

**SUFFOLK COUNTY LEGISLATURE**

**GENERAL MEETING**

**FOURTEENTH DAY  
OCTOBER 16, 2007**

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

**Minutes Taken By  
Alison Mahoney & Lucia Braaten - Court Stenographers**

*(\*The meeting was called to order at 9:32 A.M. \*)*

**P.O. LINDSAY:**

Good morning, everyone. Welcome to the October 16th meeting of the Suffolk County Legislature. Mr. Clerk, would you please read the roll.

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

**LEG. ROMAINE:**

(Not present).

**LEG. SCHNEIDERMAN:**

(Not present).

**LEG. BROWNING:**

Here.

**LEG. CARACAPPA:**

(Not present).

**LEG. LOSQUADRO:**

Present.

**LEG. EDDINGTON:**

Here.

**LEG. MONTANO:**

(Not present).

**LEG. ALDEN:**

Here.

**LEG. BARRAGA:**

Here.

**LEG. KENNEDY:**

Here.

**LEG. NOWICK:**

Here.

**LEG. HORSLEY:**

(Not present).

**LEG. MYSTAL:**

(Not present).

**LEG. STERN:**

Here.

**LEG. D'AMARO:**

Here.

**LEG. COOPER:**

Here.

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

(Not present).

**P.O. LINDSAY:**

Here.

**MR. LAUBE:**

Eleven.

**P.O. LINDSAY:**

If everyone could rise, please, for our salute to the flag. Normally I ask a Legislator to lead us in the salute to the flag, but we have two guests with us this morning, Chaplin Hamilton Rowan, a Chaplin of the Marine Corps. League of the Huntington Detachment 792. Would you like to come forward and lead us in the pledge?

**CHAPLAIN ROWAN:**

(Inaudible).

**P.O. LINDSAY:**

Okay, Legislator Alden, please lead us in the pledge.

### ***Salutation***

And now I'm going to introduce Chaplain Hamilton Rowan. Oh, I'm sorry.

**LEG. D'AMARO:**

It's all right.

**P.O. LINDSAY:**

All right, I'm a little confused here. I see Visiting Clergy, but the Chaplain is going to serve as our visiting Clergy and I would like to introduce Legislator Lou D'Amaro for the purpose of introducing Visiting Clergy.

**LEG. D'AMARO:**

Good morning. Just a brief introduction about Captain Hamilton Rowan, the Marine Corps League Acting Chaplain for the Huntington Detachment 792.

Captain Rowan was born in England of U.S. parents 86 years ago, coming to the United States at the outbreak of the war with Nazi Germany in September, 1939. In 1941, while he was a sophomore at Dartmouth College, and following the Japanese Attack on Pearl Harbor, he volunteered his services to the United States Navy as a Naval Aviation Midshipman. In August, 1943, he graduated from Naval Flight School as a 2nd Lieutenant in the United States Marine Corps and assigned to a long-range photo mapping squadrant flying B-24 Liberator Aircraft. Three months later, Captain Rowan was in the Southwest Pacific Theatre where for the next year he took part in over 50 missions, one of which was a 13 and a half hour flight to map the Island of Guam, the longest photo recon mission in World War II.

Captain Rowan's decorations include the Distinguished Flying Cross and four Air Metals. He's been a resident of the Town of Huntington for almost 60 years, a member of the Huntington Detachment of the Marine Corps League, Captain Rowan served as its adjunct for some ten years. It's my honor and privilege to introduce to this body, Ladies and Gentlemen, Captain Rowan.

### ***Applause***

**CHAPLAIN ROWAN:**

Thank you. Let us pray. Supreme Commandant, we ask thy blessing upon all here assembled. We

pray for your guidance in the deliberations of this Legislative body and that it will be led to wise decisions and right actions for the welfare of the people of Suffolk County. We pray for wisdom in leading our country in this time of war. And lastly, we ask thy blessing for Marines and all other members of the U.S. Armed Forces who have died in the service of their country and to especially protect and bless all members of our Armed Forces now serving in Afghanistan and Iraq. We ask this in thy name, amen.

**P.O. LINDSAY:**

Thank you very much, Chaplain. I'm sorry about the confusion there.

I'd like everybody to please remain standing for a moment of silence for the men and women who have lost their lives in the defense of our country, and for the men and women that are currently in harm's way.

***Moment of Silence Observed***

Thank you. Before we start with proclamations, I would like to welcome our audience that are home listening to these proceedings on their computer screen. For the first time in the history of the Suffolk County Legislature, our proceedings are being audio-streamed live via the Internet.

Proclamations. We have a number of students here from Suffolk Community College today that were winners of the Science & Technology Scholarship winners from the college and we're -- today we are honored to have here 11 of the 18 students who were awarded the first Suffolk County Community College STEM Scholarship. The National Science Foundation STEM -- which stands for Science, Technology, Engineering & Mathematics Scholarship Program -- provides a unique, enriched, educational environment for students pursuing careers in science technology, engineering and mathematics. Along with a tuition -- along with tuition scholarship, students are provided tutoring, advising services, field trips, seminars, internships and job shadowing, one-on-one faculty mentoring including collaborations with the Brookhaven National Lab, Stony Brook University, Dowling College and other higher education institutions. We are very proud of these students and congratulate them on receiving this unique scholarship.

And a special thank you to Candice Foley, Marge Oldfield, Jim Lagonegro and Louise Roccanova and Nina Leonhardt who are the administrators of this program. And I'd like to acknowledge Dr. Pippins, I saw Dr. Pippins in the audience before.

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

She's behind the podium.

**P.O. LINDSAY:**

Okay, there you are, Dr. Pippins, President of Suffolk Community College who is here with the students today and I'm sure is very, very proud.

I'm going to call them, the students up individually to receive their proclamation from the Legislators that represent them in their districts, and then we're going to take a quick picture of the group and we'll proceed forward with our proceedings.

I should mention, there was a ceremony a couple of weeks ago at the college for these very bright young people and it made me very proud of our community college again for the fine work that they do in educating our youth at a very affordable price. We like to say it's the best kept secret in Suffolk County that our community college is a real gem.

We'll start off from Legislator Schneiderman's District, Scott Tria. Legislator Schneiderman, if you have your proc and if Scott is here, if you come forward.

**LEG. SCHNEIDERMAN:**

I've already given it to him.

**P.O. LINDSAY:**

Okay. Legislator Montano is not here yet.

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

He's here.

**LEG. MONTANO:**

I'm here.

**P.O. LINDSAY,**

Oh, I'm sorry, Rick, I didn't see you. Oluwafemi Bamgbose? I know I messed up that name; are you here, sir?

**MS. BURKHARDT:**

He's not here.

**P.O. LINDSAY:**

Elizabeth Millings?

**MS. BURKHARDT:**

Not here.

**P.O. LINDSAY:**

Not here. And Silvana Mercedes?

**MS. BURKHARDT:**

Not here yet either.

**P.O. LINDSAY:**

Okay. Sajeed Khan from Legislator Caracappa's District; Mr. Khan, are you with us?

**MS. BURKHARDT:**

No.

**P.O. LINDSAY:**

Okay. Adam Weglarz from Legislator Barraga's Office?

**MS. BURKHARDT:**

No, he's not here yet either.

**P.O. LINDSAY:**

No, not here. Lauri Williams? Nope. John Tay?

**MS. BURKHARDT:**

John Tay is here.

**P.O. LINDSAY:**

John Tay; come on forward, John, from Legislator Nowick's Office or District. And from Legislator Viloria-Fisher's District, Jessica Brassil? Jessica, are you here? Please come forward if you -- and Jeffrey Mayo. Okay, and from my Legislative District --

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

That's District 13.

**P.O. LINDSAY:**

Isn't that you?

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

No, I'm five.

**P.O. LINDSAY:**

Oh, okay. Jessica Brassil is from Lynne Nowick's District as well, and from Legislator Viloría-Fisher is Jeffrey Mayo. And from the 8th Legislative District, my district, Elizabeth Gibbs; Elizabeth, are you here? Nope.

Okay, if the Legislators could come forward in front of us here and if the students would get their proc and we could take a picture and move forward. Thank you. Dr. Pippins, maybe you can come forward and get in the picture, please.

**(\*Group Photo Taken\*)**

If there are any parents in the auditorium of the students and you would like a picture with the individual Legislator and your children, we'll be happy to take it for you outside in the lobby. Thank you.

Okay, next, for the purpose of a proclamation, I'd like to call Legislator Steve Stern to the podium, please.

**LEG. STERN:**

Good morning, Mr. Presiding Officer and my colleagues. It is with great pleasure that I award this proclamation this morning to Chief Larry Feld.

Chief Feld is the Chief of the Dix Hills Fire Department and he has been named as the Firefighter of the Year, been presented this award as the Firefighter of the Year for the 16th Legislative District. Chief Feld has been with the Dix Hills Fire Department for so many years and has been such an integral part of the department's success, winning numerous awards and really being a great example for all of us in our community.

But what makes Chief Feld so special is not just how he represents the Dix Hills Fire Department in his leadership through his office, but so often Chief Feld literally is the first on the scene in a dangerous situation, among the first to go in to a burning home. He really is an outstanding example of just someone who is always willing to give of himself and shows us in our community his heroic efforts every single day. And he is an outstanding example of all of the very good men and women that serve us so well in the Dix Hills Fire Department.

So it is with great pleasure that I ask Chief Feld to step up and receive this proclamation in honor of him being named the Firefighter of the Year for 16th Legislative District. Chief Feld, congratulations and most importantly, thank you.

***Applause***

Mr. Presiding Officer, I have another proclamation here this morning. This is just a great example of what is so good in our community. This is a proclamation being awarded to Melanie Harris. Melanie is a Junior at Half Hollow Hills West High School and worked over the summer and heard the story of the needs of homeless veterans in our community, not just in the 16th Legislative District but really throughout Suffolk County. And so many homeless veterans come to reside and utilize the services that are offered at the Salvation Army and we read the story about how the veterans need certain

services, including washing machines and dryers for the most basic of needs. And so Melanie, working at her job during the summer, decided to take a good portion of her earnings and make a donation to the Salvation Army for the purpose of purchasing that washing machine and the dryer for the Salvation Army homeless veterans residents.

And so I'll ask Melanie to please step up on receive this proclamation. On behalf of all of her neighbors in the 16th Legislative District, Melanie, again, let me say congratulations and thank you.

*Applause*

**P.O. LINDSAY:**

Okay, next I'd like to call Legislator Kennedy, Nowick and Cooper to the podium for the purpose of a proclamation.

**LEG. KENNEDY:**

Good morning, Mr. Chair, and thank you for giving us the opportunity.

I'm going to ask two genuine real-life heroes from the Commack Fire Department to please come forward and join us as my colleagues, Legislator Nowick and Legislator Cooper and all of us here give testimony and recognition to two fire fighters who I have come to know personally over the time that I've been here in the 12th Legislative District.

These gentlemen give countless hours. As a matter of fact, their family is here with them, too, and I'm going to ask them to be with us as well. They give countless hours in service to the residents of the Commack Fire District and over the course of their careers they have risen to many different important positions. Chief Formica is also with the New York City Police Department, so not only is he keeping our residents here in Commack safe, but he's taking care of the public safety of many, many people.

Former Chief Jinks has also, over the course of his career, done much in the way of public service. And we're here today to commend the life-saving actions that they took to rescue a 78 year old woman stranded in her home. Their quick response led to the direct life-savings of this well-known local teacher.

And so -- so often, as we all say, we see so many of the negative things, it's time to go ahead and say, "Good job, at-a-boy, we're indebted to you. Thank you, thank you and thank you."

*Applause*

**LEG. COOPER:**

I just want to add a few words to what Legislator Kennedy said. What's really special is what these two gentlemen did that day really wasn't so special for them, they do that every day as do their colleagues. So on behalf of my office, I'd like to thank you as well for your great work and your daily sacrifice.

**CHIEF JINKS:**

Thank you very much.

**LEG. NOWICK:**

On behalf of the 13th Legislative District, I'd like to thank you also. I always say volunteer fire department, volunteer firemen are working every day, every night, while we're sitting on a holiday with our family having dinner, you are all on-call and I thank you for this and for everything else.

*Applause*

**LEG. KENNEDY:**

Okay. Well, on that happy note, I guess let's actually do the presentation. Chief Jinks, Chief

Formica, absolutely positively, thank you.

***Applause***

Why don't we take a walk into the back. Okay, thank you, Mr. Chair.

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

Thank you very much. We now have two official reports that will be coming before the Legislature, the first one being the Long Island Convention and Visitor's Bureau. I don't see Jim Morgo. Is there someone -- okay, Michele Stark will be coming up. I see someone running up to me, there must be something else happening here.

Okay, if you could just bear with us a moment, two Legislators are telling me that they also have proclamations. Legislator Browning.

**LEG. BROWNING:**

I don't think he's here, Noah, Noah Gorman.

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

Okay, Noah Gorman?

**LEG. BROWNING:**

No, he's not here.

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

Okay, then we'll begin with the reports and then between the reports we'll do the next proclamation, okay? Thank you. Ms. Stark?

**MS. STARK:**

Good morning. Michele Isabelle Stark, I'm here for Commissioner Morgo who could not be here at this time. I also have with me Regina -- I've got to get her title right -- Regina Zarra who is the Director of Sales and Sports Development for the Long Island Convention & Visitor's Bureau & Sports Commission. Did you all get the binders of the report? You did, okay, good.

Basically, I just want to say -- I mean, everything is in this report, but despite some optimal market conditions for the tourism industry, the LICVB continues to show growth and their marketing program I'd say is working very well. And everything -- as far as statistics are concerned you'll find on page five and six of report, but you can see that visitors to the website continues to increase, the average time spent on the site continues to increase. So we see positives in all of these numbers and, as I said, that's in spite of poor market conditions. And if you have specific questions, we'll be happy to answer them for you.

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

Okay. Thank you, Ms. Stark. Are there any questions?  
Legislator Alden.

**LEG. ALDEN:**

Do you have any way of empirically measuring the success or failure of our marketing program? And is the marketing program directed now at the outside, because years ago it was directed inside Suffolk County.

**MS. STARK:**

The marketing program is specifically targeted to -- I believe it's a 250 mile radius; Connecticut, Pennsylvania, Massachusetts, Maryland. All the money that they spend on advertising is to drive traffic from those areas to Long Island. And the statistics, as far as the statistics I believe you're talking about, this does show proof, to me anyway, that the marketing program is having a positive

effect.

**LEG. ALDEN:**

Okay. I just got it, so I didn't get a chance to read it, obviously. Thanks.

**MS. STARK:**

Okay, Sure.

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

This looks like a pretty comprehensive report. And I thought, Legislator Alden, your question would be going to the issue that we've discussed in the past, expenditures to Nassau County marketing versus Suffolk County marketing. How has that played out and how -- do you delineate that kind of differentiation in the report? Because we all did just get the report, so it's difficult to comment.

**MS. STARK:**

Okay. Yeah, actually, those numbers are broken out for you on page six where you can see exactly how much more money is being spent specifically on Suffolk County advertising; in other words, advertising Suffolk County to that market area. And the actual advertisements are shown in the exhibits. Specifically, Exhibit D I'm very, very happy with because the Convention & Visitor's Bureau has been instrumental in helping us, the Cultural Affairs Office, develop an East End Wine and Culture Festival, and so you can see in this ad that they're really highlighting that as well as other things that go on on the east end. So I was very pleased with that.

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

And will the festival be an ongoing annual event now?

**MS. STARK:**

Yeah, it's going to be every year. We continue to refine what it is, after each festival we look at what's working and what's not working. So this year, working with the Long Island Wine Council, we've come up with the idea of Jazz on the Vine, so we're going to have a Jazz Festival.

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

Okay.

**MS. STARK:**

And we're very happy about that.

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

Music and wine, you can't beat that. Okay, any other questions from Legislators? Thank you very much. Probably when we go through the report we'll have more questions for you.

**MS. STARK:**

That's fine.

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

And we should address them to you, Michele?

**MS. STARK:**

Sure, absolutely.

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

Okay, thank you very much.

**MS. STARK:**

Thank you.

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

The next report is the Homestead Assist Task Force Report. And speaking on behalf of the task force, we have Neal Lewis from the Neighborhood Network and Frank Beyrodt; Frank, I'm going to say the name of your organization,

**MR. BEYRODT:**

Long Island Farm Bureau.

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

That's right, you're representing the Long Island Farm Bureau on the Homestead Assist Task Force. And I do -- will you be mentioning the legislation that's before us or should I mention it? I'll let you talk about it as you give the report.

I was a member of the committee -- in fact, I was Chair of the committee -- but I thought rather than leaving my seat here and going to that side of the horseshoe, I would let other members of the committee make the report. And as you all know, Neal Lewis is from the Neighborhood Network, and it was a very well represented task force. Thank you, gentlemen. Go ahead,

**MR. LEWIS:**

Okay. Well, thank you. We prepared -- there's a number of recommendations and specific items and I thought I would just jump right into them.

I do want to just very briefly say, however, that I do think the task force was a good approach to an issue like this. It did include some people who didn't necessarily agree on some of these issues, we had sort of industry, media representing a kind of, you know, environmental perspective that wants to really push alternatives to pesticides, organics and all that kind of stuff and folks that are in the industry, Nassau-Suffolk Landscape Gardeners, for example. And, you know, we were able to find common ground that we could agree on things that we're now presenting to you, so I'll mention a few and then I'll pass it off to my colleague to mention a few.

One of the items is going to be an educational piece that could be put in the cards that employees of the County get and in the bills that the Suffolk County Water Authority sends out. And so some of the items in there is to -- this sort of educational campaign that we're encouraging people would focus, for example, on starting with the basics which is test your soil; it's fairly easy to have done and yet is not done as regularly as it should. And it's my personal favorite thing -- by the way, people who know me, whether it's family members or such that will ask me something about their turf, they always say, "Well, I have this problem," and I say, "Okay, so what's your soil sample today," and almost always people say, "Well, I haven't done a soil sample."

So, you know, let's start with the basics and let's use science, it's available, let's start with that. By the way, most Long Island lawns are going to come back that they're much too acidic, you need to apply Lime, you need to do other basic things, so you need that information. Soil samples can be -- the method to do that can be gotten at various local garden stores, it is widely available, it's not very expensive.

After you go from that suggestion, we talk about mowing higher. A lot of people don't realize, they sort of try and follow what they see on golf courses which is to cut the grass as short as you possibly can, that makes sense in the golf context because it's tougher to hit a ball when it's sitting in high grass, but it does not make sense when you want to play with the kids on the lawn, you want a nice thick turf. And what lots of research has shown is that you're less likely to get weeds and disease and the other things that you're using chemicals to control if you grow your grass higher. So a basic suggestion that, like I said, both sides of the aisle, so to speak, in terms of this task force could agree on was to set your mower blades to about three inches high, most lawn mowers you could do probably the highest setting or almost the highest setting. Just that one recommendation, by the way, can get dramatic, better results. That could mean that you may have to cut more often in the spring when the grass is growing fast, so we point that out, encourage people to do that.

You should be leaving the grass clippings. With the rare occasions when the grass is really, you know, too much of it all at once, but other than those rare occasions, you should leave the grass clippings, it has a lot of nitrogen, it's good for the soil; mulching mowers help with that but are not required. And a basic thing is to keep the mower blades sharp, it should be done every year for an average lawn, perhaps a couple of times a year for a larger lawn. Very basic stuff. So those are some of our initial suggestions and I will pass it over.

**MR. BEYRODT:**

I also want to say that this was quite a diverse group and it's unbelievable that we were able to come to common grounds and agree on a program, but it was fun working on. These are very simple steps and they should be followed. The next one is to feed the grass, the fertilizer obviously, but more importantly is to know the size of the lawn, not just the size of your plot or your acreage. You may have a one acre piece, but the amount of grass you have could be considerably smaller, so step it out, take strides, make sure you know just the size of the turf area.

We also recommend that you apply no more than one pound of nitrogen per thousand square feet. And we -- our recommendation is going to be two to three times a year, as needed, between early May and Halloween, that's our recommendation.

The next one is to water less often. A lot of people like to put their sprinklers on the first thing in the morning and then a little bit in the afternoon; it doesn't help anything, the root system doesn't get the proper water amount that it needs. So we're recommending an inch per week; I know that it says one inch twice a week, but I think our recommendation was once a week.

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

Yes.

**MR. BEYRODT:**

And a good, deep soaking would be better for the lawn.

**MR. LEWIS:**

Okay. Now on the handout, it's also going to include some websites, because obviously this is meant to be some of the basics, there's a lot more information out there.

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

Neal, I'm sorry to interrupt. But just so everybody can follow, it's on the third page of the packet that you received, is a copy of what the handout is going to look like. This is a leaflet that will be going in your -- the Water Authority bill for all Water Authority customers and it will go into an All-Employee Memorandum for all people who work for the County.

By the way, I see other members of the task force who are sitting in the audience. Either though the presentation is being done by Neal and Frank, can you come up and join them? Patty, can you just come sit up here, just so people know who you are. I don't know who else is here from the task force.

**MR. LEWIS:**

Yeah, that's Patty South from the Suffolk County Water Authority coming up.

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

Yes, come on up, just so we can all see who you are. Because we have worked hard for over a year and it's -- Caroline, you, too.

**MR. LEWIS:**

Actually, since the Legislator mentioned the work of the committee, we should point out that there

were three public hearings that did generate a lot of interest. The first hearing was kind of quiet, but the next two, you know, had kind of full rooms and a lot of that had to do with a recommendation by the County Executive regarding fertilizer, he had put out some numbers. We visited that question and did make a recommendation, as Frank just explained, of the amount that is more than what the County Executive had proposed in his idea that he was batting around. So as it stands right now, it doesn't look like that specific proposal is going to come before you as a Legislative proposal. So the task force, I think, played a role in working with the County Executive's Office and vice versa in sort of hammering out the suggestions that you've now seen in what's been handed to you.

