It's before us now, and Legislator Romaine makes motion to table.

**D.P.O. VILORIA-FISHER:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

18.

**P.O. LINDSAY:**

All right. Going back to where we left off, the bottom of page nine.

**Ways and Means**

**1496, Amending Resolution No. 1258-2006, authorizing the sale of Brownfield property tax liens at public auction.** Do I have a motion on this resolution?

**LEG. D'AMARO:**

Motion to approve.

**P.O. LINDSAY:**

Motion to approve by Legislator D'Amaro. Do I have a second?

By Legislator Stern. Any discussion? All in favor? Opposed? Abstentions?

**MR. LAUBE:**

18.

**P.O. LINDSAY:**

**1655, Requesting legislative approval authorizing the Chief Deputy County Executive be the representative to act on behalf of Suffolk County pursuant to a contract for groundwater monitoring in Nassau and Suffolk Counties.**

**LEG. D'AMARO:**

Motion to approve.

**P.O. LINDSAY:**

Motion to approve by Legislator D'Amaro.

**LEG. STERN:**

Second.

**P.O. LINDSAY:**

Seconded by Legislator Stern. Any questions on this matter? Legislator Alden.

**LEG. ALDEN:**

Why would we have to approve somebody to act as a representative?  
Is it an appointment?

**MR. NOLAN:**

It's actually required by the State that we designate somebody to do this.

**D.P.O. VILORIA-FISHER:**

We've done this before.

**P.O. LINDSAY:**

Okay.

**LEG. MYSTAL:**

Call the vote.

**P.O. LINDSAY:**

Okay. IR 1655, we have a motion and a second. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

18.

**P.O. LINDSAY:**

My colleagues are just reminding me, I was going to finish the agenda before I went back, but I know we have Mr. Hillman in the audience. Are you still with us, Mr. Hillman? I'm sorry, Mr. Hillman. I'm really -- okay. I want to go back to -- actually it's page 6 and it's **IR 1433 (Amending the 2007 Capital Budget and Program and appropriating funds in connection with traffic signal improvements at CR 111 and Halsey Manor Road (CP 5054)**, that we skipped over and we asked that Mr. Hillman be with us. And I apologize, we got into the public hearings, Mr. Hillman, and I didn't have an opportunity to call you earlier. I know you are a busy man and you spent the whole afternoon listening to us.

**MR. HILLMAN:**

It was very interesting.

**P.O. LINDSAY:**

I'm sure it was riveting. The word is riveting. It was riveting. There was some questions about -- about 1433. I believe we have a motion to approve, Mr. Clerk, and a second?

**MR. LAUBE:**

Yes, you do.

**P.O. LINDSAY:**

And we passed over it because we needed your expertise as our traffic engineer on this traffic signal. So could you elaborate on your opinion on this traffic signal for us?

**MR. HILLMAN:**

Certainly. The fire department several months ago came to us requesting a fire signal at this location, and we approved them to install a traffic signal at the location, the actual fire department to progress that design and install with fire department funds. It's the policy of DPW to -- that we do not install those signals. There's over 100 fire departments and many of them have substations; if we were to install all their signals it would be cost prohibitive, so it's just a department policy that we don't.

**LEG. MYSTAL:**

You're talking about the flashing yellow --

**MR. HILLMAN:**

The flashing yellow --

**P.O. LINDSAY:**

Legislator Romaine.

**LEG. ROMAINE:**

Two questions, Mr. Hillman. Regardless of the substation or, in fact, of the substation, is this flashing yellow light needed; yes or no, from an engineering point of view?

**MR. HILLMAN:**

There are -- there are not warrant policies set for flashing signals. It's more of a judgement call.

**LEG. ROMAINE:**

In your judgement?

**MR. HILLMAN:**

In my judgment, a flashing yellow -- to protect and assist the fire department, yes.

**LEG. ROMAINE:**

Second question; is the substation located on a County Road?

**MR. HILLMAN:**

I believe it's located shortly down the --

**LEG. ROMAINE:**

Is it located on a County Road?

**MR. HILLMAN:**

No, I don't believe so.

**LEG. ROMAINE:**

Thank you. Now, I'll go to my colleagues. This is a substation that is not located on a County Road, but located on the town road. I don't believe the fire department has agreed to pay for this, but this light is needed because a substation will be there nearby, and this is a four-lane divided highway. I put a bill in to spend \$75,000 to put in the flashing light. That 75,000 that DPW wants to hold up the fire department could be better used for public safety measures.

All of you have fire departments in your district. If this fire department was building a substation on a County Road, I would make no defense of this, but it is not building it on a County Road, it is building it on a town road nearby. To say now that you must now install and pay for this really questions -- Manorville Fire District is one of the fastest growing and one of the largest in Suffolk County whose budget is absolutely stretched to the max; They will not, when I spoke to them, pay for this. I don't know how that's going to affect public safety on County Road 111, but I believe we have an obligation to look a look at this.

Again, I will say if this was on a County Road, absolutely they should pay for this. But to try to hold them up because they're simply building a substation around the block on a town road -- this is a question that I think we all will have to --

**P.O. LINDSAY:**

I'm confused. Could I just ask --

**LEG. ROMAINE:**

Sure.

**P.O. LINDSAY:**

Are we talking about two signals now? The fire department has agreed to pay for a yellow flashing light in front of the fire house?

**LEG. ROMAINE:**

The fire department has agreed to pay for no flashing signal, to the best of my knowledge, on the County Road.

**P.O. LINDSAY:**

Now you're confusing me. The substation is on a town road.

**LEG. ROMAINE:**

That's correct.

**P.O. LINDSAY:**

Is the fire department going to pay for the flashing light on the town road in front of the substation?

**LEG. ROMAINE:**

If the town requires it, they will have to pay for it, yes. The town sets the policy. I don't know what the town has determined for that location.

**LEG. MYSTAL:**

Can I ask a question?

**P.O. LINDSAY:**

So we're talking about -- we're talking about a potential second traffic signal on a County Road?

**LEG. ROMAINE:**

That's probably correct.

**P.O. LINDSAY:**

And that isn't a flashing light, that's a full-blown signal.

**LEG. ROMAINE:**

No, that's a flashing light, according to Mr. Hillman.