You know, the County Executive's ideas did include some other stuff that we support like point of purchase signage so that there would be signs in stores that help to explain some of these issues. You know, a general public education awareness effort that's got several components to it that are laid out there, and that also, as I was mentioning earlier, includes some helpful websites that would be on sort of the flip side of this card insert that would be sent out.

The report gets into a little more detail on some of the items like the issues of hiring people that are properly certified. So a lot of these tips are for the do-it-yourselfer, but when you hire a landscaper, if the person is applying a chemical pesticide, then they have to have a New York State license. If they're not applying a chemical pesticide, just fertilizers and mowing and things of that nature, then they have to be properly listed with the County Consumer Affairs and that's very important in terms of if you have a problem with them down the road and all that. So we do want to make sure those elements of public education get out also and that's in our report.

You know, there's a general acknowledgement that, you know, a healthy turf is a positive thing. I was just at an event yesterday talking about it from the energy point of view where we actually can sequester carbon that is contributing to global warming in a healthy turf, particularly an organic turf because you have a lot of microorganisms in the soil and it sort of eats up the carbon from our air. So healthy turf is good on many different levels and in many different ways. So if we do these things right and we have a good, managed, balanced program in the County, then, you know, this can be an important part of the suburban life-style in a positive light and, you know, not just seen as a negative thing where lots of chemicals are being used and such, we can strike the right balance.

And I would just lastly add, on the fertilizer point we are also encouraging slow-release fertilizer because the concern is that the fast release can run off into our drinking water, our groundwater supplies, our surface waters and have impact on bays and such. So we do want to encourage people to begin to look for slow-release fertilizers which may not give you as quick a result but it would be better in the long run because it's both better for the turf because it stays in the turf longer but it's much better for our environment because of those other effects.

And then just to echo the point that Frank made about the dates requirement just to echo the point that Frank made about the dates that we set out. Part of the public education campaign is to say after Halloween, because Halloween being a holiday might be a good way for people to remember this, and it's fast approaching -- but after that event every year, you know, no more fertilizer. And we do see at least one advertisement from Scott's that could be read as encouraging people to fertilize in the winter and that doesn't make any sense. Once the ground gets frozen, all those chemicals are running off into our bays and streams and such.

So part of the public education campaign, if we can start to get the message out, is after Halloween that's it, no more fertilizing until May of next year, and hopefully we can start to get that message out to the public.

**P.O. LINDSAY:**

Thank you very much for a very informative report and for volunteering your time to serve on this very worthwhile committee. Thank you.

**MR. LEWIS:**

Thank you,

**MR. BEYRODT:**

Thank you.

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

People can ask questions.

**LEG. BARRAGA:**

I have a question.

**P.O. LINDSAY:**

Uh, wait, Legislator Barraga has a question, if someone from the group would like to answer.

**LEG. BARRAGA:**

When you're using a mulching mower, is it really necessary to do fertilization? Because so much of the nutrients go back into -- you know, with the grass clippings, go back into the ground. I mean, is it necessary to do fertilizing after it if you do mulching every week?

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

Well, Frank is our man from the --

**MR. BEYRODT:**

We find that it does help with certain levels, but obviously like, Neal said, the soil test is the best way to figure out what is in the soil at that time. So even if you mulch, at some point during the season you should take a soil test and make sure that your nitrogen, phosphorous and potassium levels are up; if they're not, that's the time to apply them. We're not saying three times based on just -- you know, arbitrary numbers, but as it's needed. So soil testing is the most important, that's what we're putting forward.

**LEG. BARRAGA:**

Because I can remember some of the marketing programs to convince people, you know, to use mulching mowers is that they would have to -- if they did, they would be able to cut down on fertilization and save some money.

**MR. BEYRODT:**

It does and that's why our recommendation for the industry is on the low side and I think that's why the mulching, it adds to the amount of nutrients so that you would have to fertilize less.

**LEG. BARRAGA:**

All right, thank you.

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

There was a question here in the background about who does the soil testing and that's in our report; the soil testing can be done at Cornell Cooperative, a number of garden centers do soil testing. Frank, were there other sources? Garden centers and Cornell Cooperative.

**MR. LEWIS:**

And I would also mention Soil Food Lab New York which is a fabulous lab located on Long Island, in Port Jefferson. I got to go there once and take a look under the microscope at various microbes moving around and stuff. It's state-of-the-art technology that's a little more sophisticated than what the average home owner would use, but some people do use it but more of the professionals, golfers and stuff like that. So there's a range of testing and a level of how much information you want to get, but we've got to get people to start testing, it's so basic and it's one of the big mistakes most home owners make, they never test.

**P.O. LINDSAY:**  
Legislator Alden.

**LEG. ALDEN:**

Neal, maybe you know the answer, but's what the range of price for a simple test as opposed to, you know, like the more involved test?

**MR. LEWIS:**

Yeah. I mean, the little kit that they sell which is a fun thing to do with the kids, it's a little tube that you put some soil into and some water and mix it and shake it and stuff and it turns into a color, that's only a couple of dollars, like three or \$4, so that's a very basic starter. I forget, some of the garden stores are in like the \$10 range for a more complete where you get a read-back back to you. I forget what Cornell Cooperative charges, if they're --

**MR. BEYRODT:**

The last time I heard Cornell was around the \$10 range, but they are also very easy to use. You can just take a small sample and mail it to them, it's not that you have to go visit their site or go anywhere, you can just send it to them.

**LEG. ALDEN:**

Thank you.

**P.O. LINDSAY:**

Again, thank you, gentlemen.

**MR. BEYRODT:**

Thank you.

**MR. LEWIS:**

Thank you.

**P.O. LINDSAY:**

Okay, we're going to the public portion.

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

Kate's proclamation?

**P.O. LINDSAY:**

Oh, I'm sorry, I have two further proclamations. I'd like to call Legislator Browning to the podium for the purpose of a proclamation.

**LEG. BROWNING:**

Good morning. Noah's Mom, you want to join us? I'm standing here with a very brave young man. I don't know how many of you have been to the Riverhead Blues Festival. I was contacted by one of my local Boy Scout Troops about Noah. During the Blues Festival there were two young men that fell in the Peconic River and Noah, without even thinking about his own safety, went into the Peconic River in a boat and saved the two young men; they were 11 and 14, correct?

**LEG. NOWICK:**

Twelve and nine.

**LEG. BROWNING:**

Nine. And, you know, I think that we hear so many things about our kids and we hear all these negatives. So again, I think it's very important that we recognize those young people in our community who do so many good, positive things. So I have a proclamation here for Noah to say thank you from the Suffolk County Legislature for your brave actions.

*Applause*

**P.O. LINDSAY:**

And next I would like to call Legislator Stern back to the podium, he had a late arrival, for the purpose of a proclamation.

**LEG. STERN:**

Yes. Thank you, Mr. Presiding Officer and again to my colleagues.

To echo what Legislator Browning had just said, it's always great to see, particularly in our young people in our communities, what is so good in our area. And so it is with great pleasure that I award this proclamation to Brian Proctor.

Brian has undertaken yet again a swim to -- from Northport to Centerport for what is called the Distant Memory Swim; it's a fund-raiser that raises important funds and is donated to the Alzheimer's Association of Long Island as a way to fund very important Alzheimer's research. As we know, there are over 55,000 residents here on Long Island that suffer from Alzheimer's Disease and we all know so many families that are touched by that affliction with a loved one. And so Brian really has done an outstanding job in raising much needed funds and continuing to raise awareness of Alzheimer's Disease here in Suffolk County and throughout Long Island and continues to be a great example of not only young people in our community but really an example of what we can all be when we put our minds to a great cause.

And so on behalf of the Suffolk County Legislature and your neighbors in the 16th Legislative District, Brian, let me say congratulations and thank you.

*Applause*

**P.O. LINDSAY:**

And one last proclamation, I'm going to introduce Legislator Montano to the microphone for the purpose of a proclamation.

**LEG. MONTANO:**

Thank you, Mr. Presiding Officer. I know that the students were announced earlier from the STEM program at the college. Elizabeth Millings is here from my district, from Central Islip with her family and I did want to acknowledge her, I want to thank you her for all her work.

I also want to point out that she's actually the second -- the second one from her family in college, but both her and her sister are actually home taught. And I want to congratulate the parents for doing such an excellent job and for her award in the STEM Program. Thank you very much.

*Applause*

**P.O. LINDSAY:**

Congratulations.

**LEG. MONTANO:**

Thank you.

**P.O. LINDSAY:**

You're welcome. Okay, public -- I think we're ready to start the public portion now? Nobody else has any other procs or anything, right?

I'm going to exercise the privilege of the Chair and go out of order a little bit. With us this morning is Councilman Steve Fiori-Rosenfeld from the Town of Brookhaven. Councilman Rosenfeld, if you'd like to come forward and tell us what's on your mind.

**COUNCILMAN ROSENFELD:**

I want to thank you, Presiding Officer, for -- given the obvious time constraints, especially this time of year, for taking me out of order. There's -- and I want to thank you all for giving me the time to address this Legislative body. I have copies of -- my testimony is pretty short, which I think there should be enough copies for each of the 18 of you.

I was quite pleased to hear and I read with great interest an article in last week's Port Times Record that Deputy Presiding Officer Vioria-Fisher had submitted a bill for Suffolk County to consider the purchase of the entirety of a quite spectacular -- I know the total is 18.45 acres, Cedar Hill Property in Port Jefferson Village. I know that the bill was submitted to -- because the County is very concerned about spending dollars only on that which was entirely undeveloped, so it actually turned out to be 14.8 acres, Cedar Hill Property. And that's one of the seven hills in Port Jefferson. It was formerly known as the Wunderlich Property.

My understanding is that the resolution authorizing the planning steps for acquisition under Suffolk County's Multi-faceted Land Preservation Program, 1743-2007, was considered at the August 13th meeting of the Environment, Planning & Agriculture Committee that members of that committee actually had expressed significant interest in exploring the possibility of partnering with the Town of Brookhaven to acquire this environmentally sensitive land. For years, at least since 2004, the Town of Brookhaven was actively engaged in negotiating the purchase of this particular property from the previous owners, the Wunderlichs.

I supported this property's nomination and in a unanimous vote, the Town's Open Space Committee approved the acquisition. Under the Town's park rating scale, the land earned a score of 81 out of 115 total points at the town and thus was a very significant interest to Brookhaven.

The Town Board went on to actually authorize an offer to be made to the former owners, the Wunderlichs, after appraisals; regrettably, however, they accepted a much more lucrative offer, as often happens when municipalities try to compete with potential perspective developers, and that person is actually now currently the owner of this property.

It appears that from what I understand, the current owner, given the change in market and other situations, is offering the property for sale to the public in some way, shape or form, or at least is more open than previously. The Town of Brookhaven's position, as I think most of you are quite aware, especially those Legislators that are in our Town of Brookhaven, our position financially has changed because we have at the moment allocated all of our previous open space dollars. That's part of the reason why we actually have put on the ballot this coming November 6th the Community Preservation Fund which is Ballot Proposal No. 3. It's up for this November 6th and obviously I encourage all residents to vote in the affirmative for that.

Wrapping up, the -- this would potentially, if the Community Preservation Fund passes in November, it would potentially give us partnership dollars for such an acquisition. This particular property is predominantly Oaklore Forest in Port Jefferson Village, it includes rare and threatened plant and animal species, it abuts the Victorian-era Historic Cedar Hill Cemetery in which numerous historic figures are buried including John Mather of Mather Hospital fame, Captain Brewster Jones, Captain Henry Randall. It's a who's-who of important Long Island families with or without maritime heritage such as {Bayliss}, {Horton}, {Squeezy}, just to name a few.

As I pointed out, it's got magnificent views of Port Jefferson Harbor because it's literally at the apex, at the top of one of those seven hills in Port Jefferson Village. It's, quite simply, well deserving, a preservation for future and present generations to enjoy its majesty and wonder.

I hope this Legislative body will vote in favor and follow the leadership of the Deputy Presiding

Officer in offering up that resolution to acquire it. There will -- the loss of this particular property is not just -- would be a loss to the people who live in Port Jeff Village or in the Town of Brookhaven, but believe me, I believe it would be a loss to our entire County and its loss will probably be elaborated by numerous others here that are in the audience which undoubtedly will elaborate on that. So again, I thank you for your time.

**P.O. LINDSAY:**

Thank you very much, Councilman.

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

Thank you, Steve.

*Applause*

**P.O. LINDSAY:**

Charlotte P. Koons?

**MS. KOONS:**

Good morning and thank you for your public service. I am -- my name is Charlotte Koons and I reside in Northport, New York, and today I'm representing CodePink Long Island and the Suffolk Peace Network and other peace groups on Long Island.

I'm here to present a resolution and petitions that are part of a Cities for Peace Campaign where over 200 municipalities have proceeded to pass similar resolutions. This resolution asks you, the Suffolk County Legislature, to call upon our representatives in Congress to prohibit the use of funds to carry out any military actions against Iran, ensure that our relationships with Iran are consistent with international law and encourage diplomatic talks without preconditions between the U.S. and Iran.

I'm wearing these peace cranes and carrying a flag that says "No More {Hipacushas}" because I am simultaneously terrified and outraged that my country, the USA, is threatening the use of nuclear weapons against Iran. Here's what Phyllis Bennis who is a fellow in the Institute for Policy Studies and the Transnational Institute in Amsterdam says; "An attack using nuclear bunker buster bombs would be explicitly a violation of the non-proliferation treaty to which Iran is a signatory and which prohibits any attack with nuclear weapons against a non-nuclear weapons state." The US, in threatening to use nuclear weapons against Iran, is directly undermining the no first use assumptions that have prevented nuclear war for more than half a century. In fact, the International Court of Justice has ruled that for a nuclear weapons state such as the US, to even threaten to use nuclear weapons against a non-nuclear signatory like Iran is a violation of the NPT. Iran is, even according to U.S. officials, four years, or more likely closer to ten years, from having the capability of making a nuclear weapon even if it chose to do so.

And I'd like to also read you what Scott Ritter, who will be at Book Review tonight, he was a former Marine and also a Weapons Inspector and I think you've heard of him. He says, "On every point, the case made against Iran collapses upon closer scrutiny. The International Atomic Energy Agency mandated to investigate Iran's nuclear programs has concluded that there's no evidence that Iran is pursuing a nuclear weapons program. Furthermore, the IAEA has concluded that it is capable of monitoring the Iranian Nuclear Program to ensure that it does not deviate from the permitted Nuclear Energy Program Iran states to be the exclusive objective of its endeavors."

I ask you to consider this resolution and these petitions and know that there are many residents of Suffolk County, your constituents, that are equally terrified and outraged. Thank you.

*Applause*

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

Thank you, Charlotte.

**P.O. LINDSAY:**

Thank you, Ms. Koons. Neal Lewis. Neal Lewis, you still here?

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

I'm sorry, Neal Lewis filled out a card but he had done the presentation on Homestead Assist.

**P.O. LINDSAY:**

Oh, okay, I'm sorry.

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

So he already spoke.

**P.O. LINDSAY:**

I thought he wanted to speak again. Sheila Croke.

**MS. CROKE:**

Good morning. My name is Sheila Croke, I reside in Greenlawn. I'm here to speak in support of a Suffolk resolution to join over 200 Cities for Progress stating or objection to any attack on Iran.

Year after year, important matters have been brought to the Suffolk meetings, but none is more urgent than the one facing our citizens across the nation at this very time. Despite the will of the majority of our citizens, despite the truth concerning Iran's intentions and capabilities, despite the exhaustion of our servicemen and women, despite our signatures on international treaties and conversions, despite our own Constitution, this administration is dragging the U.S., the Middle East, Arabs, Muslims, Christians, all of us, down a treacherously narrow corridor. This corridor has no space for diplomacy, no room for meetings or discussions or compromise, it only has a single track that leads to an attack upon the people of Iran.

The first words of our Constitution are, "We the people," not I am the decider. We the people say stop, we draw the line. We are law-abiding citizens of this world, we will not start another conflagration without cause, defying international laws. We will not use nuclear weapons on our brothers and sisters on this planet, we will not incinerate them or torment them with pain for the rest of their lives.

Our national anthem speaks of watching all the ramparts to see if our flag is still there. It's time to climb those ramparts again to ensure our flag is a flag for peaceful tomorrows, for us and for all the world to see. The people of Suffolk belong on those ramparts. I urge the Suffolk Legislature to adopt the Cities for Progress resolution. Thank you very much.

**P.O. LINDSAY:**

Thank you, Ms. Croke. Gregory Noone.

**MR. NOONE:**

Good morning, Mr. Presiding Supervisor. May I offer a copy of my prepared remarks to the Clerk for the record, and I believe there are copies for all 18 -- 19, excuse me, Mr. Nolan. And the glasses are -- after you lose \$275,000 in Federal funding, you need glasses.

Honorable Legislators, in less than a month you are charged with the serious and difficult task of creating the operating budgets for 2008. I come before you to plead on behalf of the over 3,900 Suffolk County residents who are living with HIV/AIDS. The well-known poem from which our agency's name is taken states, "Thursday's Child has far to go." After meeting with many of our County's leaders over the past few months, I can honestly testify that, indeed, we have far to go.

Marianie J of Brentwood stopped by our office recently. Marianie lives with both HIV/AIDS and Leukemia. Marianie does her best to provide for her beautiful school-aged daughter, but as one who lives on a fixed income, she's always falling behind on her bills. She and her family come to Thursday's Child once or twice a year requesting help; help to organize her bills, help her to fill out Social Service applications and advocate for her when her case management team fails her. More often than not, this family just needs a little extra help obtaining food.

She left our office in tears. She left my coworker Kevin and I stunned into silence. She left in disbelief; how could the Federal Government be so cruel as to cut off the Thursday's Child Emergency Food Program for people living with AIDS? I come before you today with a request that the County fund a one year pilot project at Thursday's Child, the AIDS Services Access Program. Marianie and hundreds of others like her deserve this dignified, confidential resource.

I also come before you today both grateful and humble. It has indeed been an honor to have met with so many of you and your colleagues in Suffolk County government. I'm happy to report that our meetings at the County Executive's Office have resulted in assurances that Steve Levy is in support of Thursday's Child. In fact, Deputy County Executive Jeff Szabo wrote, "Thursday's Child is the only contracting agency to receive an increase," in this coming year's budget.

I now ask each of you to search your hearts and fully fund the AIDS Services Access Program. The proposal is narrow in focus, limited in scope and serves a targeted population. This proposal will be effective not only to our clients but also save hours, time and money for the County at the end of the day. Applications for services will be made complete and accurate at our office prior to anyone visiting a Social Service Center. DSS employees support this proposal as they know it will cut down on wasted effort, wasted paper work, relieve aggravation and tension.

Another important goal of this proposal will be to move clients from the County to State and Federal chargeback; obtaining Social Security Administration benefits will ultimately and permanently offset costs associated with this project. And for the working poor, obtaining a DSS denial letter is often all that is required; again, a cost savings for the County will be seen by applications made properly and made only once.

I close with recent news about Medicaid, the government's health insurance for the poor. In '08, we will be faced with yet another dilemma; HIV/AIDS patients who are covered by Medicaid will be forced to choose an HMO. The HIV/AIDS cut-out provision for straight Medicaid will be phased-out. Clients now face the daunting task of choosing an HMO that will cover their many needs; just one more difficulty facing Suffolk County residents with HIV/AIDS.

**P.O. LINDSAY:**

Could you wrap up, Mr. Noone, please?

**MR. NOONE:**

Yes, sir. Just one more reason why I implore your assistance of each of you to support Thursday's Child of Long Island.

This Legislature is recognized nationally for its ground-breaking statutes, protecting the public against the dangers of driving and talking on cell phones, against the dangers of Ephedra and DXM. On behalf of those whom we serve at Thursday's Child, please again show your bravery and leadership. This program can serve as a model for counties across our nation as a cost-saving and a life-saving measure. Thank you, sir.

*Applause*

**P.O. LINDSAY:**

Thank you very much. Rory Bedell.

**MS. BEDELL:**

Good morning. My name is Rory Bedell and I live in Wading River. My topic this morning is bus transportation in Suffolk County.

Two things I want to preface my comments by. If I ask a question I understand it's rhetorical and can't be responded to today. Also, I have a car, I can drive, but I prefer to take bus transportation from Wading River to where I work in Hauppauge because, one, I leave the driving to the driver, I can have my coffee and I can read the newspaper; it's a very relaxing way to get to work. It would normally take me approximately 45 minutes to drive to work, the bus takes me maybe 50 minutes. I happen to take the S-62, from Riverhead to Hauppauge it's a two hour trip and it only comes once an hour.

One of the things I've noticed at work is nobody knows about Suffolk County Transit. We happen to have this flyer put in the back of our building. I checked with about nine other companies in the industrial park, they also have it; nobody has information on Suffolk County Transit. I've had nine employees in my company where I work come up to me because they have seen me either get on the bus or I've talked about it; I've been able to go on-line for them and show them the bus schedules and where to get the buses. Again, advertising, if you have a product, you've got to market it and you've got to reach the consumer, and I don't see the County or Suffolk County Transit doing that.

The telephone number that is on the back of most of the schedules and on the bus is always busy. I've speed-dialed it many a times and from eight -- I think it's eight o'clock in the morning to 4:30 in the afternoon, you cannot get through to it. So for an information source, this is not really good.