**MR. HILLMAN:**

It would be a flasher -- if I could. This is Halsey Manor Lane, this rail, this aisle is County Road 111, the substation is down the street. It may or may not have a flashing signal in front of it, but this intersection, when they push the button, it will allow this intersection of Halsey Manor and CR 111 to be controlled so to provide them safe access out on to the street.

**P.O. LINDSAY:**

So the flashing light would turn red to probably north and south traffic and allow the fire trucks to exit from the east.

**MR. HILLMAN:**

That's correct.

**LEG. CARACAPPA:**

And you're requiring that of them.

**MR. HILLMAN:**

We are not requiring that. They came to us several months ago requesting that -- to be allowed to

install a traffic signal, and we asked them for the breakdown of where they -- the majority of their calls they would go to and it seems about 80% of their calls, they would need to go through this intersection. So it would seem to be a safety issue, we're not denying that. Again, this is a really a policy that the department has.

**LEG. CARACAPPA:**

Aren't we going to signalize that whole stretch anyway?

**MR. HILLMAN:**

I'm sorry?

**LEG. CARACAPPA:**

Aren't we going to signalize that whole stretch anyway?

**MR. HILLMAN:**

Well, they're not signalizing the whole stretch. Both the North and South Service Road have a signal, Chapman Boulevard has a signal and there's a proposed development that's going in that may put a signal in between the South Service Road and Chapman.

**P.O. LINDSAY:**

And the department's policy is although it's on a County Road, it's a yellow flasher that turns red for fire access and egress, it's the fire department that picks up the tab?

**MR. HILLMAN:**

That's correct.

**P.O. LINDSAY:**

Okay. Legislator -- I almost forget your name. How can I forget your name? I must have called it too many times today.

**LEG. MYSTAL:**

My inclination is to have this tabled for one reason; I would like to see a map because between you and Legislator Romaine, I'm totally confused as to where this light is supposed to be. Legislator Romaine, you are asking them to put that light in and pay for it, that's what you are asking, through the Chair?

**P.O. LINDSAY:**

What is the matter with you? He said the rail is Halsey Road, the aisle is Route 111; what do you need a map for?

**LEG. MYSTAL:**

I am asking Legislator Romaine what he wants. You are asking them --

**LEG. ROMAINE:**

No. My resolution is asking the -- no one disagrees that a yellow flasher is needed on County Road 111, no one disagrees. That is not an engineering question, everyone agrees that's needed. What I'm saying, now that it's needed, the County should pay to have that installed, because the fire department is on a town road and they're putting a yellow flasher on a town road, from what I understand. Why should they be asked to pay for a second one on a County Road that's a safety issue because of the traffic on that road? That's one of the more heavily trafficked roads in Suffolk County, believe it or not.

**LEG. MYSTAL:**

Okay. My question is that your bill, your bill is amending the Capital Budget, asking Public Works to put it in.

**LEG. ROMAINE:**

Right.

**LEG. MYSTAL:**

And Mr. Hillman, your position is that we don't do that.

**MR. HILLMAN:**

Yes.

**LEG. MYSTAL:**

Okay, got it.

**P.O. LINDSAY:**

Any other questions? I thank you, Mr. Hillman, for availing yourself of -- wait. Oh, Legislator Alden has a question.

**LEG. ALDEN:**

There's a slight distinction, though, because we've never had this exact scenario come up. Because most of the time the flashing light would be in front of the substation or the fire department; is that correct?

**MR. HILLMAN:**

Yes.

**LEG. ALDEN:**

So you never really had this question where it's an intersection removed from -- in front of the --

**LEG. MYSTAL:**

I got the same thing in my district.

**P.O. LINDSAY:**

I'm referring to the fire department in Sayville where we have a flashing light on Lincoln Avenue in front of the fire district and a half a block down, we're just installing a traffic signal on Montauk Highway, which is a County Road.

**LEG. ALDEN:**

Who is paying for that? Who is paying for that?

**P.O. LINDSAY:**

But that's a full signal, it isn't a flasher.

**MR. HILLMAN:**

Yeah, and that's being installed by a developer of the Walgreens across the street.

**P.O. LINDSAY:**

Okay. So we're not paying for it?

**MR. HILLMAN:**

No, we're not paying for that signal.

**LEG. ALDEN:**

But there's still a distinction. So we really haven't had this -- this exact scenario then.

**MR. HILLMAN:**

We haven't. I don't really see a distinction. It's still a traffic signal on a County Road and it's generated by a fire department. I'm an engineer, so I don't get the policy.

**P.O. LINDSAY:**

Let me ask you something. If this was a full-blown light; red, green, yellow, would there be an argument?

**MR. HILLMAN:**

Specifically for the fire department? Yes, because if it was -- if Halsey Manor Road warranted a traffic signal due to its volumes regardless of the -- of the fire department, there would be no argument, DPW would install that. But solely for the fire department? That's what DPW does not do.

**P.O. LINDSAY:**

Okay. Clear to everybody now? The aisle is 111, the rail is Halsey Road. We have a motion to approve.

**MR. LAUBE:**

No. You have a motion to table before this from Legislator Cooper.

**P.O. LINDSAY:**

Oh, I didn't hear that. I 'm sorry. Oh, that was existing earlier today. We have a motion to table. Do we have a second to that?

**MR. LAUBE:**

Yes, you do.

**P.O. LINDSAY:**

I have a second. And we have a motion to approve and a second. Motion to table takes precedent. We'll call the roll.

**(THE ROLL WAS CALLED BY TIM LAUBE - CLERK OF THE LEGISLATURE)**

**LEG. COOPER:**

Yes to table.

**LEG. D'AMARO:**

Yes.

**LEG. STERN:**

Yes.

**LEG. MYSTAL:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. NOWICK:**

No.

**LEG. KENNEDY:**

No to table.

**LEG. BARRAGA:**

No.

**LEG. ALDEN:**

No.

**LEG. MONTANO:**

Yes to table.

**LEG. EDDINGTON:**

Yes.

**LEG. LOSQUADRO:**

No to table.

**LEG. CARACAPPA:**

No to table.

**LEG. BROWNING:**

Yes.

**LEG. SCHNEIDERMAN:**

No.