One of the things I would like to see is later hours on the S-62. The last bus leaves Hauppauge at six o'clock, it does not go to Wading River and it doesn't go to Riverhead, it stops at Mt. Sinai. So for some reason, unexpectedly if I have to work late, I have to catch a cab from Mt. Sinai to get to Wading River. We would like to see -- and I've talked to some of the people on the bus. We would like to see the bus line extended to Riverhead for that late bus. They're also looking for later hours; it runs from eight o'clock in the morning till, again, six o'clock at night. People would be interested in shopping and not just work schedules.

One of the other things we've talked about is maybe having a metro -- something similar to a metro card where you don't have to worry about the change, the exact change, you don't have to worry about the driver getting involved in any kind of money at all. Preferably being sold in something like supermarkets where everybody has to go buy food and have access to it. I've thought about maybe having post offices or train stations sell a card like that, but the logistics -- or gas stations. The logistics, independent ownership, things like that, probably would be difficult, but supermarkets, everybody needs food, everybody goes there, and the hours are also convenient for a lot of people.

**P.O. LINDSAY:**

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

**MS. BEDELL:**

Certainly. One other thing is the Suffolk Clipper is a great idea; for the first time, again, it's been advertised in this publication. It's totally under utilized; it leaves about ten after five from the Hauppauge Industrial Park and goes to two park and rides. The most people I've seen on that bus is four to five people. I want to thank you.

*Applause*

**P.O. LINDSAY:**

Thank you, Ms. Bedell. Sylvia Khan.

**MS. KHAN:**

Good morning. My name is Sylvia Khan, I live in Port Jefferson and I'm here to read a letter on behalf of and from H. Martin Randall of East Setauket, addressed to the Suffolk County Legislature on resolution to approve planning steps for acquisition of the Liberty Meadows Property, October 16, 2007.

"My name is Marty Randall. I support the acquisition of the Liberty Meadows parcel, known locally as the Forest at Cedar Hill, for preservation purposes and ask you to approve the resolution allowing planning steps to do so. The Forest at Cedar Hill protects the steep slopes of Cedar Hill from erosion, thereby protecting Port Jefferson Harbor's waste water quality as well as develop properties down-slope.

Cedar Hills Forest also provides an important buffer zone for the beautiful and historic Cedar Hill Cemetery. If the property were developed according to the plans presented by the developer rather than preserved, there would be an inadequate buffer between the proposed condominiums and the victorian park-like cemetery which holds the interred remains of many prominent Suffolk County historic figures, leaders and citizens. The quiet repose of the cemetery would be forever lost.

The deep forest surrounding the cemetery should be preserved so it may continue in its service as the most appropriate, natural setting for the cemetery. The tall trees surrounding the cemetery protect its serene atmosphere for the cemetery's many daily visitors. Please vote to preserve Cedar Hill. Thank you."

*Applause*

**P.O. LINDSAY:**

Thank you, Ms. Khan. Linda Wicks.

**MS. WICKS:**

Thank you for permitting me to address you this morning. I represent the coalition to save Cedar Hill. We're a grass-roots organization of some 300 residents who are working to protect the hill and the surrounding community. I speak here today to encourage you to pass the resolution for the open space acquisition of the land on Cedar Hill that has, until earlier this year, been owned for over 50 years by one single family and is currently owned by Liberty Meadows.

Cedar Hill is an especially important part of Suffolk County, one of the highest points surrounding Port Jefferson Harbor. It welcomes visitors from New England every day; thus it is a significant gateway to our County. Cedar Hill is the first piece of land that travelers see as the Bridgeport/Port Jefferson Ferry approaches our beautiful Island. It is also the last feature they see as they leave Port Jefferson by car for destinations elsewhere in Suffolk County and beyond.

Because of its unique and beautiful geological formation, the hill is a treasure for all of us. Cedar Hill is covered by one of the last remaining beautiful oak forests in Suffolk County. It protects the surrounding area from otherwise threatening storm runoff, it provides habitation for numerous wildlife species of special concern, it shields the historic and peaceful Cedar Hill Cemetery from the hustle and bustle of every day life. It contributes to Long Island's clean water and clean air.

For all these reasons, the Coalition to Save Cedar Hill asks you to vote for acquisition of the hill for open space preservation.  
Thank you.

*Applause*

**P.O. LINDSAY:**

Thank you, Ms. Wicks.

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

Thank you.

**P.O. LINDSAY:**

Mary Capone.

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

Actually, she says Capon.

**P.O. LINDSAY:**

Capon, Mary Capon? Not here.

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

That is Mary, I thought she was going to speak.

**MS. CAPON:**

She doesn't want to speak.

**P.O. LINDSAY:**

She doesn't want to speak. Okay, thank you very much, Ms. Capon. Kevin Kaleith?

**MR. KALEITA:**

Thank you for taking the time to listen to me speak today for your public service. My name is Kevin Kaleita, I am also employed by Thursday's Child as a Client Resources Coordinator. My colleague Greg has spoken to you previously about the programmatic and personal sides of the program. I'm here today to speak about how this program has already been officially administered to our clients and all your residents of Suffolk County.

Since our proposal in May, Greg and I have performed this service countless times so that we could present facts and case studies to all the Legislators to help our case for funding. In July, a client brand new to our agency came in and stated that she had lost her job due to complications of HIV/AIDS, she had been diagnosed for 15 years. She was now facing a mortgage crisis and foreclose. Their household took a \$44,000 hit because of her job loss. She returned to work as soon as possible as soon as she recovered from her current illness, that she inflicted from HIV/AIDS.

We prepared her fully for DSS from paperwork to how to get there and what to expect. She got there, got her denial letter within 30, minutes. She was then referred to the Emergency Food & Shelter Program by FEMA, a Federal program where she obtained help, kept her house for her and her family and is now permanently housed and back to work.

Another case study that we did that we're very proud of is Valerie of Smithtown. She was in LIPA arrears and termination of her lights; she could not have her lights turned off because her medications required refrigeration. Greg and I assisted our client in obtaining that letter of denial from DSS because her income was too high for services. We also coordinated with LIPA and another sister agency of ours called FECS to help pay from Federal funds a portion of what was needed to keep her lights on. We orchestrated a payment plan with LIPA, her lights are now kept on.

With this person, we also discussed how she got there and how to avoid it in the future. This program will serve all parts of the person, from solving the problem to fixing it and avoiding it in the future. We're looking for it to be funded to do this for not just Valerie but for everyone in Suffolk County living with HIV/AIDS and their families. Thank you very much.

*Applause*

**P.O. LINDSAY:**

Thank you, Kevin. Lori Ann Taggart?

**MS. TAGGART:**

Presiding Officer Lindsay, Members of Legislature, my name is Lori Ann Taggart, I'm the Intergovernmental Relations Coordinator for Suffolk County Community College.

I'm pleased to address you today in support of IR 1962 which provides County Capital Funding for the renovation of existing space on Suffolk Community College's Brentwood Campus into an Anatomy and Physiology Laboratory. This new lab will assist the college in further encouraging scientific career paths for Suffolk County youth, help address the needs of a growing enrollment at our Brentwood Campus, especially within the biological science and nursing programs, and ensure that students have access to appropriate learning resources.

Our science programs at Grant are currently oversubscribed; in fact, we have had to schedule lab time at 6:30 in the morning for required courses that demand lab work, and even those are at capacity. The college was able to secure State funding of \$150,000 which has been earmarked for this new lab. The County Capital Funding identified in IR 1962 will provide for laboratory design and construction costs, along with installation of work stations, microscopes, science models and other instructional supplies. Your support of the new lab will further enhance the college's ability to retain, promote and increase interest in the college's science and nursing programs as well as its high school partnership programs, as we strive to promote careers in the sciences throughout Suffolk County. The resulting technological upgrades will also enable the college to enhance its university and industry partnerships and create deeper articulation agreements for the college's science students in the areas of professional science and health related advance degrees.

On behalf of Dr. Pippins, Executive Vice-President Gatta and the entire college community, I respectfully request your support in funding the 50% match required for development of the lab and your approval of this resolution. Thank you.

**P.O. LINDSAY:**

Thank you, Ms. Taggart. Pete Quinn. How are you doing, Peter?

**MR. QUINN:**

Good to see you, Bill.

**P.O. LINDSAY:**

Good to see you. Go ahead.

**MR. QUINN:**

Good morning, members of the Legislature. I want to tell you that back in 1992, 15 years ago, I approached David Manning who had been appointed by Governor Cuomo as the head of the New York Power Authority and I made a suggestion that we kind of link together solar with electric cars for the first time. And he liked the idea so much he invited me to their board meeting, he had me make a presentation, he said, "We're going to do it." Unfortunately, Cuomo lost to Pataki and the issue died.

Shortly after that, as a matter of policy, Ford and General Motors, which had leased thousands of cars across New York State, the electric cars, decided to recall all of them. And then there was a documentary last year indicating what happened to them; they all got thrown on to the scrap heap as Ford and General Motors decided to do a program. Their policy of increased SUV's, because they could make twice the profit on those than any other vehicles they sold. Interesting to note as a side bar, today's price, sale -- investor price for a share of Ford is down to its lowest since it was in the Depression 70 years ago, more than 70 years ago. But then I thought, well. Why let it die there? Let's bring it up before the Legislature, and it passed, in 2000 I believe it was, and it went to NYSERTA who bypassed their responsibility and said, "That's a LIPA matter," LIPA killed the idea.

And so I came up with a revolving, self-liquidating bond which I thought might meet your approval and where it would be broken up into municipal government businesses and residential consumers. To do renewables on their own, on a grand scale, and the -- they would be given this money from the bond through this incentive; that went nowhere.

So now that we have new players in Albany and now that the price of energy has gone off the charts -- I saw yesterday it was 86.22 cents per barrel of oil and 7.19 per 1,000 BTU's of natural gas and rising as it always does in the wintertime -- I thought, well, why don't we try a different approach? Simply, since Paul Tonko, an old-time energy friend who is now the Chair of NYSERTA, that an effort be made to see what NYSERTA is doing and climb on the back of NYSERTA to see what can be done for Suffolk County in the area of renewables in energy efficiency. And second, it's probably time, if you haven't already done so and to my knowledge you haven't, put out an RFP for solar companies to at least explore what the projected cost would be for solar panel -- solar rays strung together at parking lots dotting the landscape across Suffolk County.

**P.O. LINDSAY:**

Could you wrap up, Pete?

**MR. QUINN:**

Okay. And finally, let's contact the energy -- the electric car companies to see if they aren't willing to come up with a reasonably priced electric car that would tie the solar and electric car industries together for the benefit of drivers across Suffolk County. Thank you.

**P.O. LINDSAY:**

Thank you very much, Peter. Jim Navarre?

**MR. NAVARRE:**

Good morning, Legislators. I'm speaking on behalf of the Coalition to Acquire and Preserve the property of Cedar Hill, Liberty Meadows Property.

I can say personally I've made one trip on to it, I'm a resident of East Setauket nearby, and the view and the topography is just a splendid epitome of natural resources that this Island probably had in limited amounts and is diminishing every day, and that is just splendid, it's beautiful.

I want to read the remarks of a letter of a geology professor from SUNY at Stony Brook.

"Good morning. My name is Gilbert Hanson, I am a distinguished Service Professor of Geology at Stony Brook University and I have been studying the geology of Long Island in particular for 15 years. I encourage the Legislature to approve the planning steps toward acquisition of the Liberty Meadows parcel in Port Jefferson, otherwise known locally as Cedar Hill. Cedar Hill is a unique, geographical feature in Suffolk County. Cedar Hill is on the eastern most edge of the Stony Brook moraine with an elevation of 271 feet; it is also the highest point on the Stony Brook Moraine. The Stony Brook Moraine was formed by a separate lobe of the glacier that formed the more extensive Harbor Hill moraine along the north shore of Long Island some 20,000 years ago. The long ridge that forms Mount Misery in Belle Terre and in Port Jefferson is an interlobate moraine that formed between the Stony Brook Lobe and the Roanoke Point Lobe to the east."

"Cedar Hill was formed by a process known as glacial tectonics which forms features known as hill-hole pairs. As the Stony Brook lobe advanced on Long Island from the north, it acted like a bulldozer leaving a hole -- or more precisely, a trench -- and then pushed the sediments it encountered forming a hill, or more precisely an arch-shaped moraine. At the boundary between the Stony Brook and Roanoke lobes, the sediments were pushed to higher levels; this formed Cedar Hill."

"After the pushing action, a subglacial stream formed a tunnel under the ice, filled with fast moving water. This water was traveling fast enough so it could go up hill carrying a huge load of sediment that it removed from the area that is now Port Jefferson Harbor and Port Jefferson. The stream continued eroding deeply in a path essentially along Main Street, Route 112, and it flowed out of the glacier front near the Port Jefferson Railroad Station. This type of valley formed by a subglacial stream is known as a tunnel valley."

"Thus, the great relief found for Cedar Hill is a result first of the pushing of the underlying sediments of the Stony Brook lobe and, second, of its unique location at an interlobate boundary. These two factors enhanced the height of the tectonically mobilized sediments. Later, the erosional effects of a powerful stream of water under the glacier carried away much of the sediment around Cedar Hill, leaving it in high relief above today's harbor and the rest of Port Jefferson Village."

"The property you are considering today is unique geographically and worthy of acquisition by the public for preservation purposes. Thank you. Gilbert Hanson, Distinguished Professor of Geology, Earth & Space Sciences Building, Room 310, Stony Brook University." Thank you.

*Applause*

**P.O. LINDSAY:**

Thank you. Kathleen Matthews.

**MS. MATTHEWS:**

I would like to ask Randall Fairchild to hold up a picture; you have this picture in your --

**LEG. ALDEN:**

You have to use the microphone.

**MS. MATTHEWS:**

You have this picture that the poster represents in your packets, but it doesn't do justice to what this award-winning photographer did with this picture of Cedar Hill. So that you can get an idea from the harbor, as you come in on the ferry, what you're looking at up at the top.

Now, while they're showing that, I also wanted to address just one question, linking up to what Councilman Fiori-Rosenfeld had said earlier, that I know the County and the town are both interested in the undeveloped property. But I also wanted to add that Assemblyman Steve Englebright, who couldn't be with us this morning, has said, and it was in the Port Jefferson paper last week, that if the property is negotiated, it may be appropriate for the State to get involved. He said that it would make sense to acquire the buildings.

One of the two buildings, there's an 1840 old Victorian mansion that was renovated that is this good shape, and as he suggested, it could be converted into an interpretive nature facility; this is just one idea. We are also exploring possible public/private partnerships for the use of that developed area, but I know that had been one concern that Legislator Losquadro had expressed in the committee, was that this developed area that faces on to the street is surrounded by the undeveloped area, so that he was concerned about the County not supporting the developed area. But I think that that developed area could be used very successfully with State funding, with possible public/private funding and possible village involvement, and that's what we're working on at this point.

So knock on wood, this EPF goes through, we'll have everybody involved. Thank you very much.

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

Thank you, Kathleen.

*Applause*

**P.O. LINDSAY:**  
Steve Gittleman.

**MR. GITTELMAN:**

Good morning, Presiding Officer Lindsay, Legislators. It was about 34 years ago, I was taking graduate statistics and I did the daring thing of putting away my slide rule and taking out -- yes, indeed -- and taking out a four-function calculator made by Texas Instruments, that was I think 1973. It caused quite a stir since it gave me a tremendous advantage over those using a slide rule, whether it be circular or straight.

Three years previously, Suffolk County built its planetarium and installed a computer in the dome of the planetarium to run the GOTO projector; The GOTO projector is essentially a computer-driven light show. And at the time it installed that projector, if you think about a 37 year old computer, it's time for a change.

The projector and the planetarium clearly is an anchor, an important anchor in the revenue stream of the museum. It services hundreds of thousands of members of the public in its term. It is time to retire it, its functionality is dwindling and we desperately request that you appropriate the funds that are in the current resolution so that we can move forward and put away our slide rules. Thank you very much.

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

Thanks, Steve.

**P.O. LINDSAY:**

Thank you, Mr. Gittelman. Carol Ghiorso-Hart.

**MS. GHIORSI-HART:**

Good morning. I just wanted to introduce myself. I have been meeting with some of you over the last few weeks, I am the Deputy Director of the Vanderbilt Museum and currently the Acting Director.

We have two resolutions before you today. I have a long background at the Vanderbilt, I was there nine years as a curator in the 90's and I've been back one year. One of the resolutions deals with ADA compliance continuing our efforts to make the Vanderbilt Museum safe and accessible for all people, and the second resolution is for the replacement of the GOTO projector. This projector is vital to our financial sustainability and for the potential of growth. In addition, it's really the center piece of the education for many of the children and the public of Suffolk County. So I thank you for your attention.

**P.O. LINDSAY:**

Thank you, Ms. Hart. Cesar Malaga.

**MR. MALAGA:**

Good morning, Presiding Officer Lindsay, Members of the Legislature. My name is Cesar Malaga, I live in West Babylon.

You know, many times I spoke here concerning Yaphank development. We hope it's not too late to save the 400 acres of open space that we the taxpayers own in Yaphank. We spend millions of dollars each year to preserve open space, therefore it should not be -- we should not destroy the open space in Yaphank. The residents who need affordable housing live in the hamlets, we have paved streets, utilities, schools, shopping centers, transportation where they reside. It's not practical to destroy the open space in Yaphank. We talk about smart building; does anyone know what smart building is?

I just returned from Europe where I visited Switzerland, Italy, France and Germany. I was in those countries three years ago and also 43 years ago when I was in the service in Germany. Those

countries know how to preserve their open space and protect their farmland. Those cities are much older than the United States; they even have walls built by the Romans and they are not destroying their farmland to build affordable housing or workforce housing as we plan here in Suffolk County.

We have in our hamlets large pieces of land where three or family homes can be built for young people who live there. We also have what is called industrial sites where there are various vacant buildings there. Those buildings can be converted to housing or build workforce housing owned by the County, not by the developers whose main purpose is to get rich and charge high rents. The Counties own rental property in Europe and they rent at a reasonable price. We can have similar to what the state has to operate the dormitories in the State universities.

We have developed a real estate and a union member and others to decide what to do with the open space in Yaphank. I mention the three whose main purpose is to make money. They do not care about the beauty of Long Island. We have developers who are building houses in the area, east of -- around Manorville. The people who are going to rent or buy those homes do not work out east, we have to build housing where the area -- near the area where the people work. They work in various cities in Europe, they had build homes, apartments above the office buildings. And I heard -- I read someplace lately that in Copaigue, the Copaigue Station, they built a new building and above the stores in the first -- the store is on the first floor and the rental on the second floor or the third; that is the type of building that we should be doing here in Suffolk County. You know, work for -- they call it smart building.

I would like to conclude by saying let's not destroy the open space in Yaphank, let's save it. If we want to have a beautiful land like we do, you know, we should not be destroying all the open space that we have here on Long Island. Thank you very much.

**P.O. LINDSAY:**

Thank you, Mr. Barraga. John Desmond.

**DIRECTOR DESMOND:**

Good morning, Presiding Officer, Legislators. I come to you this morning as the Probation Director to speak regarding IR 1873, transferring money for the Graffiti Vandalism Program for the Red Cross.

My concern here is that the Probation Department has already contracted for this function with the Red Cross. In an RFP from July 6th, 2006, we required that an Adult Community Service Program must establish a system to receive requests and initiate graffiti clean-up projects throughout Suffolk County. Participants in graffiti clean-up projects must be over the age of 16.

The Red Cross responded in their proposal, which eventually was accepted by the Probation Department and the County, and was implemented in '07. They proposed an adult projects team will conduct graffiti clean-up projects; all requests for graffiti removal are directed to the Project Team Coordinator. This is the only service provided to both public and private sectors.

These offenders referred to the community service program due to graffiti are placed on these clean-up teams. The money that was transferred from the Suffolk County budget for -- in this IR comes from our contract with Long Island Advocacy. They provide a very essential service with the Family Court and the school districts to assist juvenile delinquents in resolving school problems and keeping them from being placed with the State at a cost between \$60 and \$80,000 a year. I'm sorry that I was not aware of this proposal when it was before Budget & Finance, I would have addressed it then. Thank you.

**LEG. ALDEN:**

Point of order?

**P.O. LINDSAY:**

What's the point of order?

**LEG. ALDEN:**

Through the Chair, is there some way we can make a provision for Mr. Desmond to come back when we're discussing the bill? Because --

**P.O. LINDSAY:**

I was going to suggest that if he's available later on, if you could come back, because there are a number of questions about your presentation and I can't ask them now.

**DIRECTOR DESMOND:**

Okay, thank you.

**P.O. LINDSAY:**

And the last card is Claudette Price?

**MS. PRICE:**

Good morning. My name is Claudette Price, I reside in Brookhaven Town and I am a member of the Gordon Heights Fire District. Excuse me, I'm not a member, I'm a resident in the Gordon Heights Fire District.

On two occasions, members of our coalition appeared before you outlining the fire tax crisis facing the residents of the Gordon Heights Fire District. At our initial presentation we gave each of you a booklet like this outlining the unique problem that we're facing, a problem that no other fire district faces on Long Island, if not all of New York State.

On July 25th, we appeared before the New York State Commission on local government, efficiency and competitiveness. Needless to say, the commission was appalled to hear that our tax rate for fire protection was \$64 a hundred of assessed evaluation, while the rest of Long Island is consistent between 10 and 15 of assessed \$100 evaluation. The commission unanimously asked the Executive Director, John Clarkson, to contract the Town of Brookhaven. As a result, the Town of Brookhaven received this letter from the commission asking the town to renew the commission -- to review our petition. And then on August 23rd, Executive Director John Clarkson said in Newsday, and I quote, "Certainly if the town wanted assistance in studying this issue, we'd be glad to help on." On September 13th, the town responded and merely said that our petition was invalid; they did not mention Executive Director John Clarkson's offer to come in and help with the situation.

The point here is that the State offered to help in studying the issue. Help, free of charge, was offered to the town. It is perfectly legal for the town to accept this help of offer, it was to study the issue and not dependent upon the petition. I believe the commission understands that it was the intent of the people who signed the petition to have the district dissolved because every signature, although the petition was invalid, was notarized.

We have gone before the Town of Brookhaven three times asking Supervisor Foley to accept the offer from the petition. The town attorney always says, "Get a lawyer." Now, you know how expensive lawyers are. We received quotes from \$50,000 and upwards. Now, how can a small community of 720 homes, with 11% of the population below the poverty level, afford this?

I just want to read just a couple of excerpts from a letter Rosalie Hanson wrote to the Executive Director, John Clarkson. She's mailing this for their hearing in Buffalo.

"One lady cried when she saw me because she thought I was a bill collector. When I explained to her that I was there trying to get our taxes lowered by dissolving the fire district, she told me that she was too afraid to sign the petition. She has lived in the community her entire life and that she was afraid that members of the fire department would harass her or blame her for what happened.

This woman cannot afford to pay her bills, how can she afford to pay an attorney's fee? One woman in particular has five kids with one couch in her house. She has a beat-up kitchen table and broken down chairs --

**P.O. LINDSAY:**

Could you wrap up, Ms. Price, please?

**MS. PRICE:**

Yes, I will. Her kids were very well cared for. When I asked her to sign the petition she said yes; this is a woman that's doing her best to provide for the necessities of her family, but in no way can she afford these rates for a lawyer.

I'm just here, I want to bring you up-to-date since I know you heard us when we came before, I wanted to report our progress so far. Okay, thank you.

**P.O. LINDSAY:**

Thank you, Ms. Price.

That concludes all the cards that I have. Is there anyone else in the audience that would like to address the Legislature? Seeing none, I'll accept a motion to close, second by Legislator Losquadro. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Fourteen (Not Present: Legislators Caracappa, Montano, D'Amaro ????)

**P.O. LINDSAY:**

Okay, we're going to go into the agenda for the next 45 minutes and at twelve o'clock we have an executive session with a couple of lawsuits that are pending and I'll make that motion at that time. First, I'll accept a motion on the *Consent Calendar*.

**LEG. LOSQUADRO:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Losquadro.

**LEG. ROMAINE:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Fifteen (Not Present: Legislators Caracappa, Montano & D'Amaro).

**P.O. LINDSAY:**

If we go to page seven of the written agenda, *Resolutions Tabled to October 16th, 2007:*

***2022-05 - Making a SEORA determination in connection with the proposed Francis S. Gabreski Airport redevelopment of Long Island Jet Center East, Inc., Town of Southampton (Presiding Officer Lindsay).***

**LEG. COOPER:**

Motion to table.

**LEG. HORSLEY:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Fifteen -- 16 (Not Present: Legislators Caracappa & D'Amaro).

**P.O. LINDSAY:**

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

**LEG. COOPER:**

Motion to table.

**LEG. HORSLEY:**

Second.

**P.O. LINDSAY:**

Motion to table by Legislator Cooper and seconded by Legislator D'Amaro. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Seventeen (Not Present: Legislator Caracappa).

**P.O. LINDSAY:**

*1952-06 - Adopting Local Law No. 2007, a Local Law to require proper supervision at hotel and motel swimming pools (Cooper).*

**LEG. COOPER:**

Motion to table.

**P.O. LINDSAY:**

Motion to table by Legislator Cooper.

**LEG. EDDINGTON:**

Second.

**P.O. LINDSAY:**

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

**LEG. SCHNEIDERMAN:**

Mr. Clerk, please list me as recusing myself from this.

**MR. LAUBE:**

Yes, sir; 16 (Not Present: Legislator Caracappa).

**P.O. LINDSAY:**

Legislator Cooper, are we close to withdrawing that bill?

**LEG. COOPER:**

I was actually just discussing that; I probably will withdraw it.

**P.O. LINDSAY:**

It's just I hate to see Legislator Schneiderman keep recusing himself.

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

**LEG. BROWNING:**

Motion to table.

**P.O. LINDSAY:**

Motion to table by Legislator Browning, I'll second it. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Seventeen (Not Present: Legislator Caracappa).

**P.O. LINDSAY:**

***1120-07 - Amending the Adopted 2007 Operating Budget and transferring funds in connection with the provision of Mercury-free vaccines (County Executive).*** Legislator Stern?

**LEG. STERN:**

Motion to table.

**LEG. COOPER:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Seventeen (Not Present: Legislator Caracappa).

**P.O. LINDSAY:**

***1166-07 - 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) (Romaine).***

**LEG. ROMAINE:**

Motion to table. It's my hope that at the next session we will have a sponsor so that we will look to approve and we will amend the resolution accordingly.

**LEG. ALDEN:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Seventeen (Not Present: Legislator Caracappa).

**P.O. LINDSAY:**

***IR 1359-07 - 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 Nissequoque Tributary Headwaters, north from CR 76, Townline Road to Miller's Pond, Smithtown, Lake Ronkonkoma, Old Nichols Road, Corridor and***

*surrounding areas (CP 8710)(Kennedy).*

**LEG. KENNEDY:**

Motion to table, Mr. Chair.

**P.O. LINDSAY:**

Motion to table by Legislator Kennedy, I'll second it. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Seventeen (Not Present: Legislator Caracappa).

**P.O. LINDSAY:**

Which makes 1359A, the accompanying Bonding Resolution, moot.

***IR 1433-07 - 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)(Romaine).***

**LEG. ROMAINE:**

Motion to approve.

**LEG. ALDEN:**

Second.

**P.O. LINDSAY:**

Motion to approve by Legislator Romaine and --

**LEG. COOPER:**

Motion to table.

**P.O. LINDSAY:**

-- seconded by Legislator Alden. We have a motion to table by Legislator Cooper. Do I have a second to the --

**LEG. HORSLEY:**

Second.

**P.O. LINDSAY:**

Second by Legislator Horsley. Okay, the tabling motion takes first, goes first. All in favor of tabling?

**LEG. ROMAINE:**

Discussion?

**LEG. SCHNEIDERMAN:**

Discussion.

**P.O. LINDSAY:**

Opposed?

**LEG. ALDEN:**

Opposed.

**LEG. LOSQUADRO:**

Opposed.

**LEG. LOSQUADRO:**

Opposed.

**LEG. SCHNEIDERMAN:**

On the motion. Opposed.

**LEG. BARRAGA:**

Opposed.

**P.O. LINDSAY:**

Abstentions? Okay, did you get the count?

**MR. LAUBE:**

Just a second, I'm going to go right around the horn. Opposed, just raise your hand.

**LEG. ROMAINE:**

Roll call.

**LEG. SCHNEIDERMAN:**

Is there no discussion?

**LEG. ROMAINE:**

Yeah, could he have a limited discussion?

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

Jay wanted discussion on the motion.

**P.O. LINDSAY:**

Oh, I didn't see, Legislator Schneiderman, that you wanted to be recognized.

**LEG. SCHNEIDERMAN:**

I think Legislator Romaine wanted to be recognized.

**P.O. LINDSAY:**

Okay. You want to -- all right. We were in the middle of a vote and somebody made a motion for a roll call. Before I recognize the roll call motion, I will recognize Legislator Schneiderman for purposes of debate.

**LEG. SCHNEIDERMAN:**

Actually, Legislator Romaine had wished to be recognized; I was just pointing that out.

**P.O. LINDSAY:**

Oh, he lost his voice, you're just pointing it out for me; wonderful.  
Legislator Romaine.

**LEG. ROMAINE:**

Very quickly, again, this is a very simple resolution. The Manorville Fire Department is building a substation on Halsey Manor Road, a town road. Down from this fire station is County Road 111. They're asking for a flashing signal to be installed there so if there's a fire, fire trucks leaving the substation can respond and cross the four-lane divided highway.

This resolution simply appropriates money from a standing fund that we have for such traffic installations. I don't understand the argument against it and I don't understand why the Majority Leader of this body would make a motion to table something that is related to emergency services and providing those emergency services in a quick and efficient manner. This substation is not located on County Road 111, it is located on a town road down from 111 on Halsey Manor Road, but most of their calls will require them to cross County Road 111 which is dangerous.

It's been done before and we have numerous examples of substations in the County, on town roads, that have a County Road nearby where a traffic signal has been installed for the safety and emergency response of the various fire departments that this has been done for, this is just one more. It puzzles me and troubles me that the Majority Leader of this body would make a motion to table something so needed for public safety. Thank you.

**P.O. LINDSAY:**

Anybody else want to be recognized? Legislator Browning.

**LEG. BROWNING:**

Yeah, I do have -- the Manorville Fire District is also within my district. I did reach out to the Manorville Fire District, I have not yet gotten a response from them. I was hoping that maybe Bill Hillman would be here today, because I did have some questions for him about it. I do have concerns. I have heard that they do want -- that they do need, not that they want, that they do need that traffic light there. So is there a possibility we could hold off on this and see if we can get a --

**P.O. LINDSAY:**

Sure. You want to address it later in the day; is that all right with everybody?

**LEG. BROWNING:**

I would; would that be okay with you?

**LEG. SCHNEIDERMAN:**

It's okay with me.

**P.O. LINDSAY:**

I mean, Mr. Hillman has been here and testified on this subject, but we could certainly request him to come this afternoon to ask any questions you have, Legislator Browning.

**LEG. BROWNING:**

Yeah, I'd like that. Thank you.

**P.O. LINDSAY:**

Okay, so we're going to skip over that one. Please remind me about that later in case I forget. ***1699-07 - Adopting Local Law No. 2007, a Local Law to enact consumer protection in connection with musical concerts and performances a Truth-In-Music bill (Alden).*** Lenny, get Lenny back here.

**LEG. ALDEN:**

We need Lenny, he was going to come and perform for us. I actually -- I haven't heard back from the Attorney General how they're going to enforce the New York State Law. So unless our Counsel has heard, I would defer to --

**MR. NOLAN:**

Well, per your instructions, I did write a letter to the AG's Office, because it is the Attorney General's Office that has to enforce the State Law. I'm waiting to hear back from them as to how they intend to do that, what resources they're going to dedicate to enforcing a State law which is very, very similar, of course, to the County bill.

**P.O. LINDSAY:**

You want to table and wait until we get that response?

**LEG. ALDEN:**

If I can, yeah, I'll make a motion to table until we get the response.

**P.O. LINDSAY:**

Okay. We have a motion to table by Legislator Alden and I'll second it. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

***1700-07 - Amending Resolution No. 2-2007, to bar the introduction of Memorializing Resolutions (Cooper).***

**LEG. COOPER:**

What do they say about hitting your head against the wall and you expect a different result? This is the second or third -- anyway, motion to approve.

**LEG. D'AMARO:**

Second.

**LEG. LOSQUADRO:**

Motion to table.

**P.O. LINDSAY:**

Motion to approve and a motion to table by Legislator Losquadro.

**LEG. CARACAPPA:**

Second the motion.

**P.O. LINDSAY:**

Seconded by Legislator Caracappa. The tabling motion comes first and I'm going to recognize myself and I'll make the same plea to my colleagues. We are about two months away from a new Legislature and our first meeting is an Organizational Meeting where we do the rules and I would ask you to defer to that meeting, I think it's the proper time to do the rules at that time; but whatever. Motion to table. All in favor of tabling? Opposed?

***(\*Various Legislators raised hands in opposition\*)***

**LEG. LOSQUADRO:**

Roll call.

**LEG. SCHNEIDERMAN:**

Roll call on that one

**P.O. LINDSAY:**

Roll call; okay, I'll recognize a roll call. Table, go ahead, the tabling motion.

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

**LEG. CARACAPPA:**

No.

**MR. LAUBE:**

To table.

**LEG. CARACAPPA:**

Yes to table, I'm sorry.

**LEG. LOSQUADRO:**

Yes to table.

**LEG. COOPER:**

Joe, you got me all excited for a second.

*(\*Roll Call Continued by Mr. Laube - Clerk\*)*

**LEG. COOPER:**

No.

**LEG. D'AMARO:**

No to table.

**LEG. STERN:**

Yes.

**LEG. MYSTAL:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. NOWICK:**

No.

**LEG. KENNEDY:**

Yes to table.

**LEG. BARRAGA:**

No.

**LEG. ALDEN:**

Yes to table.

**LEG. MONTANO:**

Yes to table.

**LEG. EDDINGTON:**

Yes.

**LEG. BROWNING:**

No.

**LEG. SCHNEIDERMAN:**

Yes to table.

**LEG. ROMAINE:**

Yes to table.

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

Yes.

**P.O. LINDSAY:**

Yes.

**MR. LAUBE:**

Thirteen.

**P.O. LINDSAY:**

*1742-07 - Authorizing certain technical corrections to 2007 Adopted Operating Budget for the contract agency John T. Mather Memorial Hospital (Presiding Officer Lindsay).* I think it's -- I'm going to make a motion to approve and I'm going to ask Counsel --

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

I'll second it.

**P.O. LINDSAY:**

I see --

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

And Dan is trying to say something.

**LEG. LOSQUADRO:**

No, it's all right, she can explain.

**P.O. LINDSAY:**

Yeah, because there were some legal issues here; if you could answer that, Ms. Bizarro, I'd appreciate it.

**MS. BIZZARRO:**

Yes, I spoke last time on this bill. Thank you, Presiding Officer Lindsay.

My understanding is that the contract has gone out to the vendor with the amendment to include the prostate screening. So whatever you're looking to take care of in this bill has already been accomplished, so it would be my recommendation to just table the bill at this time.

**LEG. LOSQUADRO:**

They did it procedurally.

**P.O. LINDSAY:**

Okay, very good. Then I'll change my -- I'll withdraw my motion to approve --

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

I'll second it.

**P.O. LINDSAY:**

-- and put in a motion to table. Seconded by Legislator Viloría-Fisher. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*1748-07 - Establishing an Affordable Housing Task Force for Land Trusts (Losquadro).*

**LEG. LOSQUADRO:**

Motion to table.

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

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

***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) (County Executive).*** Do we have a motion?

**LEG. COOPER:**

Motion to table.

**LEG. D'AMARO:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

***Procedural Motion No. 10-2007 - A Procedural Resolution to retain a consultant for the purpose of reducing pollution, traffic congestion and financial impact of current solid waste disposal practices in Suffolk County (Presiding Officer Lindsay).***

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

Motion to table.

**P.O. LINDSAY:**

Motion to table by Legislator Viloría-Fisher and I'll second it. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

We're moving right along; if the rule doesn't kick in, we're going to be okay today.

**LEG. LOSQUADRO:**

Shhh, don't jinx us.

**P.O. LINDSAY:**

***Introductory Resolutions for October 16, 2007:***

***Budget & Finance:***

Page eight, ***1873-07 - Amending the 2007 Operating Budget and transferring funds for the Probation Department's Combating Graffiti Vandalism Program (Presiding Officer***

**Lindsay**), and it's before us.

I'm going to make a motion to approve for the purposes of discussion.

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

I'll second.

**LEG. BROWNING:**

Second.

**P.O. LINDSAY:**

And seconded by Legislator Browning. Mr. Desmond, I heard your testimony before. The reason for this resolution was to put on another Crew Chief so that we could assign more people to Community Service.

We know that our jail population is at an all-time high. And globally, if we assign more people -- you know, providing the judges go along with it -- to Community Service, that saves us, what, \$300 a day from locking people up? So I don't understand the fiscal concerns by the administration about this bill.

I know what you said before, I know we have a contract with Red Cross. What Red Cross is telling me is that all their Crew Chiefs is at maximum, the amount of clients they can handle, and if they had another Crew Chief they could hire -- they could handle more people on probation, on Community Service.

**DIRECTOR DESMOND:**

I have no problems with the expansion to provide services to reduce jail overcrowding. My major concern here was that Red Cross did not speak to us prior to approaching you or anyone else on the Legislature informing us that they had some sort of problem. When we negotiated the contract with them, which began in '07, the discussions of the adult contract and especially the graffiti teams were extensive. This whole thing came as news to me. I was particularly concerned because when this arose at the committee, we were only informed as it was occurring and I was told that the money was coming out of a particularly sensitive line for me. I've since been informed that it isn't coming from that line, so I'm very relieved in that regard.

Again, my major concern here is the fact that we had contracted just recently with Red Cross to provide these services and we had never been informed that an expansion was necessary or needed.

**P.O. LINDSAY:**

Okay. First of all, I'm going to recognize you in a minute, Legislator Romaine, I just wanted to finish my thought. Ms. Vizzini, what is the offset now?

**MS. VIZZINI:**

The offset is contracted services in Probation, it's being moved from one area of contracted services to another. The offset is money that was included in the Omnibus to move forward on a mental health initiative, unfortunately those monies are not going to be expended for that purpose.

**P.O. LINDSAY:**

Which we didn't do, all right. Mr. Desmond, are you aware that the Community Service Program is filled to capacity?

**DIRECTOR DESMOND:**

Yes, I am.

**P.O. LINDSAY:**

You are?

**DIRECTOR DESMOND:**

Yes.

**P.O. LINDSAY:**

Okay, so wouldn't that beg to think that we might -- if we had more supervisors, we could put more people in community service?

**DIRECTOR DESMOND:**

Well, we have a couple of concerns here. The first one is that if an agency that we have a contract with is having problems, we expect that they will have some contact with us. The second one is, of course, the overriding budgetary concerns that the County currently has.

**P.O. LINDSAY:**

Okay. But, I mean, it just -- to appropriate \$30,000 to take -- what would a supervisor, how many people on Community Service could a supervisor handle?

**DIRECTOR DESMOND:**

I can't give you an accurate answer on that.

**P.O. LINDSAY:**

Roughly.

**DIRECTOR DESMOND:**

It depends on what team, what type of team the supervisor would be addressing; it's different levels for different ages.

**P.O. LINDSAY:**

What do you think, five, ten people?

**DIRECTOR DESMOND:**

Probably between five and ten.

**P.O. LINDSAY:**

Okay. So even if it was five people, \$300 a day, that's \$1,500 a day; I mean, it doesn't take long to eat up \$30,000, right?

**DIRECTOR DESMOND:**

Correct.

**P.O. LINDSAY:**

Legislator Romaine.

**LEG. ROMAINE:**

Yes. Good morning, Mr. Desmond. The Red Cross has had no discussions with you or members of your staff about shortages and Crew Chiefs for people doing community service? There's been no communication or no desire, nothing ever expressed to you in recent weeks that they are feeling a shortage of Crew Chiefs; no one has had that discussion with any member of your department to your knowledge?

**DIRECTOR DESMOND:**

To my knowledge, there has been no contact between Red Cross and my department regarding this. The first contact I had with Red Cross was when I spoke to the Community Services Director about this after I learned about the IR.

**LEG. ROMAINE:**

So this -- I just want to repeat this again. This is -- until you had -- until this resolution was introduced by our Presiding Officer, you had no communications at all from Red Cross about the lack or shortage of Crew Chiefs to handle the problem of community service and the placement of people in community service; is that correct?

**DIRECTOR DESMOND:**

That's correct.

**LEG. ROMAINE:**

Thank you.

**P.O. LINDSAY:**

Anybody else want to comment? No? Okay. I just -- you know, I don't know why would we need Red Cross? He admits that he doesn't have enough Crew Chiefs to accommodate more people in community service.

I mean, it just -- it really becomes -- we're trying to put more money in your budget so you can do your job better, you know. And we'll probably go ahead and do it and you guys don't want to spend the money, you probably won't hire the Crew Chief and it probably won't get done and we'll just look up another five or ten people every day at the cost of the taxpayers of 15, \$3,000 more a day.

**LEG. EDDINGTON:**

Mr. Presiding Officer?

**P.O. LINDSAY:**

Legislator --

**LEG. EDDINGTON:**

Eddington.

**P.O. LINDSAY:**

Eddington, Eddington.

**LEG. EDDINGTON:**

Thank you. Well, I think this probably is a good idea but I think we should also make on the record that any further time it should go through the Director of the department and not go around. And I think that's what Legislator Romaine was basically saying, that somehow it went around the person that's going to have to deal with this and I think we should make sure that that doesn't happen again.

**P.O. LINDSAY:**

Legislator Eddington, we adjust budgets all the time, we're in the midst of adjusting budgets now. If we put more money in one budget, that's perfectly within our authority; if that department doesn't feel they need it or doesn't want to spend it, don't spend it.

**LEG. EDDINGTON:**

No, I'm just saying inform -- I'm not saying don't do it, I'm just saying that it's a piece of paper that can go across his desk saying, "This is what's happening," so that this doesn't happen again. I'm saying let's not go through this again where the Director doesn't even know it's happening, that's all I'm saying.

**P.O. LINDSAY:**

Legislator Romaine.

**LEG. ROMAINE:**

Well, first of all, I fully intend to support our --

**LEG. LOSQUADRO:**

Your mike's not on.

**LEG. ROMAINE:**

I'm sorry. First of all, I fully intend to support our Presiding Officer on this effort. But second of all, I just want to raise this issue publicly. If we appropriate that money for this purpose and it remains unspent, this Legislature should take action.

This Legislature should not allow acts of this Legislature, how we direct policies and expenditures of this government to go ignored, and when that happens, we create a tremendous lack of disconnect between our ability to represent our constituents and do our job and the direction of this government. If we're directing a department to expend something and they ignore that expenditure, there should be a statement woe before them and we should bring that woe down on their heads as quickly as we possibly can or we've lost our effectiveness as elected officials to speak for our constituents. Thank you,  
Mr. Presiding Officer.