**LEG. ROMAINE:**

No.

**D.P.O. VILORIA-FISHER:**

Yes.

**P.O. LINDSAY:**

Yes.

**LEG. MYSTAL:**

Straight party vote, Romaine. You don't see that too often. It only happens to you, Ed, I don't know why.

**P.O. LINDSAY:**

Okay. Let's get back to --

**MR. LAUBE:**

Ten.

**P.O. LINDSAY:**

Thank you, Mr. Hillman, for availing yourself. Go home and eat dinner.

**IR 1664, Amending Resolution No. 2-2007, Rules of the Legislature regarding order of business.** I'll make a motion. Do I have a second?

**LEG. MONTANO:**

Explanation.

**P.O. LINDSAY:**

Well, give me a second, then we'll get the explanation.

**LEG. MONTANO:**

Second.

**P.O. LINDSAY:**

Seconded by Legislator Montano. Please explain, Counsel.

**MR. NOLAN:**

This amends our rule of the order of business and the way we do the order of business. It moves up the Reports of Commissioners and the County Executive from after the public hearings to before the public portion so people can come here, we can question them and get them out of here. That's the rationale.

**D.P.O. VILORIA-FISHER:**

I'd like to make a motion to table. I have a problem with putting government officials before the public, because I believe we can enter into debates between Legislators and the public officials and the public who come here for public portion could possibly be sitting out there until lunch time and not be heard and have to come back after public hearings in the afternoon. So we had had in the past a portion -- and there are only a few of us here who remember that, Cameron, I remember where there were some people in the Legislature, as hard as it is to believe, who would do a lot of grandstanding --

**LEG. CARACAPPA:**

Not like today.

**D.P.O. VILORIA-FISHER:**

No, nothing like nowadays. But I just don't think it's fair to the public to delay the public portion. If we want to put public officials right after the public portion and before we go to the agenda, I think that could make sense. But having them first thing in the morning -- and very often we want those public officials to be here when we discuss the agenda. When we have the item before us, we sometimes want to have somebody, for example, from Public Works to answer questions on the specific issue. So I hope that I do get a second, and I hope that we can table this.

**P.O. LINDSAY:**

Before I ask for a second, I respect your opinion, Legislator Viloría-Fisher. The only thing that I would ask is if it's the will of the majority not to do this, instead of tabling and have it hang around, let's just defeat it then if that's what everybody would like to do. The only reason I introduced it is, I guess two or three meetings back, we had as many as three Town Supervisors sitting in the audience, and they were here for some length of time, and I kind of was mad at myself that I didn't recognize them to get them out of here a little bit faster, and that was the reason for the introduction. But, you know, if it's the will of the majority not to do this, this is fine, I just would rather not have it hang around.

**D.P.O. VILORIA-FISHER:**

But you know what? The reason I'm making a motion to table is that I think that it has some good elements in it, and I think that we have to address it. I think Joe wants to speak after me. And I think when you have officials, let's say from other levels of government, for example, a Town Supervisor, we could do them the courtesy of having them speak first but as part of the public portion, and if they wish to come back later because they might want to answer questions, they can do that.

But I think, for example, having Commissioners in the morning before the public has an opportunity to speak or the -- you know, the Police Commissioner or the Department of Public Works and have those people engaged in -- you know, with the temptation of Legislators to have a large audience here in the auditorium grandstanding and carrying on a debate for an hour and a half, I just don't think it's fair to the public to do that. But I think there are good elements in this, so I don't want to defeat it. I just think that we need to tweak it and maybe make it a little bit more specific so that we're not punishing the public.

**P.O. LINDSAY:**

Okay. We have a motion to table. Do we have a second? You're seconding it, Joe?

**LEG. CARACAPPA:**

No, I just wanted to speak on it real quick.

**P.O. LINDSAY:**

There's a motion to approve and a second, and there's a motion to table. Do we have a second to the tabling motion?

**MR. LAUBE:**

You don't have a second on the motion on the table.

**LEG. COOPER:**

I'll second.

**P.O. LINDSAY:**

Seconded by Legislator Cooper. Legislator Caracappa.

**LEG. CARACAPPA:**

Like Legislator Vilorio-Fisher said, it has its good points. And I think you could do this mostly through your purview as the Chair, as you have before.

A couple of years back, I had had a spot on the agenda as well to deal with elected officials and public officials to speak early on, and what would happen was sometimes there were no public officials or any issues to talk about early on and some days there were; some days they went long, like Vivian knows and Bill knows, and some days it didn't. But what tended to happen, though, was when the issue came up later when we got to the agenda they were gone, and we'd ask them back and we'd have to wait on them, skip over and meetings went longer than they should.

So it's really hard to judge wherever you put it on the agenda by way of its official spot, because the way we jump around, it's hard to gauge on any given day when they're going to be needed. So I would just suggest that the Presiding Officer just does it within his purview, as he knows, as the agenda is unfolding for that week when they should have the elected officials speak or the Commissioners here based on the issues that we're taking up and the amount of public we know that's going to be here. So I would defer that decision to you, Mr. Presiding Officer.

**P.O. LINDSAY:**

Legislator Alden.

**LEG. ALDEN:**

I agree with Legislator Caracappa's assessment of it, but I also see a need for why the Presiding Officer should actually have this codified. Because as he stated before, he didn't recognize a couple of the Supervisors that were there; it would have been important to get some comments and a little bit of feedback or clarification on some of their statements, and yet they all had to leave. So they sat around in the public portion and they really weren't appearing as a member of the public, they were really appearing in their official capacity as an elected official.

So I think a combination of both what Joe said -- and I think if we pass this, it will put it on our official rules that we can bring these people up and then the Presiding Officer can use his discretion to either limit debate or limit the dialog that goes on and just get things accomplished in a timely manner and not let it turn into a circus as it did in the past. I would support this. And then the Presiding Officer can show his discretion as far as, you know, continuing a debate.

**P.O. LINDSAY:**

I'll tell you what I'll do is I'll withdraw my approval motion and recommend that we table this. We'll give it a little bit more work and see what we can come up with that satisfies everybody, all right?

**D.P.O. VILORIA-FISHER:**

Thank you.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

18.

**P.O. LINDSAY:**

Page 10. **1668, Sale of County-owned real estate pursuant to Local Law 13-1976 Hancock Lot 23 LLC as to an undivided 75% interest and SWS Mt. Sinai LLC as to an undivided 25% interest (SCTM No. 0200-163.00-02.00-005.000).** Do I have a motion? Does anybody understand what I just said?

**LEG. D'AMARO:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator D'Amaro. We have a motion. Do we have a second? Seconded by Legislator Caracappa. Maybe we need a little explanation; quickly, Counsel.

**MR. NOLAN:**

It's simply a direct sale to an adjacent owner.

**P.O. LINDSAY:**

And we have co-owners there, I guess. That's what all the extra verbiage is. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

18.

**LEG. ROMAINE:**

Opposed.

**P.O. LINDSAY:**

1669.

**MR. LAUBE:**

17 on the last one (Opposed: Legislator Romaine).

**P.O. LINDSAY:**

**1669, Sale of County-owned real estate pursuant to Local Law 13-1976 Mt. Sinai Industrial LLC as to an undivided 75% interest and SWS Mt. Sinai LLC as to an undivided 25% interest (SCTM No. 0200-162.00-05.00-008.000)** I guess the same explanation as the last one. How about if we use same motion, same second, same vote?

**LEG. ROMAINE:**

I'm in opposition.

**P.O. LINDSAY:**

You're in opposition?

**LEG. ROMAINE:**

Absolutely.

**MR. LAUBE:**

17 (Opposed: Legislator Romaine).

**P.O. LINDSAY:**

Would you like to articulate your opposition? No; do you?

**LEG. ROMAINE:**

Not at this time.

**LEG. ALDEN:**

Obviously, these are not buildable then, right?

**P.O. LINDSAY:**

Huh?

**LEG. ALDEN:**

These are not buildable, either one of these lots?

**LEG. MYSTAL:**

No, they're not buildable.

**LEG. ALDEN:**

This was in Ways and Means, right?

**LEG. D'AMARO:**

If I may, Mr. Chair. They went through the committee. I'm going by my memory, I apologize, I didn't bring my book. Usually I have the back-up with me, but I believe they were 20 x 100s. I know we had a couple of 20 x 100s before, so I think these are those, but I'm not 100% certain.

**P.O. LINDSAY:**

I think we called the vote already, right?

**MR. LAUBE:**

Yes.

**P.O. LINDSAY:**

All right. **IR 1670, Sale of County-owned real estate pursuant to Local Law 13-1976 Stephen Aurigema (SCTM No 0200-973.80-01.00-011.000).**

**LEG. D'AMARO:**

Motion.

**P.O. LINDSAY:**

Same motion, same second, same vote.

**LEG. ROMAINE:**

Same opposition.

**LEG. SCHNEIDERMAN:**

Abstain.

**MR. LAUBE:**

16.

**P.O. LINDSAY:**

**1678, Amending the lease of premises located at 200 Wireless Boulevard, Hauppauge, NY**

for use by the Department of Social Services and the Department of Health Services. Do I have a motion?

**LEG. D'AMARO:**  
Motion.

**P.O. LINDSAY:**  
Motion by Legislator D'Amaro. Do I have a second?

**LEG. STERN:**  
Second.

**P.O. LINDSAY:**  
Seconded by Legislator Stern. On the question, Legislator Kennedy.

**LEG. KENNEDY:**  
Just quickly to the sponsor or to the Chair. The revisions to the lease, are they just mechanical, anything substantive?

**LEG. D'AMARO:**  
Revisions are required -- again, by my memory -- by the New York State Department of Alcohol and Substance Abuse. I don't have the particulars. I believe they were minor revisions in order to fit within the program parameters that they mandate.

**LEG. KENNEDY:**  
To accommodate the methadone clinic. That would be OASIS that would be the oversight?

**LEG. D'AMARO:**  
Correct.

**LEG. KENNEDY:**  
All right, thank you.

**P.O. LINDSAY:**  
Okay. We have a motion and a second. All in favor? Opposed? Abstentions?

**MR. LAUBE:**  
18.

**P.O. LINDSAY:**  
**1695, Review of auction rules for the disposition of surplus property acquired under the Suffolk County Tax Act.**

**LEG. D'AMARO:**  
Motion.

**P.O. LINDSAY:**  
Motion by Legislator D'Amaro.

**LEG. STERN:**  
Second.

**P.O. LINDSAY:**  
Seconded by Legislator Stern. On the question? All in favor? Opposed? Abstentions?

**MR. LAUBE:**

18.

**Memorializing Resolutions**

**P.O. LINDSAY:**

**MR 50, Memorializing resolution in support of funding certain approved Special Education Programs and Special Act Public School Districts (Senate Bill S.5672 and Assembly Bill A.8337) Legislator Romaine.**

**LEG. ROMAINE:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Romaine. Do I have a second?

**LEG. EDDINGTON:**

Second.

**P.O. LINDSAY:**

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

**LEG. COOPER:**

Abstain.

**LEG. BARRAGA:**

Opposed.

**MR. LAUBE:**

15 (AMENDED VOTE: 14-1-1-2 Opposed: Legislator Barraga - Abstention: Legislator Cooper - Not Present: Legislators Montano & Mystal).

**P.O. LINDSAY:**

**MR 53, Memorializing resolution requesting United States Congress to enact the Stroke Treatment and Ongoing Prevention Act of 2007 (S.999).**

Legislator Stern.

**LEG. STERN:**

Motion to approve.

**P.O. LINDSAY:**

Motion to approve. I'll second the motion. Any discussion?

All in favor? Opposed? Abstentions?

**LEG. COOPER:**

Abstention.

**LEG. BARRAGA:**

Opposed.

**MR. LAUBE:**

14 (Opposed: Legislator Barraga - Abstention: Legislator Cooper - Not Present: Legislators Montano & Mystal).

**P.O. LINDSAY:**

**MR 54, Memorializing resolution requesting United States Congress to enact the Alzheimer's Breakthrough Act of 2007.**

**LEG. STERN:**

Motion to approve.

**P.O. LINDSAY:**

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

**LEG. COOPER:**

Abstain.

**LEG. BARRAGA:**

Opposed.