**P.O. LINDSAY:**

Just to clarify; Mr. Desmond never said that, I said that.

**LEG. ROMAINE:**

No, no, I know, but you -- I'm responding to that comment.

**P.O. LINDSAY:**

Legislator Browning, did you want to say something?

**LEG. BROWNING:**

No, I'm done, just pass.

**P.O. LINDSAY:**

No?

**LEG. HORSLEY:**

Mr. Lindsay?

**P.O. LINDSAY:**

Legislator Horsley.

**LEG. HORSLEY:**

Yeah, just quickly. Mr. Desmond, I find it curious, and I share Mr. Romaine's concern over this issue, that I had heard about this in the Town of Babylon from the Red Cross of some of their concerns involving this issue, and it seems hard to believe that you haven't heard a word.

**DIRECTOR DESMOND:**

I was shocked.

**LEG. HORSLEY:**

Should we start to talk to them, or what is the issue here?

**DIRECTOR DESMOND:**

I don't know. I have an open door policy with the Red Cross, the Community Service Coordinator is always free to contact me.

**P.O. LINDSAY:**

But what baffles me is you know that the program is at maximum and you know the jail is filled. I mean, would someone have to say, you know, "If we had another supervisor we could put more people on community service"?

**DIRECTOR DESMOND:**

Again, my normal procedure with my contract agencies is if they have a problem, I would like them to come forward to me so that we can attempt to address it.

**P.O. LINDSAY:**

They don't have a problem, we have a problem; we have a jail that we can't put any more people in. Legislator Montano.

**LEG. MONTANO:**

I have the same problem in terms of --

**LEG. CARACAPPA:**

Your mike's not on.

**LEG. MONTANO:**

I have the same problem in terms of understanding that the request and the need for additional people is there and you don't know about it. I mean, is it possible that someone else in the administration has been in contact with the Red Cross and maybe they're aware of it? I mean, are you guys talking?

**DIRECTOR DESMOND:**

I had always thought so.

**LEG. MONTANO:**

That's the problem I have, that's why I would like to hear from Red Cross.

**DIRECTOR DESMOND:**

My major person that coordinates with the contract agencies had not been contacted by Red Cross at all regarding this problem.

**LEG. MONTANO:**

No, but did this -- I didn't introduce the bill so I'll let it go.

**P.O. LINDSAY:**

Legislator Alden and then Kennedy.

**LEG. ALDEN:**

You've just identified something that the Legislator Lindsay or Presiding Officer Lindsay identified also as far as being a problem. If we're at maximum, then somebody should have come to us and said, you know, let's create another position so that we can get more people out of jail. So as far as I'm concerned, in a way, I'm glad it happened. I'm a little bit surprised at the way it happened, but at least it was brought to our attention that we can save some money in the jail by putting one more supervisor on, and maybe another supervisor after that if the need is still there.

But I think it's incumbent upon your department to come to us and if you're maxed out on some kind of a program that's going to save our money, our taxpayer's dollars in the operation of the jail, you know, please feel free to come to us, that's our job, to try to maximize the savings for the taxpayers of the County of Suffolk. And this seems like -- it's not a no-brainer, but this is fairly simple as far as if you can put one person on at X number of dollars and save triple X or four times or ten times X, that seems to me pretty simple. I don't even need the slide rule; what was it that we were talking about before?

**P.O. LINDSAY:**

The slide rule.

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

It was Gittleman.

**LEG. ALDEN:**

I don't need Mr. Gittleman's slide rule, you know, I almost grasped that concept myself.

**LEG. HORSLEY:**

Gittleman's slide rule statistics.

**P.O. LINDSAY:**

You could do that on the GOTO.

**LEG. ALDEN:**

I'm going to have to use -- exactly.

**P.O. LINDSAY:**

Legislator Kennedy.

**LEG. KENNEDY:**

Thank you, Mr. Chair.

**DIRECTOR DESMOND:**

If I could just respond to that?

**P.O. LINDSAY:**

Yes, go ahead.

**DIRECTOR DESMOND:**

If an agency comes to us and says that they're maxed out on a program, the first step that we do is we look at is it a seasonal max out, is this something that adjusts over time? How much more in terms of need is there that it would justify hiring another additional supervisor, Crew Chief or whatever the title is? So before we take a position on something like that, we want to check and see what's going on, whether it's a statistical blip -- sometimes we'll get situations where for three months we'll have a heavy drain on a resource and then it subsides and sometimes it's a built-in, gradual adjustment and we have to address it. That's why we like the agencies to come to us first.

**LEG. ALDEN:**

But this is your program; aren't you monitoring the numbers in the program on a regular basis anyway?

**DIRECTOR DESMOND:**

Yes.

**LEG. ALDEN:**

Oh, okay. So you would have seen that this was maxed out and the next step would have been maybe if we put on another supervisor we can expand the program, or not even that fine tuning. Should we expand the program, would that save more money? And all that analysis should have really been automatic, wouldn't it?

**DIRECTOR DESMOND:**

Well, it normally occurs when the agency comes to us and starts talking to us about where they are with the program.

**P.O. LINDSAY:**

I don't want to make this like this is a plot or something to circumvent your ability or whatever. You know, I use Red Cross all the time in my district office when graffiti appears in my district and I think it's a known fact; the sooner you can get the graffiti off the wall or the building, the more you're going to control it. If you leave it there, it's going to be replicated and it's going to cause a major problem. So my district office is very diligent in trying to get the graffiti removed. When I call Red Cross: "We'll get to it. We don't have enough people, we'll get to it." So don't blame Red Cross, all right, it was started by me. Legislator Kennedy and then we'll vote on it.

**LEG. KENNEDY:**

Thank you, Mr. Chair. And as a matter of fact, I appreciate you bringing this to the forefront. Only yesterday I had a constituent who called my office and asked about dealing with graffiti on County Road 4 in Commack and I was prepared to write to the Commissioner, but being aware of this, certainly I'm going to reach out to Red Cross.

What I would say to you, John, is you're looking at 18 of us who are trying to go ahead and serve each one of our districts. And absolutely positively, if for \$30,000 we can have the ability to go ahead and address those kind of issues that the chair is speaking about, that's a no-brainer, whether it came to you or it came to us, ultimately it's the public that wants to have these matters addressed. Nobody wants to minimize or circumvent you as the point person for Probation, but we're losing sight of what the ultimate outcome here is is that the public gets served.

As far as communication goes with you and the County Executive's Office, I understand that the County Executive has an Anti-Graffiti Task Force; is that true?

**DIRECTOR DESMOND:**

Yes.

**LEG. KENNEDY:**

Okay. And you have a representative on that task force?

**DIRECTOR DESMOND:**

Yes.

**LEG. KENNEDY:**

Okay. And did this come up during the task force discussion at all?

**DIRECTOR DESMOND:**

Not to my knowledge.

**LEG. KENNEDY:**

So Red Cross wasn't there and they didn't bring it up at that time either.

**DIRECTOR DESMOND:**

Again, not to my knowledge.

**LEG. KENNEDY:**

Again, it sounds like at this point it's immaterial, it sounds like there's a need. It sounds like for 30,000 we get a win/win and certainly I'm going to vote for it.

**P.O. LINDSAY:**

Anybody else? No. Okay, thank you very much, Mr. Desmond, for hanging around. I'm glad it was

the first resolution on our agenda so you didn't occupy your whole day.

**DIRECTOR DESMOND:**

I appreciate it.

**P.O. LINDSAY:**

Okay, we have a motion to approve, Mr. Clerk?

**MR. LAUBE:**

Yes, you do.

**P.O. LINDSAY:**

Okay, and a second, right?

**MR. LAUBE:**

Correct.

**P.O. LINDSAY:**

All in favor? Opposed? Abstentions?

**LEG. BARRAGA:**

Opposed.

**MR. LAUBE:**

Seventeen (Opposed: Legislator Barraga).

**P.O. LINDSAY:**

*1875-07 - Amending the 2007 Operating Budget to provide additional funding for EAC Child Advocacy (Losquadro).*

**LEG. LOSQUADRO:**

Motion.

**LEG. MONTANO:**

Second.

**P.O. LINDSAY:**

Motion by Legislator Losquadro, seconded by Legislator Montano.

**LEG. ALDEN:**

Just a quick question.

**P.O. LINDSAY:**

On the question, Legislator Alden.

**LEG. ALDEN:**

Omnibus?

**LEG. LOSQUADRO:**

Yes.

**MS. VIZZINI:**

Correct.

**LEG. ALDEN:**

Thank you.

**P.O. LINDSAY:**

It's Omnibus; in other words, it's already in the budget.

**LEG. LOSQUADRO:**

Yes.

**P.O. LINDSAY:**

Yeah, it's already in the budget.

**MS. VIZZINI:**

Mr. Presiding Officer?

**P.O. LINDSAY:**

Yes.

**MS. VIZZINI:**

Right through 1934 are changes to the Omnibus; it's all Omnibus funding as discussed in Budget & Finance.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

***1876-07 - Amending the 2007 Operating Budget and transferring funds for the Bay Shore Business Improvement District Management Association (Barraga).*** Legislator Barraga, you want to make the motion?

**LEG. BARRAGA:**

Yes.

**P.O. LINDSAY:**

Motion by Legislator Barraga.

**LEG. ALDEN:**

I'll second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

***1877-07 - Amending the 2007 Operating Budget and transferring funds for certain contracted agencies in the Youth Bureau and Office for Women (Mystal).*** Legislator Mystal?

**LEG. MYSTAL:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Mystal, second by Stern. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

***1878-07 - Amending the 2007 Operating Budget and transferring funds for the Smithtown Parkinson's Therapy Association (Kennedy).***

**LEG. KENNEDY:**

Motion to approve.

**LEG. MONTANO:**

Second.

**P.O. LINDSAY:**

Motion to approve by Legislator Kennedy, second by Legislator Montano. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

***1880-07 - Amending the 2007 Operating Budget and transferring funds for contracted services in the Division of Handicapped Services (Caracappa).*** Legislator Caracappa, you want to make that motion?

**LEG. CARACAPPA:**

Please.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

***1905-07 - Amending the 2007 Operating Budget and transferring funds for Cornell Cooperative Extension of Suffolk County (Romaine).***

**LEG. ROMAINE:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Romaine. Do I have a second?

**LEG. MONTANO:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

***1906-07 - Amending the 2007 Operating Budget and transferring funds for contract services in the Department of Economic Development and Workforce Housing, the Department of Social Services and the Youth Bureau (Alden).***

**LEG. ALDEN:**

Motion to approve.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*1908-07 - Amending the 2007 Operating Budget and transferring funds for M'Yad L'Yad (Stern).*

**LEG. STERN:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Stern. All in -- second, do I have a second?

**LEG. MONTANO:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*1909-07 - Amending the 2007 Operating Budget and transferring funds for the contracted agency Nassau/Suffolk Services for the Autistic (Stern).*

**LEG. STERN:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Stern. Second by Legislator Montano?

**LEG. MONTANO:**

Yes.

**P.O. LINDSAY:**

All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*1925-07 - Amending the 2007 Operating Budget and transferring funds for the contracted agency Hills Foundation for Enhancement and Enrichment of Children (Stern).*

**LEG. STERN:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Stern.

**LEG. MYSTAL:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

***1927-07 - Amending the 2007 Operating Budget and transferring funds for the contracted agency Friends of Edge-Wood Oak Brush Plains Preserve (Stern).***

**LEG. STERN:**

Motion to approve.

**P.O. LINDSAY:**

Motion to approve by Legislator Stern.

**LEG. D'AMARO:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

***1930-07 - Amending the 2007 Operating Budget and transferring funds for CAST, Huntington Freedom Center, Huntington Station Business Improvement District and the Police Department (Cooper).***

Legislator Cooper?

**LEG. COOPER:**

Motion to table so I can make an amendment.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

***1933-07 - Amending the 2007 Operating Budget and transferring funds for the Smithtown Township Arts Council, Friends of East Northport Library, Smithtown Historical Society and St. James Chamber of Commerce (Nowick).***

**LEG. NOWICK:**

I'll make a motion to approve.

**P.O. LINDSAY:**

Motion to approve by Legislator Nowick, second by Legislator Barraga. All in favor? Opposed? Abstentions?

**MR. LAUBE:**  
Eighteen.

**P.O. LINDSAY:**  
*1934-07 - Amending the 2007 Operating Budget and transferring funds for the Village of Bellport (Browning).*

**LEG. BROWNING:**  
Motion.

**P.O. LINDSAY:**  
Motion by Legislator Browning, second by Legislator Eddington.  
All in favor? Opposed? Abstentions?

**MR. LAUBE:**  
Eighteen.

**LEG. SCHNEIDERMAN:**  
Mr. Presiding Officer?

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

**LEG. SCHNEIDERMAN:**  
If I could interrupt for one second. There was a resolution, 1874, that's been amended that I'd like to discharge, it's the same as the other Omnibus bill. Can I do that now, make that motion so we can vote on it later, or would you like me to wait until another time?

**P.O. LINDSAY:**  
Why don't you let me just get through these next three resolutions, because I think they're simple and we'll make it before we go into executive session and you'll have plenty of time for it to age.

**LEG. SCHNEIDERMAN:**  
Thank you.

**P.O. LINDSAY:**  
*IR 2019A - Bond Resolution of the County of Suffolk, New York, adopted May 13, 2003 and amended October 16, 2007, authorizing the issuance of \$250,000 bonds to finance the cost of the asbestos removal (Phase III) at Suffolk County Community College-College Wide (CP 2168)(Adopted Resolution No. 361-2003).* Counsel, could you explain to us why we're approving a Bond Resolution without an accompanying resolution?

**D.P.O. VILORIA-FISHER:**  
And how much it's for.

**P.O. LINDSAY:**  
It says 250, 250,000.

**MR. NOLAN:**  
The next three resolutions came over from Bond Counsel this week and what they're doing is the first one is making a correction to a 2003 Bond Resolution because it inadvertently left out monies that had been approved by underlying -- other appropriating resolutions. So this is just to bring the

Bond Resolution into compliance or conformity with appropriating resolutions from several years ago. The next two resolutions have to do with changes that were made to the 2006 Capital Budget, basically with the Workforce Housing Program, money was moved between construction and planning in the budget and, again, they have to correct the Bond Resolutions to reflect those changes.

**P.O. LINDSAY:**

Okay. With that in mind, I'll make a motion to approve on 2019A.

**LEG. MONTANO:**

Second.

**P.O. LINDSAY:**

Second by Legislator Montano.

**LEG. MONTANO:**

Just a quick question.

**P.O. LINDSAY:**

Yes.

**LEG. MONTANO:**

That doesn't effect anything --

**P.O. LINDSAY:**

You're not on.

**LEG. MONTANO:**

That doesn't effect anything in the Capital Budget this year; am I correct in that?

**MR. NOLAN:**

That's correct.

**LEG. MONTANO:**

Okay.

**P.O. LINDSAY:**

Okay, roll call.

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

**P.O. LINDSAY:**

Yes.

**LEG. MONTANO:**

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. 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:**

*IR 2020A - Bond Resolution of the County of Suffolk, New York, Amend Bond Resolution No. 687-2006, heretofore adopted on June 27, 2006 by reducing from \$5 million to \$4,905,000 the principal amount of bonds authorized to finance a part of the cost of land acquisition for the Workforce Housing Program (CP 8704.211). If it's okay, I'll do same motion, same second, roll call; okay?*

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

Yes.

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

**P.O. LINDSAY:**

Yes.

**LEG. MONTANO:**

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. EDDINGTON:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. CARACAPPA:**

Yep.

**LEG. BROWNING:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. ROMAINE:**

Yes.

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

Yes.

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

Okay, *IR 2021A - Bond Resolution of the County of Suffolk, New York, Amending Bond Resolution No. 688-2006, heretofore adopted on June 27, 2007 by increasing from \$50,000 to \$140,000 to the principal amount of bonds authorized to finance a part of the cost of land acquisition for Workforce Housing Program (CP 8704.210).* Same motion, same second. Roll call.

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

**P.O. LINDSAY:**

Yes.

**LEG. MONTANO:**

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. 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:**

Okay, that concludes Budget & Finance portion of our agenda. I'll recognize Legislator Schneiderman for the purpose of making a motion.

**LEG. SCHNEIDERMAN:**

Yeah, I'd like to make a motion to discharge Resolution 1874. It's Omnibus fund that I had put in to the budget, I'm transferring -- I'm giving them now this \$5,000 that was not used and they'll be going to Island Harvest, an organization I think that most of you are familiar with.

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

Second.

**P.O. LINDSAY:**

Seconded --

**LEG. SCHNEIDERMAN:**

It will be distributed, it's going to have to age. I'm just telling you what it does, \$5,000 for Island Harvest.

**P.O. LINDSAY:**

You want to wait until it's distributed before you let it age?

**LEG. SCHNEIDERMAN:**

It's going to be distributed, but --

**P.O. LINDSAY:**

I'm seeing if there's any objections. We have a motion to discharge and a second. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

Please make sure it's distributed, Legislator Schneiderman.

**LEG. SCHNEIDERMAN:**

Yes, it's being taken care of right now.

**P.O. LINDSAY:**

Okay.

**Economic Development, Higher Education & Energy:**

**1962-07 - Amending the 2007 Capital Budget and Program and appropriating funds in connection with retrofitting a section in the Health, Sports Exhibition Complex as an Anatomy and Physiology Laboratory - Grant Campus (CP 2193) (Montano).** Motion to approve by Legislator Montano, seconded by Legislator Barraga. Any questions on the issue? Seeing none, all in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

Okay. On the accompanying Bond, 1962A, same motion, same second; roll call.

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

**LEG. MONTANO:**

Yes.

**LEG. BARRAGA:**

Yes.

**LEG. COOPER:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. STERN:**

Yes.

**LEG. MYSTAL:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. 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.

**P.O. LINDSAY:**

**Environment, Planning & Agriculture:**

***1743-07 - Authorizing planning steps for acquisition under the Suffolk County Multi-faceted Land Acquisition Program (Liberty Meadows Property) Village of Port Jefferson (Viloria-Fisher).***

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

Motion to approve.

**P.O. LINDSAY:**

Motion to approve by Legislator Viloria-Fisher, second by Legislator D'Amaro. Any discussion? Seeing none, all in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**LEG. ALDEN:**

Mr. Presiding Officer?

**P.O. LINDSAY:**

I recognize Legislator Alden for the purpose of a motion.

**LEG. ALDEN:**

I'd like to make a motion to take 1926 and 1926A out of order.

**P.O. LINDSAY:**

What page are they on?

**LEG. ALDEN:**

It's on page ten under Parks & Recreation.

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

Was it the Vanderbilt?

**P.O. LINDSAY:**

Yes.

**LEG. CARACAPPA:**

Okay, the GOTO.

**LEG. NOWICK:**

I'll second the motion.

**P.O. LINDSAY:**

Okay, we have a motion to take 1926 and 1926A out of order.  
All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

Okay, so 1926 and 26A are now before us.

***1926-07 - Appropriating funds in connection with replacement of the GOTO Projector at Suffolk County Vanderbilt Museum Planetarium (CP 7452) (Cooper).*** Do I have a motion?

**LEG. STERN:**

Motion.

**LEG. COOPER:**

Motion to approve.

**LEG. ALDEN:**

Second.

**P.O. LINDSAY:**

Motion by Legislator Cooper, second by Legislator Alden. On the question? I have a question, and maybe Mr. Gittleman could come forward.

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

Or the Director.

**P.O. LINDSAY:**

Or the Director, whichever. Over the years, Mr. Gittleman, this has been included in our Capital Program many times and it's always been used as an offset for another project, I think at some point four other projects at the Vanderbilt; is that correct?

**MR. GITTLEMAN:**

That is correct.

**P.O. LINDSAY:**

Okay. I guess the time has come that we can't put this off any longer, is that the --

**MR. GITTLEMAN:**

We are losing functionality. The projector itself is losing functionality, we cannot repair it. We take gambles; I think we've played out our strength.

**P.O. LINDSAY:**

Legislator Alden.

**LEG. ALDEN:**

Why can't we repair it? It's a machine. I know the answer, this is a home run pitch you should be able to hit.

**LEG. COOPER:**

This is a softball for you.

**LEG. ALDEN:**

Maybe they don't make it anymore because it's an old machine?

**MR. GITTLEMAN:**

They don't make the parts anymore.

**LEG. ALDEN:**

It's something like that, you know.

**P.O. LINDSAY:**

That was in enlightening testimony. Legislator Schneiderman.

**LEG. SCHNEIDERMAN:**

This is a sizeable investment, this is about -- between the two things, there's a projector, there's the star projector and then there's a video projector that goes with it, about \$3 million dollars. What happens to the old machine; can we resell it, can we donate it to some other country?

**MR. GITTLEMAN:**

The old machine --

**LEG. SCHNEIDERMAN:**

Yeah, what happens to it?

**MR. GITTLEMAN:**

Well, first of all, it's bordering on dysfunctional, so it's not going to be an operational machine by the time we take it apart. However, we can certainly make it a monument to the progress that the institution has made and perhaps we can have a gold in-lade slide rule next to it and --

**LEG. SCHNEIDERMAN:**

So it has no resale value on E-Bay?

**MR. GITTLEMAN:**

No, not to my knowledge. Oh, on E-Bay? My slide rule might have resale value on E-Bay, I have no idea.

**LEG. SCHNEIDERMAN:**

I think we should find out before we throw it out, that's all.

**MR. GITTLEMAN:**

We will not be throwing it out, we will be researching what we can do with it, but I must admit that we do not have a plan for its final demise.