**MR. LAUBE:**

14 (Opposed: Legislator Barraga - Abstention: Legislator Cooper -  
Not Present: Legislators Montano & Mystal).

**P.O. LINDSAY:**

**MR 55, Memorializing resolution requesting United States Congress to enact the Alzheimer's Family Assistance Act of 2007.**

**LEG. STERN:**

Motion to approve.

**P.O. LINDSAY:**

Motion to approve. Do I have a second?

**LEG. D'AMARO:**

Second.

**P.O. LINDSAY:**

Seconded by Legislator D'Amaro. All in favor? Opposed? Abstentions?

**LEG. BARRAGA:**

Opposed.

**LEG. COOPER:**

Abstain.

**MR. LAUBE:**

14 (Opposed: Legislator Barraga - Abstention: Legislator Cooper -  
Not Present: Legislators Montano & Mystal).

**P.O. LINDSAY:**

**Home Rule 7, 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:**

Table.

**P.O. LINDSAY:**

Table by Legislator Romaine.

**LEG. COOPER:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

16 (Not Present: Legislators Montano & Mystal).

**P.O. LINDSAY:**

Now, we have one other thing we skipped over, right? Okay.

I'm going to go back to Page 7.

IR 1675 A, we skipped over, it was the issuance of the \$4500 on bonds for Gabreski Airport. I'm being advised by Counsel that we should table this. And there is a rival resolution in the --

**LEG. CARACAPPA:**

Motion to table.

**P.O. LINDSAY:**

-- in the CNs, okay? We have a motion to table by Legislator Caracappa. Do I have a second?

**LEG. EDDINGTON:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

16.

**P.O. LINDSAY:**

I'm going to go back to Page 9. IR 1657, which we tabled earlier because we didn't have a bond. Since we took that action this morning, the bond has come through. So I'm going to make a motion to reconsider IR 1657, seconded by Legislator Nowick. All in favor? Opposed? Abstentions.

**MR. LAUBE:**

18.

**P.O. LINDSAY:**

**1657, 1657A, Appropriating funds in connection with the County share for participation in the reconstruction of CR 80, Montauk Highway, Shirley/Mastic, Town of Brookhaven (CP 5516),** is back before you. I'll make a motion to -- does one of the Brookhaven Legislators want to make a motion to approve? Approve by Legislator Browning, seconded by Legislator Eddington. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

18.

**P.O. LINDSAY:**

1657A, the accompanying Bond Resolution, I'll use the same motion, the same second; roll call.

**(THE ROLL WAS CALLED BY TIM LAUBE - CLERK OF THE LEGISLATURE)**

**LEG. BROWNING:**

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. ALDEN:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. CARACAPPA:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. ROMAINE:**

Yes.

**D.P.O. VILORIA-FISHER:**

Yes.

**P.O. LINDSAY:**

Yes.

**MR. LAUBE:**

18.

**P.O. LINDSAY:**

Okay. There's a stand-alone here, **Motion Number 12, a Procedural Motion, Procedural**

**Resolution authorizing for community support initiatives (phase V).** Could I have a motion? It's a stand-alone, it's a CSI Resolution with a bunch of contract agencies.

**LEG. LOSQUADRO:**  
Motion, Mr. Chairman.

**P.O. LINDSAY:**  
Motion by Legislator Losquadro. Do I have a second?

**LEG. STERN:**  
Second.

**P.O. LINDSAY:**  
Seconded by Legislator Stern. All in favor? Opposed? Abstentions?

**MR. LAUBE:**  
18.

**P.O. LINDSAY:**  
Let's go to the red file, Certificates of Necessity, and be very careful now.

**1511, A Charter Law extending and accelerating the Suffolk County 1/4% Drinking Water Protection Program for environmental protection** is back before us as a CN, but there is -- there was on the packet that I would take right now and throw out, and then there's one marked revised; that's the latest one, Legislator Cooper?

**LEG. COOPER:**  
Correct. And there was a typographical error on the revised one, so we're getting a separate hand-out sheet right now.

**P.O. LINDSAY:**  
You want to skip over it?

**LEG. COOPER:**  
No, no.

**P.O. LINDSAY:**  
What I'm going to do is I'm going to entertain a motion for the purposes of discussion. Motion by Legislator Cooper. Do I have a second?

**LEG. COOPER:**  
Motion to approve.

**D.P.O. VILORIA-FISHER:**  
I'll second it.

**P.O. LINDSAY:**  
Seconded by Legislator Viloría-Fisher. And maybe, Legislator Cooper, since you're the author, maybe you could explain the changes that were added to the bill.

**LEG. COOPER:**  
Yes. The last round -- these were just changes to the wording of the referendum question and we added wording making it that we're clearly permitting borrowing of up to \$322 million over the next four years with the cost of this borrowing to be repaid from the Quarter Percent Sales Tax revenue stream. We're also, at the suggestion of several Legislators, making it clear that we're extending

the existing program from December 31st, 2013 to November 30, 2030.

**P.O. LINDSAY:**

Okay. We have a motion and a second. Mr. Sabatino, did you want to comment?

**MR. SABATINO:**

I'm just here to answer questions, that's all.

**P.O. LINDSAY:**

Does anybody have any questions that we -- Legislator Caracappa.

**LEG. CARACAPPA:**

Thank you. I just want to just discuss the breakdowns in the funding as it's been finalized in the final bill. First of all, for a comparison, what is the current breakdown for land acquisition component percentage wise, sewer stabilization and tax stabilization in the current program?

**MR. LIPP:**

I can answer that if you'd like. The current breakdowns are Farmland, 7.35%; Open Space, 13.55%, that adds to 20.9; Water Quality, 11.25%; and the remainder being County property tax protection, 32.15% and Sewer Taxpayer Protection 35.7%.

**LEG. CARACAPPA:**

Thirty-five for sewers?

**MR. LIPP:**

Thirty-five point seven.

**LEG. CARACAPPA:**

And what is it in the current bill?

**MR. LIPP:**

The changes -- the easy way to do it is the changes would be Sewer Taxpayer Protection would go down by 10.7%, from 35.7 to 25; Water Quality would get half of 1%, going up from 11 and a quarter to 11.75%; and the Land Acquisitions would be consolidated into one category called Suffolk County Environmental Programs Trust Fund, and that would go up to 31.1%. So effectively, you're going up by 10.2% on the land acquisition components.