**LEG. SCHNEIDERMAN:**

You might want to check with some of the universities, including Suffolk County Community College; there might be a place for it.

**P.O. LINDSAY:**

It would probably be the only GOTO projector on E-Bay.

**LEG. SCHNEIDERMAN:**

It might be and there might be some country looking for one.

**P.O. LINDSAY:**

Legislator Stern.

**LEG. STERN:**

Yeah, thank you. The technology certainly is outdated, I know that. My father was part of the original design team that designed the GOTO Projector, so you're looking at the lifespan. I like to tell the story, he was a brand new father, I was in a crib when he was part of the design team of the original projector. So certainly it is well outdated and it is time to move on.

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

Well, you've done better than the projector, Steve.

**LEG. ALDEN:**

That's 70 years ago.

**MR. GITTLEMAN:**

Are you telling me you never used a slide projector in high school? Slide rule, rather?

**LEG. CARACAPPA:**

Steve, you look much better than the projector.

**P.O. LINDSAY:**

Legislator Stern, maybe you'd want it, it would be a conversation piece for your living room, you know?

**LEG. STERN:**

Mr. Stern would love that, yeah.

**P.O. LINDSAY:**

Yeah.

**MR. GITTLEMAN:**

Mr. Presiding Officer, you have the gavel, perhaps we can auction it off now.

**P.O. LINDSAY:**

Legislator D'Amaro, did you have a comment, no?

**LEG. D'AMARO:**

No, I was interested in what he was saying.

**P.O. LINDSAY:**

Okay, thank you. I think we've thoroughly netted the GOTO.

Thank you very much. We have a motion and a second. All in favor? Opposed? Abstentions?

**LEG. CARACAPPA:**

Opposed.

**P.O. LINDSAY:**

One opposition.

**MR. LAUBE:**

Eighteen. Oh, who was that?

**MS. MAHONEY:**

Caracappa.

**MR. LAUBE:**

Seventeen (Opposed: Legislator Caracappa).

**P.O. LINDSAY:**

Okay. Same motion, same second on 1926A, the pending Bond Resolution; roll call.

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

**LEG. COOPER:**

Yes.

**LEG. ALDEN:**

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:**

No.

**LEG. BROWNING:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. ROMAINE:**

Yes.

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

Yes.

**P.O. LINDSAY:**

Yes.

**MR. LAUBE:**

Seventeen (Opposed: Legislator Caracappa).

**LEG. ALDEN:**

Congratulations.

**MR. GITTLEMAN:**

Thank you very much.

**P.O. LINDSAY:**

Okay, at this time I'm going to make a motion to go into executive session to discuss two pending litigations, one with MLP Associates and the County of Suffolk and the other with LIPA and the County of Suffolk.

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

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**LEG. D'AMARO:**

And please note my recusal on the record from the LIPA, discussion on the LIPA litigation.

**MR. LAUBE:**

Seventeen (Recused: Legislator D'Amaro).

**P.O. LINDSAY:**

Okay, we don't -- the only people we need in the room is Budget Review and the County Attorney's Office.

**(\*Executive Session: 12:01 P.M. - 12:40 A.M. \*)**

**P.O. LINDSAY:**

We're back on the record. I'll make a motion that the Executive Session be closed.

**LEG. ALDEN:**

Second.

**P.O. LINDSAY:**

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

**LEG. ALDEN:**

It's unanimous. I'll make a motion that we adjourn for lunch.

**(\*THE MEETING WAS RECESSED AT 12:41 P.M. \*)**

**(\*THE MEETING WAS RECONVENED AT 2:35 P.M. \*)**

**P.O. LINDSAY:**

Okay. Mr. Clerk, would you call the roll, please, and we'll call this meeting to order?

**MR. LAUBE:**

Yes, sir. Good afternoon.

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

**LEG. ROMAINE:**

I'm here.

**MR. LAUBE:**

Legislator Romaine.

**LEG. ROMAINE:**

Here.

**LEG. SCHNEIDERMAN:**

Here.

**LEG. BROWNING:**

Here.

**LEG. CARACAPPA:**

(Not Present)

**LEG. LOSQUADRO:**

Here.

**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:**

Here.

**LEG. STERN:**

Here.

**LEG. D'AMARO:**

Here.

**LEG. COOPER:**

Here.

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

Here.

**P.O. LINDSAY:**

Here.

**MR. LAUBE:**

Fifteen. (Not Present at Roll Call: Legs. Caracappa, Alden and Kennedy)

**P.O. LINDSAY:**

Okay. We're going into public hearings. Was the -- Mr. Clerk, was the hearings properly advertised?

**MR. LAUBE:**

Yes, they were.

**P.O. LINDSAY:**

Okay. First hearing is the 2008 Operating Budget, and I have several cards. First is Mary Garrote. Mary? There you are.

**MS. GARROTE:**

Hello.

**MR. LAUBE:**

It's not on. There's a switch right on top there.

**P.O. LINDSAY:**

Turn it on for her, Tim.

**MR. LAUBE:**

No, no. That's it.

**MS. GARROTE:**

Hello.

**MR. LAUBE:**

There you go.

**MS. GARROTE:**

Hello, hello.

**P.O. LINDSAY:**

What do you want to tell us, Mary, you have too much money?

**MS. GARROTE:**

Yeah, right. I came to ask for an increase. I'm going to read a letter that -- I think that Renee is passing out to all of you, and I'm going to read it out loud. It's to the point and short.

"It is with much concern and angst that I'm here today. Girl Scouts of Suffolk County has considered itself a partner communally with Suffolk County in addressing the pertinent and urgent issues of our local youth. We have brought the award-winning character-building programs of Girl

Scouts to our children in the before, during and after school environment. These children would not otherwise be able to participate in these activities that help build the courage, the character and confidence in children."

"The proposed budget for 2008 not only cancels our omnibus funding for our Hispanic outreach, our camp programs, but dramatically cuts our funding from the in-school activity centers by over 60%. This is activity centers that we do in the schools with 20 program specialists, which bring to over thirty-four hundred children every single week, day in, day out. In addition to the 110 to 120,000 at the in-school activity centers the Hispanic and care programs cost Girl Scouts to run, we also have the additional expenses of our minority outreach and financial assistance to thousands of children, and this is growing by leaps and bounds every year. This financial aid that we give to children, much deserved, of course, totals well over \$156,000 for these children in need of these programs, supplies, uniforms, badges, just like the rest of the children in the County.

Please don't let Suffolk County government turn its back on these children. This is a call to action to you, Legislators. I implore you, please, do not decrease our budget, and it's with the request today to increase our funding. Thank you. Any questions?

**P.O. LINDSAY:**

Anybody have any questions? I think we get the message, Mary.

**MS. GARROTE:**

Thank you.

**P.O. LINDSAY:**

Nancy Mariano.

**MS. MARIANO:**

Hi. I feel sometimes I'm preaching to the choir here, because I either have met with each of you, or I'm going to meet with each of you, or I met with your Aides, and I thank you for your support. And I stood here last March in front of the Ad Hoc Committee discussing whether or not Friends of Karen was worthy of getting funding, and I was told, and it's public record, because I looked it up, that there is no government agency that could do the work that we do. So two years ago we got \$107,000 in the budget, last year it was zeroed out in the beginning, and we ended up with 100,000 seven hundred and 50, and this year we were zeroed out again, so there is no line item. Last year we helped twelve hundred and forty-one families that had children with life threatening illnesses, most of them had cancer.

Just a week ago -- we get our money through Social Services. Just a week ago, Social Services called me that a child 12 years old just died at Stony Brook Hospital and the family had no money to bury the child, they had no money to open up a grave site, and they had no money to have a ceremony for their beloved child. Immediately, we took care of everything. We even -- I even attended the funeral to make sure everything was okay. This happened 51 times last year, 51 children died.

I don't know what else to say, except I can't imagine that without the support from all of you, I don't know what we will do. And I think you know from the report I gave from the Ad Hoc Committee, we do major, major fund-raising. There is not one source of funding that we depend on, but we do need the support, and it's very -- I'm very, very nervous when I see the number zero next to Friends of Karen's name.

**P.O. LINDSAY:**

Thank you, Nancy.

**MR. MONTANO:**

Bill.

**P.O. LINDSAY:**

Yes. Legislator Montano has a question, Nancy.

**MR. MONTANO:**

You said you were zeroed out last year and that it was restored, 100,000, you were zeroed out again. What's your overall budget?

**MS. MARIANO:**

Almost three million.

**MR. MONTANO:**

Okay. Thank you.

**P.O. LINDSAY:**

Thank you very much, Nancy.

**MS. MARIANO:**

Thank you.

**P.O. LINDSAY:**

Anita Fleishman.

**MS. FLEISHMAN:**

Good afternoon. I've come before you this afternoon, as I have in the past, with the same old issues, money, but with increasingly ominous consequences. The Pederson-Krag Center has three mental health clinics that are located in several of your districts. We currently provide treatment for over twenty-five hundred children, adolescents and adults. A variety of factors have led to the current dire consequences.

We have seen this past year a significant increase in the number of individuals applying for services, an increase in the acuity levels of pathology, as evidenced by staggering number of hospitals referral, which average approximately 40 to 50 a month at one of our sites, actually in Smithtown, the number of individuals we now are forced to refer out, and an increase in our expenses. The only decrease has come in the form of our funding.

Individuals from all over the County are calling us for service we can no longer provide. A number of our calls come from people who have already been turned away from other agencies. For the past three years, we have come before this body requesting an increase in the deficit funding portion of our mental health contracts. Those contracts specifically require numbers of units required to fulfill our current obligations. We have gone back each of those years and, despite a no-growth budget, have delivered the required units.

In 2008, we project we will no longer be able to meet our current level of operation. We have exhausted all efforts to compensate. We cannot allow, or I cannot allow certainly, the overall viability of this agency to be jeopardized. We understand that current budgetary constraints make this appeal challenging, and to that end, we have spent considerable time formulating what we hope will be a workable figure for us and one that would hopefully be accepted by you.

We are requesting an increase of a \$137,000 to the 2008 Operating Budget. Without this base minimum increase, it will be necessary to terminate 2.5 full-time FTE's, for a total of approximately 100 clients that could be seen. We will then go to the Division of Mental Hygiene Services and request that they reduce our contract by nearly 4,000 units or visits. We sincerely hope this will not have to occur. Thank you.

**P.O. LINDSAY:**

Thank you, Miss Fleishman. And question from Legislator Kennedy.

**LEG. KENNEDY:**

Thank you, Mr. Chair. Hi, Anita. How are you?

**MS. FLEISHMAN:**

Hi. I'm fine. Thanks, John.

**LEG. KENNEDY:**

Good. You know, on top of the many things that we talk about, as far as, you know, the expanding need for the mental health services, the fact that, you know, your agency and most of the other agencies are challenged, talk to me a little bit, if you would, about what happened this year, as far as your contract execution and your actual payments. What did you encounter this year, and most importantly, what I'm interested in is what your interest cost was, if, in fact, you did have to incur some short-term borrowing in order to sustain the agency.

**MS. FLEISHMAN:**

Well, I can start off by telling you that this year, we're putting through, right now actually, an increase in our bank from a 2 million to a 4 million dollar line of credit, because we cannot sustain our payroll and our expenses through the year because of delayed contracting. And again, you know, it's on many different levels. I mean, it's between when the contract is drawn up, when it goes to this office, that office, then we have to sign it and return it. I mean, it's a complicated process and we're aware of that, but we try to turn it around when it comes to us as quickly as possible, but there are delays. We usually don't get monies until late spring.

We're in a very unusual situation and we're better off than most agencies, so I really don't wish to complain about this, even though it's necessary. We have so many programs, and so many programs that -- where we get funding directly from the State that we're able to meet expenses on a month-to-month basis. I know there are agencies that are in jeopardy of closing down if they don't get their contracted monies; that is not the case. It just costs us more money, because we do have to start borrowing down our line of -- on our line of credit.

**LEG. KENNEDY:**

Now, in your annual balance sheet, your operating, you know, expenses, do you identify that --

**MS. FLEISHMAN:**

Yes.

**LEG. KENNEDY:**

-- your interest cost to operate; is that a quantified function?

**MS. FLEISHMAN:**

Yes.

**LEG. KENNEDY:**

Okay.

**MS. FLEISHMAN:**

Andy. What it comes to -- you want to know the amount that it comes to?

**LEG. KENNEDY:**

I'm interested, because, quite candidly, I mean, the delay has got to cost.

**MS. FLEISHMAN:**

Seventy-five thousand dollars.

**LEG. KENNEDY:**

So you're bearing 75 grand out of your pocket --

**MS. FLEISHMAN:**

Yes.

**LEG. KENNEDY:**

In order to go ahead and provide the services we contract with you to do.

**MS. FLEISHMAN:**

Yes. And again, we've hit the wall this year. We've gone back every year, and I don't -- I don't doubt that people say, "Well, she begs for money, but she goes back and does the same job. We're not going to be able to do it this year. It's -- we're putting all of other programs in jeopardy and we can't do it. This is just for our clinics, by the way, this is not any of our --

**LEG. KENNEDY:**

During your presentation, you just spoke about a request for an increase of how much?

**MS. FLEISHMAN:**

A hundred and thirty-six thousand dollars.

**LEG. KENNEDY:**

Okay. And if you did not get that, then you would have to terminate what?

**MS. FLEISHMAN:**

Two full-time employees.

**LEG. KENNEDY:**

Which would be --

**MS. FLEISHMAN**

Two-and-a-half, actually, 2 1/2 FTE's.

**LEG. KENNEDY:**

Therapists, social workers?

**MS. FLEISHMAN:**

Yes.

**LEG. KENNEDY:**

Okay. So how much would 75,000 get you?

**MS. FLEISHMAN:**

One.

**LEG. KENNEDY:**

Seventy-five thousand would get you a therapist?

**MS. FLEISHMAN:**

Yes.

**LEG. KENNEDY:**

Which would treat how many patients?

**MS. FLEISHMAN:**

Approximately -- well, forty an hour. Length of stay is about six months, so we would say about 80 people --

**LEG. KENNEDY:**

Okay.

**MS. FLEISHMAN**

-- over the course of the year.

**LEG. KENNEDY:**

So because we forced you to go to a vig of 75 grand, we forfeited service to 80 patients?

**MS. FLEISHMAN**

Right.

**LEG. KENNEDY:**

Great. Thank you.

**MS. FLEISHMAN:**

But, in addition to that, I have to say that we have so many nonfunded programs that that 75,000 comes from discretionary funds, which have gone to support those nonfunded programs, like our partial hospitalization program. So there's a ripple effect that really, you know, impacts the whole agency.

**P.O. LINDSAY:**

Legislator Viloría-Fisher has a question for you, too.

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

Hi, Anita.

**MS. FLEISHMAN**

Hi.

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

Thanks for being here. I just want to go back to a comment that you made very briefly as you were answering Legislator Kennedy's questions, which is that you rely on the funds that are coming in from the State to help you to continue the programs. So the State funding does come -- excuse me, come in a more timely manner?

**MS. FLEISHMAN:**

Absolutely.

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

Okay, so it can be done. And, in fact, you're asking for a \$136,000 increase, but were we to pay you on time, we would prevent the -- you incurring \$75,000?

**MS. FLEISHMAN:**

Well, you know, I was --

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

Which is, you know, more than half of what you're asking for.

**MS. FLEISHMAN:**

That's true.

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

So we're actually costing ourselves money by doing this in the County.

**MS. FLEISHMAN:**

That's true.

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

Thank you.

**MS. FLEISHMAN:**

You're welcome.

**P.O. LINDSAY:**

Thank you very much. Thomas Williams.

**MR. WILLIAMS:**

Good afternoon. Thank you very much. I'm Tom Williams, and I'm here on behalf of Cornell Cooperative Extension, which, as you know, provides a lot of programs around the County. We manage four different facilities for the County. And we were surprised to see that the budget said there would be a 2% increase for all contract agencies and we feel that we didn't get that. We did get an increase of \$70,000 in the recommended budget, which is over the 2007 adopted budget, which is for -- it's to provide meat for the inmates in the Suffolk County Jail. Now that was an initiative that started this year. It was transferred in the middle of the year because of the changes in the diet and the dietary needs in the jail, and so the jail food program needed additional money, and so we put in the request for continue that for this year, because the jail needs it. So we did not get a 2% increase in our budget to provide for salary increases, cost of living increases in all the other programs that we have. So we would like to request that 2%, which is -- which represents \$63,475.

We also were discouraged to see that the -- part of our Diabetes Education, Prevention and Self Management Program was also not funded this year, was not recommended for funding. That was in this year's budget at \$125,000. It was in the County Legislature's omnibus bill and was eliminated. That provides services in diabetes self-management, education and prevention work. We're able to prevent clinic visits, emergency visits. You probably read about the individual who had a diabetic attack on the Expressway and had an accident, and so diabetes is a very serious disease and is impacting us in many, many different ways, and we would hope that we could get that restored.

We've spoken with the Department of Health and they're in full partnership with us on this program, and we would lose about two-and-a-half full-time equivalent dieticians, nutrition educators, and not be able to see about twelve-hundred clients, mostly in the Amityville, Wyandanch area, but throughout the County. So we would appreciate greatly if this money could be restored to us, and we are grateful for your listening to us at this point.

**LEG. ROMAINE:**

Mr. Chairman.

**P.O. LINDSAY:**

Tom, Legislator Viloria-Fisher has a question for you.

**MR. WILLIAMS:**

Yes.

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

Tom, last month we spoke about an MOU with Cornell Cooperative and the County.

**MR. WILLIAMS:**

Yes.

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

And I was wondering, were these programs a part of how that MOU was going to be functioning, or were those separate -- a separate class of programs that Cornell Cooperative involved itself in?

**MR. WILLIAMS:**

Well, the MOU is an overarching general agreement --

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

Okay.

**MR. WILLIAMS:**

-- that applies to all of our contracts, our --

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

Including the ones that you list in this letter.

**MR. WILLIAMS:**

Correct, yes, correct.

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

In this presentation.

**MR. WILLIAMS:**

Yes.

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

Okay. So what happens when you have a program that's cut? Now, the Diabetes Program isn't cut completely, it's diminished by \$125,000?

**MR. WILLIAMS:**

Correct, that's right.

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

Okay. So that's still part of that MOU. And if the -- with the MOU in place, do you anticipate a savings in the interest monies that you've had to spend in the past? You've incurred a lot of interest in the past, because you weren't contracted on time or paid on time.

**MR. WILLIAMS:**

Right. We have been assured that with the MOU in place, that our contract negotiations will go quickly, and we'll have one early, and that reimbursement requests will be also on a timely basis, but we're waiting.

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

Okay. But it is unfortunate to see this cut in the Diabetes Program, because we in this Legislature fought very, very hard --

**MR. WILLIAMS:**

Yes.

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

-- to get -- put that in place --

**MR. WILLIAMS:**

Yes.

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

-- for the lives that it's saving, especially in a very compact community where we saw a great impact --

**MR. WILLIAMS:**

Right.

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

-- in having the Diabetes Program. Thank you, Tom.

**MR. WILLIAMS:**

Yep.

**P.O. LINDSAY:**

Legislator Romaine has a question for you, Tom.

**LEG. ROMAINE:**

When we consider the Operating Budget, essentially we're looking at, in retrospect, three budgets, the requested budget, which every department head gets to request what they feel their department or their agency needs, the recommended budget, which the County Executive then determines how much to put in, and finally, at the end of the process, the adopted budget, which, through the actions of the Legislature and the Executive and veto overrides, or whatever, an adopted budget emerges. Were you given the freedom to select what you felt Cornell needed in the recommended budget, or were you directed as to how to submit that budget?

**MR. WILLIAMS:**

We --

**LEG. ROMAINE:**

In the requested budget.

**MR. WILLIAMS:**

We were given an administrative memo, which I think went to all departments, requesting two budgets. One was a zero increase budget and one was a budget with a 2% increase.

**LEG. ROMAINE:**

So you had no discretion, you had to submit copies of both, and what you felt you needed, whether -- if it was somewhat higher in one category, somewhat lower in the other category, you really didn't have that discretion?

**MR. WILLIAMS:**

Correct. The only exception was that \$70,000 for the jail.

**LEG. ROMAINE:**

So now in the budget process of Suffolk County, at long last we understand, we no longer have a requested budget, we have two recommended budgets, one that's recommended on dictate of the Executive, and one that the Executive submits himself, because I think that's helpful to understand when we understand the budget process, that we're not getting the requested budget process, we're getting responses to an administrative dictum from the Executive. So, in essence, we're getting two recommended budgets. I just want to understand that, because sometimes you look at the requested and you look at the recommended and you try to figure out why there's a difference or a variance. Now I understand why there'll probably be very little.

Let me ask you about some other questions, Tom. I just got last week, as every Legislator did

around this horseshoe, an advisory from the Health Department about diabetes. Did you see that advisory from our Health Department? It was posted on the web where we all get it. Did you see that?

**MR. WILLIAMS:**

I did, yes.

**LEG. ROMAINE:**

What's going to happen to a program like that when they cut 126 million dollars out of the Diabetes Program that Cornell operates?

**P.O. LINDSAY:**

A hundred twenty-six million?

**MR. MONTANO:**

A hundred and twenty-six million?

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

Thousand, thousand, thousand.

**LEG. ROMAINE:**

A hundred and twenty-six thousand, excuse me.

**MR. MONTANO:**

Oh, I was going to say.

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

I might have said million before.

**LEG. ROMAINE:**

Sorry. Carried away with enthusiasm. What's going to happen with that, Tom?