**LEG. CARACAPPA:**

Sewer down a percentage and --

**MR. LIPP:**

Sewer down 10.7, Land up 10.2, Water Quality up .5.

**LEG. CARACAPPA:**

Got you.

**LEG. ALDEN:**

Tax Stabilization?

**MR. LIPP:**

Well, it's basically tax -- it's basically an interfund transfer or a tax protection, which stays the same, of 32.15. Tax stabilization is a separate fund, but that's probably what you mean.

**LEG. CARACAPPA:**

Thank you. Just to speak on the sewer funding. I know you did -- many of you did earlier during the public hearings, but I didn't. We are all very concerned about land acquisition, buying up what

we can, what's left, but it's one of our priorities looking ahead 20, 30 years; in fact, it's probably a priority for the next 10 to 15 while sewerage in this County will be more of a priority 20, 30, 40, 50 years out from now. And to take this step now to reduce the sewer funding in this very vital program is a mistake, I firmly believe.

We've had discussions for hours on-end talking about one or two outside hook-ups to the Southwest Sewer District and how concerned those areas are about those outside hook-ups, the lack of capacity, the need for improvements. We discussed it for hours on-end during the Capital Budget process; what we're going to do with Bergen, do we need another plant somewhere, do we need a whole new sewer district in the southeast portion of our County, which we do. That's going to cost a lot of money.

You know, sewerage goes directly hand-in-hand with the economic development, the future economic development, of this County in so many ways, and if we start abandoning that, we start abandoning that concept as well. Affordable housing and sewerage go hand-in-hand and will even more so into the future, and we start abandoning the sewer component the way we are by 10%, we are abandoning that concept as well. Water Quality, you talked about it all day long. Sewerage cesspools or the lack of sewerage and the proliferation of cesspools is having a major, major impact on our water quality.

The Forge River, Legislator Browning knows all too well, and it was just talked about in today's Newsday article. One of the major concerns or the prime suspect of that river basically dying, literally dying, is the cesspools in the area and the leaching of those cesspools into the Forge River, let alone the Peconic River as well and other estuaries on the North and South Shore, our Great South Bay, the Long Island Sound. We talk about major critical components in our water that are leading to fish die-offs and lobster die-off and clam die-off and the fishing industry hurting. We talk about algae blooms, we talk about browntide. It's all happening because of our lack of waste water treatment on the Island that we live.

I think you are getting my point, I can go on and on and on. We must, we must prepare for dealing with sewerage major parts of this County, whether it's replacing old systems or building new ones, as I mentioned, in certain parts of the County that need it desperately. We can't abandon that focus. And if we do vote on this bill today and we approve it with the current numbers, we are giving up on a lot of the things we talk about providing for the people of this County in the future years, especially our children. So thank you.

**P.O. LINDSAY:**

Legislator Barraga.

**LEG. BARRAGA:**

I really haven't said too much about this particular piece of legislation, I was basically trying to listen. But I just think it's extremely unusual, when you have a statute in place that doesn't expire until 2013, to take action to extend it seven years before the expiration date. I felt all along that the Legislature sitting here in 2011 or 2012 would be much better equipped to determine what are the major issues affecting the County at that time than we are today.

I mean, land acquisition is extremely important, but I've sat here for a year and a half and many people who have testified before us have serious flooding problems; Mr. Kennedy's District or Mr. Mystal has talked over and over again about sewage issues. And I can see even as we sit here a shifting of the emphasis from maybe land acquisition to those problems, and there's not a lot of glory in flooding and sewage, but they are major, major issues in this County, and it's only going to get worse as we move forward.

As pointed out by Mr. Caracappa, this particular legislation has less for sewers going out into the future. You know, if someone said to me, "You know, Tom, you guys are doing a lousy job as far as land acquisition," well, that's one thing. I can see some sort of a remedy that would have to be put

in place immediately. But I've sat here for a year and a half, I voted for every bond issue concerning land acquisition no matter where the property is. And there's been debates in terms of the east end, the west end, but, you know, come right down to it, we all step right up and 18 of us vote for these bond issues.

But, you know, I just -- you begin to wonder. It's like we have a Cadillac program here, not a Chevy program, a Cadillac program. And somebody comes a long and says, "You know, that's not good enough, we want a Bentley, we want a Rolls Royce program." You know, we can't afford that. We've talked about the bonds, the indebtedness associated with this. For the next four years, we can borrow up to \$320 million with another 150 or 160 million, the interest piled on top of that.

When I go house to house, when I was gathering my signatures for reelection, you know, nobody was talking about land acquisition. Frankly, they were talking about the war, they were talking about Bush, they were talking property taxes. No one ever talked about land acquisition. So I don't care how you describe the proposition, in the end, it may well pass, but the reality is I think we have a responsibility to the people who sent us here to say, "Look, you know, we're doing a good job. Let's continue doing a good job." We really don't need this now. Four or five years from now, let's deal with this statute as it begins to expire, but not now.

**P.O. LINDSAY:**

Anybody else? No? I just want to pick up on Legislator Caracappa's dissertation about the sewers. I think it's something that's on everyone's mind. And Legislature -- Legislator, geez -- Richard Amper before articulated about how we -- you know, there isn't enough money in this bond issue to build new sewer systems, and I agree with him, that we're going to need a lot of Federal and State help in order to build new sewer districts, But what is in this resolution is the sewer stabilization money that helps assist existing sewer districts. And if we do get the Federal and State money to build new districts, we're going to need additional money in the stabilization funds to make sure that those sewer districts work. So that's where it does come into play, what Legislator Caracappa talked about, you know? I don't have anything else to say. Legislator Caracappa.

**LEG. CARACAPPA:**

We should, instead of reducing the 10% -- again, we should pass this bill, but I'm opposed to it because of what Legislature Barraga said. We've got years to plan, make a better bill, focus on the priorities that are going to be -- that we can deal with today that are going to be -- we're going to be facing 20, 30 years out. We should be increasing the sewer component 10% as opposed to reducing it 10%[.]. [.] Again, it's just short-sighted. And I think this process was dictated because it's an Election Year, number one, and by special interests, number two. And when we're talking something so large scale and so important in so many different areas facing the people, that we represent to do it under those circumstances is wrong, absolutely wrong, and it's misguided.