**MR. WILLIAMS:**

Well, as I said, this program provides a lot of self management, prevention education, nutrition education for anywhere between twelve hundred to fifteen hundred individuals. It's a lot of individual work, it's a lot of very intensive work with people, and we've had some really great success stories. We're talking about people who sometimes, because of diabetes, can't get up in the morning, can't get their children to school, can't get to work, have all kinds of other problems around their lives, and so it is a -- it is a significant problem for individuals, and, therefore, it also has a ripple effect, so we'll be unable to provide that service.

**LEG. ROMAINE:**

Is a large portion of diabetes work carried on in minority communities?

**MR. WILLIAMS:**

Yes, I would say it is, not exclusively.

**LEG. ROMAINE:**

I understand that. What about the Peconic Dunes Camp, can you talk a little bit about that?

**MR. WILLIAMS:**

Peconic Dunes Camp is out in Southold. It's a County park facility that the County has asked us to manage as an overnight camp in the summer, and we provide environmental education, outdoor education to up to about 800 children during the summer, and then on the off-season we try to organize other programs there. We do -- we invite groups to do peer leadership, youth leadership there. It's a place where people can come, and so it's a beautiful site, and it is an opportunity for

young people throughout Suffolk to get an environmental experience, to learn to get in the outdoors. They also learn some youth leadership skills. We teach them how to get along with each other, because it's a very intensive program where young people are there for a period of anywhere from one to eight weeks, and it's a very excellent youth development program. And we like running it for the County, but it is expensive. It's a -- it's a site that needs incredible repairs on some of the buildings, and we are struggling to bring in the revenues through fees to do some of those repairs. We do work in concert with the Parks Department. But it's a terrific site and we enjoy --

**LEG. ROMAINE:**

In summary, Tom, other than the increase you got for the food that you provide to prisoners, which we had to supplement this year, because too little was put in last year's budget, in the 2007 budget, we had to do a supplemental addition this year, because there wasn't enough to feed the prisoners. Other than that increase, is essentially the Cornell budget at a zero percent increase?

**MR. WILLIAMS:**

Yes.

**LEG. ROMAINE:**

Are your expenses expected to remain at zero percent?

**MR. WILLIAMS:**

No.

**LEG. ROMAINE:**

Thank you.

**P.O. LINDSAY:**

Thank you. Okay, thank you.

**MR. WILLIAMS:**

Thank you very much.

**P.O. LINDSAY:**

Mr. Williams, I appreciate it. Marguerite Smith.

**MR. WILLIAMS:**

She was unable to come, she had a family emergency.

**P.O. LINDSAY:**

Okay. Carol Carter.

**MS. CARTER:**

Hello. I'm going to read, so I can stay within my time. My name is Carol Carter. I'm co-founder and CEO of Sunshine Prevention Center for Youth and Families. We are leaders in the field of prevention, concentrating on substance abuse, violence and other major issues facing youth and families today. Sunshine provides valuable prevention-focused services to families, schools and communities in Suffolk County, including anger management, team leadership programs, support groups, parenting skills programs, summer programs, and various outreach services. Sunshine's organizational budget is close to \$300,000. 2007, we received \$17,000 from the Brookhaven Youth Bureau, and we have received 53,000 from the County, which has been cut to 32,000 this year. Although this cutback may seem small, it has deeply affected us. These are our only sources of secured funding to run our organization.

As you can guess, we work very hard to provide the funding we need to keep going. The rest comes in through foundation grants, business and corporation donations, fund-raisers, enhancement

grants, fees for services, and other areas of funding that we can receive yearly. This has put a strain on your programming. Sunshine has built a positive reputation working together with other youth-serving agencies. We are a referral for the Alternatives for Youth, Red Cross Community Service, Family Service League, and other County agencies, as well as Probation, CPS, Family and Drug Court, and Social Services. We work together with many of the school districts in Suffolk County to provide prevention-focused services. This week, we are in Huntington School District, providing our diversity and tolerance workshop to over 800 elementary students. We will be going to Lindenhurst District to present our Anger Management, Violence Prevention Program to the high school students, and we will be providing our suicide prevention workshop to high school students at John Glenn High School in East Northport School District.

Among some of the other school districts we work with include Comsewogue, Middle Country, Port Jefferson, South Country and Longwood. With the increase of violence in schools and communities the past few years, schools have had to implement new policies to address these challenges. With the zero tolerance laws, schools have seen an increase in suspensions, and this is becoming a problem for many schools who are not sure what to do. Even schools that have in-school alternative programs are overwhelmed with the problem and in need of help. There's a high rate of suspended youth being home alone and unsupervised, which puts them at higher risk for substance abuse, violence, and other high risk behaviors. Consider that suspension is the major reason for dropping out of school. Drop-outs comprise 85% of the juvenile system cases. Prevention experts state that we can save money in the long run, cost of incarceration, hospitalization and treatment by putting money into prevention.

I have been working the past two years on the development of Prevention Not Suspension, an alternative program for youth on suspension. Prevention Not Suspension's innovative approach aims to provide a high quality alternative environment that supports the positive development of suspended youth. This program is collaborative in nature, offering a multi-disciplinary agency and community involvement in solving delinquency problems and delivering services. Prevention Not Suspension aims to provide substance abuse and violence prevention services, character education, and social skills components, as well as academic instruction. These youth would be provided with a variety of services that would address the behavioral issues, and work to send them back to school with new tools and skills to help them succeed academically. A strong family component will be included, and as a school-to-community partnership that will work with the youth during their transition back.

We have been working with Probation to get a seed grant to implement this program, which has been denied due to the cutbacks. Once this program is up and running, we can contract with school districts for services. We have already had an interest in our program from Longwood, Connetquot and William Floyd School Districts at this time. I have been asked to present this program at the New York State Alternatives Education Association's annual conference in Ithaca this week. First, we will be asking for the reinstatement of our funds to support our current programs. We would also ask for your financial support, so we can implement Prevention Not Suspension.

Please, review our services, which are outlined in your packets. As you can see, your funds are not just benefiting Sunshine, but many other agencies, schools and families on Long Island. We're all working together, because we cannot do it alone. Sunshine needs your help to continue brightening the future for children and families in Suffolk County. Thank you.

**P.O. LINDSAY:**

Thank you very much, Ms. Carter.

**MS. CARTER:**

Any questions? Thanks.

**P.O. LINDSAY:**

Nope. Joseph Lecci.

**MR. LECCI:**

We're going to hand out our package. I'm Joe Lecci from LifeLine Mediation Center, and also from Middle Island Caring for Kids Daycare and Learning Center. I'm retired Assistant Principal from Longwood, in the system back in 1998. Dr. Gertenlauer's letter is in that package that we're giving out. He's the Superintendent of the school district.

I've basically come to you asking for your assistance in reassessing our cut, which is just about 79%, from \$155,000 budget down to \$32,000. It would be very difficult to operate with that kind of cost cut, and actually, we were looking at that 2% increase and depending on it or -- you know, for the future.

But I'd like to speak about who we are. I mean, we're coming from the advisory standpoint. We stood up in the Advisory Committee a few months back. We made our presentation of what we do and who we are, and we're growing rapidly. We're meeting the needs of the transient population that exists in the Longwood School District, as well as the multicultural relationships that are there. It's very typical of an inner city school. It's the largest district, as you know, in the State of New York geographically, and we're covering a lot of ground and growing. We've increased our output going to intake services for -- as well as William Floyd School District, Rocky Point, Miller Place, and things of that nature in our growth factor, as far as who we are. This would greatly affect our mentoring and mediation program.

We were called upon by the school district this past year for many different circumstances involving the homeless youth, as well as a -- what could have been a horrific situation that occurred during the year with students that were leaving the school, the high school, and it was a very violent situation that occurred and was prevented by a large group of my team that were mediating through the problem and avoided a front page disaster. So we come with, please review, please consider what we're asking and take a harder look and give us some idea as far as we feel that we're doing what we can.

I was called upon on the incident with the hopping, remember the hopping incident this past year and County Exec asked us through Lou Medina to participate in that event, and cooperate, and give what we could, as far as our skills and background of what's been going on, and also with the anti-graffiti program for Suffolk County, County Exec Levy's support of that program. So we've been interacting with those programs. And I would thank you for taking the time and, hopefully, to peruse what we are requesting back. Thank you.

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

There's a question, Mr. Lecci.

**MR. LECCI:**

Yes.

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

Legislator Montano.

**MR. MONTANO:**

Hi, there. How are you?

**MR. LECCI:**

Hi. Yes, good.

**LEG. MONTANO:**

Quick question. I'm looking at your funding here. You said you were -- last year, you were -- we adopted 155,000. You got a contract during the year for 155,000?

**MR. LECCI:**

Yes.

**LEG. MONTANO:**

All right. So you anticipate receiving all of that money?

**MR. LECCI:**

Yes.

**LEG. MONTANO:**

All right. And with the reduction from 155 to 32, what does that cut from your program?

**MR. LECCI:**

That cuts out the mentoring and the mediation process. It greatly limits us. I do have some resource people that are in-kind service, but the drastic cut, I mean, you're looking at 75 -- 79% of the budget, and our Operating Budget is at \$280,000 total.

**LEG. MONTANO:**

That's including the 155 you have now?

**MR. LECCI:**

Correct.

**MR. MONTANO:**

And you're going to be losing personnel, you said, or did you say?

**MR. LECCI:**

Oh, yes, you would lose personnel -- we would lose personnel and any of the additional staffing that we are growing with. Our need today before us is we're growing, and it would almost be setting us back.

**LEG. MONTANO:**

And what was your request to the County Executive in terms of your level of funding?

**MR. LECCI:**

In the level of funding, it would be a -- Dana, what would be the increase on that?

**MS. WALCOTT:**

We were hoping for at least the 2%.

**MR. LECCI:**

We were just hoping for that 2% increase, that that would hold us.

**LEG. MONTANO:**

So it's a cost to continue.

**MR. LECCI:**

Yes.

**MR. MONTANO:**

Thank you.

**MR. LECCI:**

Thank you.

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

Okay, thank you. Another question, Legislator Losquadro.

**LEG. LOSQUADRO:**

I was glad to hear you speak of some of the other County initiatives that you've been asked to take part in, but I just want you to expand a little bit for members of this body as to some of the other programs that you offer for use throughout the Longwood community as it relates to alternatives for gangs, night programs, things of that nature, and how this reduction, is that's something that we hear about quite a bit when we're speaking with the Police Department, Public Safety Committee. We know that these sort of alternative programs for our youth, especially to keep them away from the ever-rising gang activity that we see, are of paramount importance today. So, if you could touch a little bit on what some of those anti-gang initiatives that you have in place are and how these proposed cut in funding would affect those programs.

**MR. LECCI:**

Our one-on-one program with the PAL, we've been doing that for thirteen years on Friday nights. We're the only agency in the Longwood District that has the high school gymnasium. We actually pick the students up. We average around 160 kids every early spring, and these are students who are doing poorly in school, not attending school in some cases, their attendance is poor. Their turnaround is better than 40% of those students that we monitor, along with the pupil personnel services of the school. Along with that, that's the cooperation of PAL and COPE. We also work with the Sixth and Seventh Precinct in working hand in hand to avoid what could do to the next level, and what the paper chase is on a student that could be prevented from going in that direction.

We are very active in preventive measures of early childhood intervention, and we do the needs assessment for every family that comes to us. We have doubled in Longwood. The Longwood community right now a year ago had 85 students that were homeless, we now have 140. Okay? And that's just in less than a year. We have that need covered.

We are working with the Department of Labor, where we're taking the late afternoon program that we work hand in hand, applying our Jubilee Jobs Program for students that cannot go to the mainstream. We work with those students and give them jobs during the day; keeps them off the street. Some of them are on suspensions, and we're able to communicate with them. We take the whole family and we work with the whole family, not just part of the family, and then we work with Probation, as far as the Probation Officers. They work hand in hand with us, along with the Red Cross with community services, and we work with that based on their community services, if a student has 20 hours or 50 hours, we even do the DWI and different situations that occur there. So we're out there trying to beat the path, as far as stay ahead of what the "Silent Giant" is, and I refer to the "Silent Giant", by the way, as the gangs. That's the "Silent Giant" that's on the Island.

I just was at the mall a few weeks ago, and a couple of sales ladies were weighing on me, as far as giving me service, and we made a comment, and I said, "You know, I don't think it's a good idea for you to work the late shift, go home at 10 o'clock. Do you go out with a buddy system?" And she said, "What are you talking about?" And I said, "Well, somebody better educate you about what's going around at the mall, what's walking around late at night before you think that you're going out like that and a situation upon situation." They're here, and if we are cut back, we can only do so much. And I just don't want to be limited to the excitement and the passion that I feel I have and I feel my colleague has here, representing just a small portion of the amount of people that are engaged in what we do.

We have a very strong growing population of people that care, and I believe we're doing what we can do, and we want to do more, so thank you.

**P.O. LINDSAY:**

Thank you, Mr. Lecci, I appreciate it.

**MR. LECCI:**

Thank you.

**P.O. LINDSAY:**

Sonia Wagner.

**MS. WAGNER:**

Good afternoon. I'm Sonia Wagner, Executive Director of Response of Suffolk County. I know I'm among friends. I'm here today, as my com padres here, to ask for your support.

Response provides the only general crisis hotline located in Suffolk County, and we answer over 15,000 calls a year. People call us out of concern for their loved ones who may be depressed, they call us following a loss of a job, loss of relationship, loss of hope. And because many of those struggling with feeling trapped and alone do not reach out for help, we have started to reach out to them through a new program. When people call us about loved ones or colleagues whom they're concerned for, we will offer to make an outreach call to those individuals, if it sounds like they're very depressed and isolated. And that's because we feel that many people who are going through hard times don't reach out for help, and I personally think that it may be among our best suicide prevention work that we've ever done.

And to be more accessible to teens and young adults, we've started in this past year an online crisis counseling program. So through our website, we have an instant messaging service, and after school, during after school hours, we have crisis counselors talking to anyone who needs to through the online program.

Now, since one in twelve college students are thought to have a suicide plan, that one in twelve, and since two out of ever -- two to three of every high school, typical high school class is thought to have made a suicide attempt at some point in the prior year, we think this is pretty important life-saving work.

The current recommended budget puts us at a \$14,000 loss, which is not a whole lot of money, but for a program that totals a bit under half a million, it is a cut for us, a considerable one. So I'm asking that money be reinstated, and we be given an omnibus gift of \$20,000. That would bring us to where we started and a small cost of living increase as well.

I want to thank the Legislature for being so supportive of us for many, many years. We've been around for over 35 years. So I do mean it sincerely when I say I know I'm speaking to friends. We do knock on many other doors, I don't just come to you. We do fund-raising, we go to the State, we have all kinds of ways of asking people for assistance, not just to the Suffolk County Legislature. I'd be grateful for your support this year, and I'd be happy to answer any questions you might have. Thank you.

**P.O. LINDSAY:**

Thank you very much, Sonia. I appreciate you coming down.

**MS. WAGNER:**

Okay. Thanks.

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

Thank you, Sonia.

**P.O. LINDSAY:**

I do not have any other cards on the Operating Budget. Is there anybody else in the audience who would like to address us on this subject? Please come forward, ma'am.

**MS. CROWE:**

Good afternoon. My name is Juanita Crowe. I'm from the Child Care Council of Suffolk, and I'm

here representing Janet Walerstein. She apologized for not attending today. Her husband is ill and she had to take him to the hospital as an emergency.

The reason for my -- for me being here today is I was here on the 10th and I was concerned about the Executive Director's -- the County Executive budget. Please, be patient with me, I'm very new at this. And there was a little mix-up there, but we did get it straightened out. What I am asking for at this time is for our omnibus funds to be reinstored to our supportive services contract, which is under SWEP with the County. That amount is \$8,020.

We had another concern here with a contract, which is our registration and inspection contract, and that contract is a subcontract with the County through the State. The problem was -- with that one was it was reduced by \$80,000; okay? That money is 100% reimbursable by the State. We did work with the County Executive Office Department, the Department for Management and Research, and they recommend that that \$80,000 be put back in, because that money is a hundred -- is 100% reimbursable.

**P.O. LINDSAY:**

Thank you.

**MS. CROWE:**

And I thank you for your time. Thank you.

**LEG. ALDEN:**

You did a great job.

**P.O. LINDSAY:**

Okay. If I have no other cards on the Operating Budget, I know we have committee meetings next week and budget hearings, so I'm not going to close it, we'll just leave it open and continue.

Next on the agenda is ***Southwest Sewer District Assessment Roll public hearing***. I don't have any cards on this subject. Is there anyone in the audience that would like to speak on this subject? Seeing none, I'll make a motion to close.

**LEG. ALDEN:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Twelve. (Not Present: Legs. Romaine, Caracappa, Montano, Kennedy, Nowick and Viloría-Fisher)

**P.O. LINDSAY:**

Okay. ***I.R. 1797 - A Local Law enacting a Social Host Law to deter the consumption of alcohol by minors***. I do not have any cards on 1797. Is there anyone in the audience that would like to speak about it? Seeing none -- I'm looking for the sponsor.

**LEG. SCHNEIDERMAN:**

I cosponsored it, though I don't know if I still am.

**P.O. LINDSAY:**

You want to make a motion to close?

**LEG. SCHNEIDERMAN:**

I think I'm withdrawing myself as a cosponsor, but I'll make a motion to close.

**P.O. LINDSAY:**

You'll make a motion to close. Do I have a second?

**LEG. BARRAGA:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Twelve. (Vote Amended to 13-0-0-5 Not Present: Legs. Romaine, Caracappa, Kennedy, Nowick and Cooper)

**P.O. LINDSAY:**

*J.R. 1799 - A Local Law to establish a notification requirement for consultant contracts.* I do not have any cards on 1799. Is there anyone in the audience that would like to --

**LEG. MONTANO:**

Yes, I do.

**P.O. LINDSAY:**

Would like to speak on this subject? Seeing none, again, Legislator Montano, what is your pleasure?

**LEG. MONTANO:**

Motion to close.

**P.O. LINDSAY:**

Motion to close on 1799. Do we have a second?

**LEG. ALDEN:**

Second.

**P.O. LINDSAY:**

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

**LEG. MONTANO:**

I might add, Mr. Lindsay --

**MR. LAUBE:**

Thirteen. (Not Present: Legs. Romaine, Caracappa, Kennedy, Nowick and Cooper)

**LEG. MONTANO:**

Just for the record, there has been a change in the language, which just clarifies the extent to which someone needs to have knowledge of what is going -- you know, of --

**P.O. LINDSAY:**

I think you're on the wrong bill.

**LEG. ALDEN:**

That's on 97.

**LEG. MONTANO:**

Oh.

**P.O. LINDSAY:**

1797, you weren't here, we closed it without you.

**MR. MONTANO:**

Oh, you closed that one already, okay. Then I'll close the other one also.

**P.O. LINDSAY:**

Okay. I have a motion and second to close. Did you get the count on it?

**MR. LAUBE:**

Yes, sir.

**P.O. LINDSAY:**

Okay. ***I.R. 1833 - A Local Law to establish a prompt contracting policy for not-for-profit organizations.*** And I have one card, Juanita Crowe again. Is Ms. Crowe still here?

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

No.

**P.O. LINDSAY:**

Okay, she left. Is there anybody else in the audience that would like to speak on this subject? Seeing none, Legislator Montano?

**LEG. MONTANO:**

I'll ask to close that also.

**P.O. LINDSAY:**

Motion to close. Is there a second?

**LEG. ALDEN:**

Second.

**LEG. ROMAINE:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Seventeen. (Not Present: Leg. Caracappa)

**P.O. LINDSAY:**

***1868 - A Local Law to establish an At-Store recycling program for plastic bags.*** And I have several cards. First up is Donna Dempsey.

**MS. DEMPSEY:**

Good afternoon. I appreciate the opportunity very much to come here and address you to express -- I'm with the Progressive Bag Alliance, and I wanted to express support for Legislator Horsley's and Browning, I understand, "Reduce, Recycle and Reuse" measure, which will encourage people to use less bags in the first place, to use reusable bags, and to mandate at-store recycling. We really feel this is the way that good government should work collaboratively with their community, with the retail establishment, and with industry. So we congratulate you and we fully support you.

I also hope that along with this will be some public awareness, because in my dealings across the country, a lot of people are not aware that the bags they get, I'll just use for example, at Stop and Shop, when they get their 10, 20 bags, they're not aware that they're 100% recyclable. So I also hope that that would be part of it, and we'd be happy to partner up with you.

And just for the record, with all due respect, the biggest myth out there is all of the amount of oil that is used to make plastic bags, when 80 to 85% of plastic bags are made from natural gas and not oil. I just wanted to say that for the record. And again, thank you so much, and we applaud this bill.

**P.O. LINDSAY:**

Thank you very much, Donna, for that very informative testimony. I didn't know that. Len Levy. How are you doing, Len?

**MR. LEVY:**

Thank you for the opportunity to add my two cents in support of Legislator Horsley's initiative regarding the recycling of plastic bags. My name is Len Levy and I'm the founder and current Chairman of Poly-Pak Industries, who's a manufacturer of plastic bags for the retailer, the dry cleaner, and industrial packagers of salt goods. Poly-Pak is located here in Suffolk County in Melville, and currently employs approximately 300 full-time employees. We all know that plastic bags have become an important necessity for our way of life. We use them to package our food, our clothing, our tools, our garbage a thousand different ways, but we've realized, too, for a long time that we need a way to dispose of them, because they do not easily biodegrade. And if we just throw them away, create litter, we'll help to serve our environment.