**P.O. LINDSAY:**

Everybody's had their say and then some. Okay, roll call.

**(THE ROLL WAS CALLED BY TIM LAUBE - CLERK OF THE LEGISLATURE)**

**LEG. COOPER:**

Yes.

**D.P.O. VILORIA-FISHER:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. STERN:**

Yes.

**LEG. MYSTAL:**

Abstain.

**LEG. HORSLEY:**

Yes.

**LEG. NOWICK:**

Pass.

**LEG. KENNEDY:**

Yes.

**LEG. BARRAGA:**

No.

**LEG. ALDEN:**

Pass.

**LEG. MONTANO:**

Pass.

**LEG. EDDINGTON:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. CARACAPPA:**

No.

**LEG. BROWNING:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. ROMAINE:**

Yes.

**P.O. LINDSAY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. ALDEN:**

Abstain.

**LEG. MONTANO:**

Yes.

**MR. LAUBE:**

14.

**LEG. COOPER:**

Thank you very much.

**P.O. LINDSAY:**

Before we move on to the other CNs, I would just like to publically thank the sponsor as well as the environmental community for working on the revisions. I know the dialog was long and hard here, but we're talking about a lot of money and we're talking about the future of our County. So I think it was well worth it. Okay. Thank you.

Okay, in the packet, **CN 1789, Accepting and appropriating 100% additional State aid from the New York State Office of Mental Health to Nassau Suffolk Law Services for the provision of Civil Legal Services Program.**

**LEG. STERN:**

Motion to approve.

**P.O. LINDSAY:**

Motion by Legislator Stern. Do I have a second?

**LEG. KENNEDY:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

18.

**P.O. LINDSAY:**

**1824, Authorizing the County of Suffolk to enter into a contract for shared services with the North Babylon Union Free School District.**

Let me get a motion first.

**P.O. LINDSAY:**

Motion by Legislator Eddington, seconded by Legislator Mystal. I have a request for an explanation. Mr. Sabatino, would you like to do the explanation, being that this bill is new to us?

**MR. SABATINO:**

Yes. This is a last minute request from the North Babylon School District for a truck to help them do some painting in the school district before the September opening. This is consistent with the concept of trying to share services, you know, with schools to contain costs. So this will be at no cost loaning the equipment to the school district. The reason it's coming in as a CN tonight is only because of the need to try to get the work done before -- before the school reopens.

**P.O. LINDSAY:**

Legislator Losquadro.

**LEG. LOSQUADRO:**

Yes. Mr. Sabatino, as I'm sure you are aware, New York State Insurance Law allows for permissive use of a vehicle. Since we own the vehicle and we are permitting this other entity to use it, we are still liable if something happens. Has any thought or consideration been given to hold us harmless if they are in an accident or if they damage this vehicle?

**MR. SABATINO:**

Well, in the back-up agreement that was attached, Exhibit A --

**LEG. LOSQUADRO:**

Well, I haven't even had the chance to review it really, it's rather thick.

**MR. SABATINO:**

This literally came up last night, it came to my attention last night for the first time. But looking real quickly, on page two of the attachment, the insurance requirements for commercial general liability, automobile liability, worker's comp, employee liability are all incorporated in the agreement that the school would enter into with the County. So I believe we have protection there.

**LEG. LOSQUADRO:**

I see that with automotive liability, but as I said, New York State Insurance Law allows for permissive use. Their policy would not cover another vehicle.

**MR. BROWN:**

We asked for indemnity arising out of the use or operation of the motor vehicle from the school district.

**LEG. LOSQUADRO:**

And they would have a separate stipulation to their policy?

**MR. BROWN:**

Pardon?

**LEG. LOSQUADRO:**

They would have a separate --

**MR. BROWN:**

Whether their auto liability coverage would cover --

**LEG. LOSQUADRO:**

Or they would have to cover it personally. We have that stipulation?

**MR. BROWN:**

How they cover it would really be up to them, but the agreement requires indemnification arising out of the use or operation.

**LEG. LOSQUADRO:**

Thank you.

**P.O. LINDSAY:**

Legislator Alden.

**LEG. ALDEN:**

So we have a vehicle, we're lending it to the North Babylon School District, is that what -- is that what, in instance, this is?

**MR. BROWN:**

It's a truck with a broom and a bucket.

**LEG. ALDEN:**

Okay. Are we using that vehicle now?

**MR. BROWN:**

No. In fact, it sits idle -- this is according to the Parks Department -- at the present time. And the

agreement provides that if the vehicle is needed, we could request it back at any time. Limitation on the agreement is 15 days.

**LEG. ALDEN:**

They're getting it for 16 days?

**MR. BROWN:**

Fifteen, 15 business days subject to the needs of Parks.

**P.O. LINDSAY:**

Okay?

**LEG. ALDEN:**

Yep.

**P.O. LINDSAY:**

Okay.

**LEG. D'AMARO:**

Mr. Presiding Officer?

**P.O. LINDSAY:**

Legislator D'Amaro.

**LEG. D'AMARO:**

If I can just be heard on that, just very briefly. Because I am chairing my commission to examine school district expenses, I just want to commend the County Executive's Office for bringing this forward. You know, I live in North Babylon. And this is an opportunity now, rather now than the North Babylon School District having to go out and purchase this truck for use for 15 days at probably an expense of 60, 70, \$80,000, here's the County with the same truck that they can use with it sitting idle and can lend that to the school district, and of course, we can have that cooperation running both ways. So I think this is the right direction to be going, and these are the type of recommendations that we should look forward to more in the future. Thank you.

*(\*The following was taken & transcribed by  
Alison Mahoney - Court Stenographer\*)*

**P.O. LINDSAY:**

Legislator Alden.

**LEG. ALDEN:**

Just in response to that, I don't think the comparison should be a savings of 60 or \$70,000, and not to be a nitpicker, but they can go out and rent a boom truck for probably a thousand dollars and save 60 or 70 or \$80,000. So I like the idea of cooperating with the school districts if we're going to save them money, but we're not saving them 70 or 80,000 or \$60,000 because the rental on a truck of this -- you know, a comparable truck would be --

**P.O. LINDSAY:**

About a thousand a day.

**LEG. ALDEN:**

About a thousand.

**P.O. LINDSAY:**

A day.

**LEG. ALDEN:**  
Okay, so 16,000.

**LEG. D'AMARO:**  
Mr. Chair, I would just like to respond to that by saying I'd rather not spend any taxpayer money when it comes to school districts than even a thousand dollars.

**LEG. ALDEN:**  
That's good, but we're subsidizing it with, you county, County taxpayer dollars.

**LEG. SCHNEIDERMAN:**  
Exactly.

**LEG. D'AMARO:**  
Right, and it's already there and paid for.

**P.O. LINDSAY:**  
Okay, any other comments, questions? All in favor? Opposed? Abstentions?

**MR. LAUBE:**  
18.

**LEG. HORSLEY:**  
Cosponsor.

**LEG. D'AMARO:**  
Cosponsor, please.

**LEG. STERN:**  
Tim.

**LEG. HORSLEY:**  
All four of us.

**LEG. MYSTAL:**  
The four Babylon.

**P.O. LINDSAY:**  
Okay, now we have **1828**, which we tabled before, it came to us through a CN, and it's **amending Resolution No. 703-2007, accepting a grant award from the United States Federal Aviation Administration and appropriating funds in 2007 Capital Budget & Program in connection with the Pavement Management Rehabilitation at Gabreski Airport**. This was the \$4,500 that we objected to bonding, it is now -- this resolution will make it pay-as-you-go, except it comes out of the Legislature's account.

**LEG. CARACAPPA:**  
Hey, come on.

**LEG. LOSQUADRO:**  
Mr. Chairman, I would like to not make a motion and request my colleagues to do the same.

**LEG. ROMAINE:**  
Motion to adjourn.

**P.O. LINDSAY:**

You can't adjourn yet, I still --

**LEG. ROMAINE:**

Motion to adjourn.

**P.O. LINDSAY:**

All right, you have a motion to adjourn, but we still have some late starters. Does anybody want to back his motion to adjourn?

**LEG. MYSTAL:**

No.

**P.O. LINDSAY:**

No, thank you. Okay, do you want to commit this to committee?

**D.P.O. VILORIA-FISHER:**

No, nobody make a motion.

**LEG. CARACAPPA:**

It fails for lack of a motion, even better.

**LEG. ALDEN:**

Let's make a motion, we'll kill it.

**LEG. LOSQUADRO:**

No motion.

**LEG. MONTANO:**

Oh, okay, that's fine with me.

**P.O. LINDSAY:**

It's your district.

**LEG. SCHNEIDERMAN:**

It's got to go through committee, we're going to have to find --

**LEG. MYSTAL:**

Regular committee.

**P.O. LINDSAY:**

All right, you're going to commit it to committee? All right, second by Legislator Montano. All in favor? Opposed? Abstentions?

Very good, Paul, very good; that was smooth.

Okay, **Late Starters**. We have IR 1816, I make a motion to waive the rules and lay on the table the following Late Starters: 1816-07, amending the Classification & Salary Plan, authorizing a fee schedule for the Suffolk County Board of Elections, Election Inspector, assigned to Labor; 1817-07, Requiring the screening of all applicants for seasonal employment in the Parks Department, assigned to Parks; 1818-07, Amending the Suffolk County Classification & Salary Plan in connection with a new position title in the County Clerk's Office, assigned to Labor; 1819-07, Accepting a donation of real property for open space purposes, the Suffolk County Department of Health Services Board of Review, Transfer of Development Rights to EPA; 1820-07, Amending the Suffolk County Classification & Salary Plan in connection with a new position title in the Department of Economic Development and Workforce Housing(Airport Business Manager), assigned to Labor; 1821-07, Accepting and appropriating a grant in the amount of \$50,000 from the New York State Division of Criminal Justice Services for the Suffolk County Police Department Sexual Offenders Registration Act (SORA) Enforcement Program with 100% support, assigned to Public Safety; 1823-07 -- I don't --

oh, wait a minute, I skipped over 22.

**D.P.O. VILORIA-FISHER:**

I didn't see 22; is there a 22? I don't have a 22.

**MR. NOLAN:**

Hold it a second.

**MS. PASTORE:**

It was a CN, but they withdrew it.

**P.O. LINDSAY:**

They withdrew it? Okay, there is no 22. 1823, Authorizing execution of a Municipal Mutual Aid and Assistance Agreement for local disasters and other related emergencies, assigned to Public Safety.

**D.P.O. VILORIA-FISHER:**

I don't have 24.

**P.O. LINDSAY:**

I don't have a 25 either; is that right.

**MS. PASTORE:**

It was a CN.

**P.O. LINDSAY:**

Okay, 25, Establishing a "Be Pool Smart" Public Education Campaign to promote pool safety, assigned to Health & Human Services. And then we'll skip a couple and -- oh, 1826, authorizing the issuance of a Certificate of Abandonment in the interest of the County of Suffolk as to a one-half interest and the sale of the remaining one-half interest in County-owned real estate, Peter Carter, assigned to Ways & Means; 1827, Authorizing use of old Toll Building at Smith Point Bridge to Ways & Means. I don't have a 28, is that right?

**MS. PASTORE:**

That is a CN.

**P.O. LINDSAY:**

Okay, 1829, 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 USC Chapter 53, Title 23, United States Code and other Federal Statutes administered by the Federal Transit Administration (Upgrade Diesel Engine), it is assigned to Public Works. Do I have a motion?

**D.P.O. VILORIA-FISHER:**

Motion to adjourn.

**P.O. LINDSAY:**

No, no, no, no.

**D.P.O. VILORIA-FISHER:**

Oh, to lay on the table.

**P.O. LINDSAY:**

To waive the rules and lay on the table. You have a motion, I'll second the motion. All in favor? Opposed? Abstentions? Call the vote.

**MR. LAUBE:**

18.

**P.O. LINDSAY:**

All right, and I'll make a motion to adjourn.

**LEG. EDDINGTON:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

18.

*(\*The meeting was adjourned at 6:24 PM\*)*

*{ } - Denotes Spelled Phonetically*