Plastic bags are being vilified today as an enemy of the environment, but there is an answer and a possible solution, and my industry has recognized this for a long time, and has created the technology to recycle them into other products. So the technology in the market are there in place. All the industry needs to remove this potential problem from our environment is to collect the bags, collect the bags that the public no longer needs for reuse. Legislator Horsley's initiative proposes to do exactly that. I urge you to approve this landmark legislation that has industry and environmental support, because it can and will work, and the effect on our environment will be immediate and dramatic. Suffolk County will again lead this country in solving a civic problem, and our law will be copy-catted all over the United States. It will work. Are there any questions?

**LEG. ALDEN:**

Yeah. He was first.

**P.O. LINDSAY:**

Legislator Eddington.

**LEG. EDDINGTON:**

Thank you. Very informative. Maybe you could connect the dot for me. Now I know plastic bags are made more out of natural gas. What are you going to make out of the plastic bags? You said there's already a system in place to recycle them. What's the next step?

**MR. LEVY:**

We can recycle them right back to the resin pellets and remake them into plastic bags, or we can make it into carpeting. We have decking material that is made from plastic recycled. There's a -- there's a whole group of products that can be made from a simple return of a plastic bag.

**LEG. EDDINGTON:**

Great. Thank you very much.

**P.O. LINDSAY:**

Thank you. Thank you very much, Mr. Levy. Steven Rosario.

**MR. ROSARIO:**

Thank you very much. Presiding Officer Lindsay, Members of the County Legislature, thank you very much for this opportunity to speak on this issue. For the record, my name is Steven Rosario. I am

the Northeast Director of the American Chemistry Council, and I'm here on behalf of our plastics industry, on behalf of the business of chemistry and the plastics industry, of which there is a major presence here in Suffolk County and on the Island.

When listening to some of the testimony of those who preceded me this afternoon, I see that you have many, many important issues to deal with. And when you look at plastic bag and recycling, obviously, to us and to you, it is important, but, obviously, you have some very, very difficult decisions to make. I think we could all agree that recycling is important, so I'm not going to spend time on that. But I would like to make two comments regarding our participation in this process, which I found very refreshing.

When we received a call from Legislator Horsley's Office informing us that he was going to bring together what many would consider disparate groups to try and hammer out an agreement on something, I found that to be interesting and certainly welcoming, because oftentimes we always think of win-lose situations, and I've never been able to understand what, when making public policy, someone has to win and someone has to lose. Rather, the approach that Legislator Horsley and Legislator Browning took was to create a collaborative effort to develop some kind of consensus. And I know, just in terms of the conversations and the debates, that that was not easy. Actually, that is the more difficult path. There is a tendency among us as people to take the easy way out. Legislator Horsley, and Browning, and others, and this Legislature decided to take a more difficult path, and you are to be commended for that.

The second comment is that I would like to recognize, is that through this approach, by acknowledging both the benefits and the challenges of plastic bags, Legislators Horsley and Browning, and others, and this Legislature have come to recognize that we need both, we need both a sustainable environment and a viable economy. And you heard from Len, and you also heard from my colleague, Donna Dempsey, that there is a lot that we in industry are doing. Maybe we're not doing a very good job of getting the word out so that people understand that we are part of the solution, we don't want to be part of the problem.

So again, we appreciate the efforts of Legislator Horsley and his colleagues on this Legislature, and we would recommend that the Legislature move forward in a positive manner on this legislation. Thank you very much.

**P.O. LINDSAY:**

Thank you very much, Mr. Rosario.

**LEG. ALDEN:**

I have just two questions.

**P.O. LINDSAY:**

Oh, wait, Mr. Rosario, Legislator Alden has a question.

**LEG. ALDEN:**

First --

**MR. ROSARIO:**

Yes.

**LEG. ALDEN:**

-- you're from what organization?

**MR. ROSARIO:**

The American Chemistry Council. We represent companies that are in the business of chemistry and the plastics industry.

**LEG. ALDEN:**

Okay. The testimony beforehand was we don't use oil, we use natural gas?

**MR. ROSARIO:**

Yes.

**LEG. ALDEN:**

So that's in the process to heat the product, right, to create the plastic; is that how that goes?

**MR. ROSARIO:**

No. Actually, well, natural gas in our industry is used for two purposes. The first is it's actually the feed stock for the raw material, the pellet that is actually created. The second is, yes, many of our companies, because of where they're located, will use natural gas as a source of energy for running their facilities. So a lot -- we are concerned always about almost a double-whammy when prices go up, because it hits both the feed stock, the raw material used to make the product, and as an energy source.

**LEG. ALDEN:**

Because I'm not really good at chemistry, how can a gas be used, you know, for a bag?

**MR. ROSARIO:**

That's a very good question. I'm not a chemist, but, basically, through a catalytic process, the gas is turned into a solid. It's called a coking, c-o-k-i-n-g, process. And if you were to ask me to explain it, I'm sorry, I couldn't.

**LEG. ALDEN:**

No, that's okay. All right.

**MR. ROSARIO:**

But we can get you information on that.

**LEG. ALDEN:**

No. I think you put me in the right direction. Thank you.

**LEG. HORSLEY:**

I'm glad they didn't ask the sponsor.

**LEG. MYSTAL:**

You get confused.

**P.O. LINDSAY:**

Okay. Ernie Mattace.

**MR. ROSARIO:**

Thank you very much.

**P.O. LINDSAY:**

Thank you very much.

**MR. MATTACE:**

Good afternoon, all, and thank you for the opportunity to speak. On behalf of Local 338, the RWDSU and its members. I was kind of hesitant to come up after what happened with the Operating Budget and all the groups that came up, and all the initiatives that have to be taken care of, and I kind of thought, okay, humanity, plastic bags, you know, we got to work it out. Okay. Maybe we can work

it out for everybody.

We are extremely in support of this legislation. We had the opportunity to sit down at the very beginning and discuss what was going to be happening down the road. It is an intelligent and practical way to deal with a situation that's been a problem for a long time.

Right now, this State is looking at, by the Year 2015, reducing our dependence on fossil fuels and other forms of energy by 15% in the State. This could help as well. We're looking at a product that, number one, is very practical, but in the same sense, you'll see it in trees, you'll see it in bushes, all right, it will be sitting on the ground. If we can get Americans, okay, our individuals, our citizens to realize how important it is to recycle, not only this, but in across areas across the country, as we all are looking to go green, all right, it will only make it better for everybody. So maybe down in five, or six, or seven years down the road, we might be able to save by the consumer using, all right, the reusable sacks that are available in the stores for purchase. Okay? Enough money to help these different groups with their needs, with humanitarian purposes, all right, to help us in the heating of our homes, to reduce the cost, and to help us work on a day-to-day basis.

We're here because our members are the last ones, 99% of the time, that see you when you buy groceries and they have to service you. If you're happy, they have a good day. If you're not happy, they're the last ones, they get it. So what we want to do is make you happy as a consumer, educate you on what's happening on a day-to-day basis, and have our members be able to be happy at work.

And one other thing that I must let you all know. We've in the past worked along with our employers and in retail, but this is one issue that I can honestly say that we are all 100% behind, because it is a win-win situation, not only for our employers, not only for the economy, but for everybody here. Thank you very much.

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

I have a question for Ernie.

**P.O. LINDSAY:**

Hold on, Ernie, she's got a question here.

**MR. MATTACE:**

Okay.

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

Hi, Ernie. Thanks for being here.

**MR. MATTACE:**

Yes. How are you?

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

I just have a quick question, because it's something tangential to this, but they are plastic bags that aren't being given at stores. Our streets are being littered by advertisers who throw advertising on people's driveways --

**MR. MATTACE:**

Oh, yeah.

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

In plastic bags. You know, how does -- the advertising is usually for grocery stores, so I guess there would -- you would want some input on how to deal with that, but --

**MR. MATTACE:**

Well, that's a situation that's, you know, out of our control as far as our members working with on a day-to-day basis, that's basically used. And if you look at the plastic itself, it is extremely thin, all right, and it's only there to keep the moisture off of the paper. How it's going to be resolved, I really couldn't tell you, but it's something that has to be addressed, just like, you know, every other industry that deals with plastic bags. And this is only the beginning, all right, because I'm sure you're going to see very soon the idea of Styrofoam, and Styrofoam packaging has to be addressed, all right, and that's going to affect New York City and it's going to come out here.

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

Thank you, Ernie.

**MR. MATTACE:**

You're welcome.

**P.O. LINDSAY:**

Patricia Brodhagen.

**MS. BRODHAGEN:**

Hi. I'm Pat Brodhagen, I'm the Vice President for Public Affairs for the Food Industry Alliance of New York State. And I think Ernie and I really are enjoying today being on the same side, it feels -- it feels good.

Just to go to the issue, and then I'll give you the comments that I had prepared of the different kinds of bags, it's a -- it is a really good question to raise, certainly those New York Times bags, when you start thinking about how many of those food bags must be out there. Long term, you know, we may want to expand, but short term, the bins that we're -- you know, proposed are for stores to put in, a consumer can put any kind of plastic bag in that bin. So one of the things about this bill is it provides a collection infrastructure for any of that film plastic that's out there. And so, you know, we can all get educated to that fact. And if people start saving those and then bringing them to the bin when they bring their carrying bags as well, that's a good thing. The film is film, so we don't care, you know, its source, if we're going to collect this stuff. Actually, the more the better, because it will be a more efficient and a more productive program.

I think you all know, I represent the supermarket industry, and so, when I'm here, I'm talking on behalf of members in Suffolk County, mostly Stop and Shop, and Pathmark, and King Kullen, and ShopRight, and the IGA stores, and a lot of other independent markets as well, and some of the 7-Elevens also. And I, too, want to thank Legislator Horsley and his staff for their outreach efforts.

Food stores, as I have said over the years, have a long history of recycling. Most people know that we have -- we do recycle aggressively almost everything we can in the store, but chiefly, that's our cardboard, and have been doing that for years, and years, and years, as well as meat, fat and bone has been collected as well. So we are no strangers to recycling, nor to the need to do it, or to the economic, actually, advantages of doing it. And really, I came today just to say to you that our members are prepared to proactively participate with you in this plastic bag recycling initiative, as proposed in this legislation. And, in fact, at least one member, Stop and Shop, is already collecting plastic bags, has begun this program, and will continue to do that, and others are prepared to gear up to do it. It is an intelligent approach to the issue.

As I'm sure you're aware, there's really a national conversation going on about bags. You can hardly pick up a newspaper in any city today and there's a big story about this whole issue. And there are lots and lots of proposals being floated. This one is an intelligent, and a sensible and an environmentally friendly and a consumer friendly approach to the issue. And so we believe that with its twin goals of recycling the plastic bags that are out there, as well as encouraging the use of reusable bags, that it is the correct and sensible way to go, and, in fact we do hope that Suffolk County in this instance will become a model.

We look forward to a collaborative partnership with the Legislature and the County Department of Energy and Environment as we put together the program over the coming months. And I do think, as others have said, the challenge really is for us to engage the public in the cause. I think times have changed, and I think there is a new national awareness of the environmental challenges in front of us, but this will be as successful as we are in engaging the public in their participation. Thank you very much.

**P.O. LINDSAY:**

Thank you very much. Adrienne Esposito.

**MS. ESPOSITO:**

Good afternoon, Members of the Legislature. Well, times have changed. We certainly have a diverse and vast array of constituencies supporting this particular piece of legislation, and I think that's also part of the good news.

My name is Adrienne Esposito, I'm representing the Citizens Campaign for the Environment. And you may be expecting me to talk to you about the, you know, 100,000 marine mammals that lose their lives each year for ingesting plastic bags, but I won't. You may expect me to talk to you about the numerous amounts of fossil fuels that we use in developing plastic bags, but I'm not, or you may expect me to talk about the unbelievable amount of litter lining our highways and our roads, mostly comprised of plastic bags from grocery stores, but I'm not going to talk about that either. I'm just going to talking about one quick thing and that's money. It actually is cheaper to recycle than it is to throw this type of waste out in the waste stream.

Let's just look at the Town of Brookhaven, for instance. The Town of Brookhaven receives between 350 and \$480 per ton for plastic when it's recycled, but yet it costs the Town of Brookhaven \$90 per ton to dispose of household garbage when it's not recycled. So just the numbers alone on recycling are enough for us to want to promote any kind of educational program, plastic bags, or whatever, to recycle our materials. It really is a program that not only is good for the environment, but it's good for dollars and cents also, and that's just something else I'd like you to factor into this program. We all know it's good for the environment. I think what we all don't know is that it's good for the economy as well.

]

One thing you may also not be aware is that recycling rates across Long Island have decreased over the last ten years. At the same time, the amount of solid waste per person has increased by 3%. So we throw away 3% more than we did ten years ago, and we're recycling less than we did three years ago. So it's time to take action to reverse that trend, and one way to do it and one way that will contribute to that, reversing that trend is the legislation devised by Legislator Horsley and cosponsored by Legislator Browning. So thank you very much for your work, and we certainly hope that you pass this legislation. Thank you.

**P.O. LINDSAY:**

Thank you, Adrienne. I do not have any other cards on this subject. Is there anyone else in the audience that would like to speak on this subject? Seeing none, Legislator Horsley, what's your pleasure?

**LEG. HORSLEY:**

Just quickly, I'm going to make a motion to close, but let me also add that there's a preemption clause in this bill that -- where we welcome the State, we welcome the Federal Government or any other entity to preempt us. It's a good idea. And I would make a motion to close.

**LEG. ALDEN:**

Does that qualify for a Sense of the Legislature?

**P.O. LINDSAY:**

No.

**LEG. ALDEN:**

No? Good, okay.

**P.O. LINDSAY:**

I have a second by Legislator Vilorio-Fisher. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Seventeen. (Not Present: Leg. Caracappa)

**P.O. LINDSAY:**

Next up is *1945 - A Local Law to require uniform drinking water distribution system standards in Suffolk County*. And I have one card, Steven M. Jones.

**MR. JONES:**

Good afternoon, everybody. Steve Jones, CEO, Suffolk County Water Authority. I just wanted to come and support this bill, which basically creates standards for water distribution systems after the meter. Right now in Suffolk County, our rules at the Water Authority are that we oversee, and we are responsible, and we do not allow anybody else to put in distribution system piping prior to the meter. After the meter, it can be installed by us, it could be also installed by developers. When it is installed by developers, we do not take it over, because we haven't installed it. What this bill does is it has a couple of favorable consequences, one of which is that a developer can continue to install a water distribution system, only now you would have to meet certain specifications and a standard, which you can see in the bill there.

The second favorable consequence is that for a condo association or a homeowner's association, they inherit a system which they did not have anything to do with its installation, did not have any input into its design, and really don't know what they inherited. They at least can be assured that they're inheriting something that meets a little bit better standard. So we're very much in favor of this legislation, and because it really doesn't make any difference to us, other than just wanting to have happier customers who aren't complaining about leaks in their system. So we're very favorably inclined. We think that the bill will have good consequences.

**P.O. LINDSAY:**

Steve, if you would just let us -- Legislator Alden has a question.

**LEG. ALDEN:**

Hi, Steve. Are you aware of any like major subsystem that has been proposed to be taken over by Suffolk County Water Authority that had, you know, major problems with it, or that you've --

**MR. JONES:**

Oh, absolutely, happens all the time every year.

**LEG. ALDEN:**

So this is a common problem?

**MR. JONES:**

Oh, all the time, yeah. It's generally, I would say now it's pretty much homeowner's association, condos association. These are systems that maybe were installed 10 years ago, 15 years ago. They're starting to pop, they're starting to -- there are problems with the taps, you know that sort of thing.

**LEG. ALDEN:**

Currently, the standards are regulated by the Towns under their building code?

**MR. JONES:**

No. I think what happens is that when a Town looks at a plan and it's got water mains on it or something and they say, "Oh, that's the Health Department, we don't get into that."

**LEG. ALDEN:**

Oh, so it's --

**MR. JONES:**

So the Health Department looks at it and says, "Oh, they're providing a public water system, good thing." And I don't know how much the Health Department looks at the actual specifications and design of the system, and how much they're able with their staffing to actually oversee and inspect all the systems.

**LEG. ALDEN:**

Thank you.

**P.O. LINDSAY:**

Legislator Kennedy, did you have a quick question?

**LEG. KENNEDY:**

My question, Mr. Chair, was similar. I was just curious as to whether or not there had been incidences where, in fact, there were builder installed systems? I'm familiar with one. As a matter of fact, we worked together on the one over in Lake Grove, but that wasn't so much an insufficient system as it was the power apparently too close to the distribution system in getting the arching with the water there. That was ultimately resolved, though, I think by the developer. What -- will this -- in instituting the standardized distribution system, do we also have that standard for the utility carter, or whatever is installed underground with proximity to the water pipe?

**MR. JONES:**

This is pretty -- this bill pretty much just covers the standard of the actual water pipe itself and how it's put together.

**LEG. KENNEDY:**

The gauge.

**MR. JONES:**

That is an unusual circumstance. We have had that even with our systems with problems with underground electric lines that aren't properly grounded, that sort of thing. And, of course, our water -- the water systems generally get used intentionally by electricians as grounding devices. So when our guys install meters, they sometimes get shocked, and we do have those kind of electrical problems.

The problem -- the basic problem is, right now, our Board has authorized us to offer about \$12 or \$15 a running foot to take over a system. So if an HOA has a system that may be a couple of thousand feet of pipe, you're talking a lot of money. When they want to turn the system over to us, we're not going to take a handyman special, we have to get some money to make sure that we have sufficient money there on hand, so if we have to make repairs, we can do that.

**LEG. KENNEDY:**

Okay.

**P.O. LINDSAY:**

Legislator Losquadro.

**LEG. LOSQUADRO:**

Thank you. And I want to thank Mr. Jones for coming down today. A couple of my colleagues raised

the question. This problem is actually much more widespread than you would imagine. This started with just an innocent phone call from a constituent to my office complaining about what they were paying for water in what turned out to be a homeowner association community. And as I started researching it, I found that the Health Department allows anything that falls under what they call the Ten State Standard, and this allows for a very wide range of products to be used, most of which that are being selected by the builders do not come anywhere near meeting the specifications of our public water authorities, not only Suffolk County Water Authority, but the 14 other private water districts -- public water districts that exist throughout Suffolk County.

I just had a meeting with the Health Department and with the County Attorney's Office, and much to my surprise, because usually, as I'm sure my colleagues know, those meetings are usually about, no pun intended, watering down a piece of legislation. They actually had suggestions where we could actually strengthen this, and where legally we have even more authority than what my bill provides for.

So I'm going to make a motion to recess this today, and you will see an updated version come -- of this coming out very shortly, because there is a very significant, obviously consumer protection aspect to this, but there's also an environmental and conservation aspect to this piece of legislation, and I think it's very important that we move this forward. And again, Mr. Jones, thank you very much.

**LEG. ALDEN:**

Second the --

**P.O. LINDSAY:**

I'll recognize the motion to recess and the second by Legislator Alden, but before we take a vote, for either one of you, because I didn't read the legislation, but would this cover the size of the conduit beyond the meter to the house?

**MR. JONES:**

The service line?

**P.O. LINDSAY:**

Yeah.

**MR. JONES:**

No.

**LEG. LOSQUADRO:**

No, the --

**P.O. LINDSAY:**

I mean, because, correct me if I'm wrong, Mr. Jones, but a lot of times builders undersize that size of that conduit, and, you know, especially as time goes on and there's buildups of rust or whatever in the line, it cuts down tremendously on the water pressure in going into a house.

**LEG. LOSQUADRO:**

I can --

**MR. JONES:**

Generally speaking, what you'll find in the kinds of situation that this bill addresses is that the actual service line is pretty much just for domestic use. Because it's an HOA or a condo association, you're going to probably find a common sprinkler system which is going to be coming off of the distribution line, because you're absolutely right, there are problems when people have an insufficient diameter service line and then you put a sprinkler system on that has a great impact on their -- on the hydraulics of their system. But I think with an HOA for this type of situation, you'll probably see a

common sprinkler system, fire sprinkler system also.

**P.O. LINDSAY:**

So your bill is only limited to a homeowner's association?

**LEG. LOSQUADRO:**

No. And I will address the -- part of the problem that we saw, again, when this -- I started researching this is we can only control up to the point of the meter, and that's where, as you said, that service line that goes from the meter out, that I believe falls under the Town and their jurisdiction with the plumbing codes. The problem is with these homeowners associations, all they do is request that the Water Authority put a single high volume meter at the beginning of the property, and then from there, they install the entire water distribution system throughout the community. So putting standards, uniform standards in place that coincide with the standards that are being used by the public water authorities, even if they were to choose to continue to install those systems themselves, at least it would be using the same materials and the same standards that the water authorities are now using.

As I said, and I don't want to give away too much, but I believe we have some legal authority to perhaps even go a little further than that when it comes down to the issue of single high volume metering versus individual metering for each homeowner. We do have some issues there with apartments. You can't get into single meter issues with apartments, and then there's the submetering issue and sale of commodities with the Public Service Commission and other things I don't want to bore you with right now.

**LEG. MYSTAL:**

Bore me, bore me.

**LEG. LOSQUADRO:**

This issue, as I said, is more complex than you would initially give it credit for. But I will check into how the Town plumbing codes affect the size of that service pipe, and if possible, I'll add that into the legislation.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

Next is ***1946 - A Charter Law amending the requirements for appraisers who perform services in connection with the acquisition or disposition of real property.*** I have no cards on this subject. Anybody in the audience like to speak on this subject? Seeing none, I'll make a motion to close.

**LEG. ALDEN:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

There was -- there's an additional hearing that was posted in the lobby, it's **2011**, and it's in your CN packet. I have a request by Economic Development to vote on it today, if possible, so -- and it had to go to public hearing. There's a time constraint as we get toward the end of the year, and it's

a **Local Law amending the Suffolk County Empire Zone boundaries to include Hi-Tech Pharmacal Company, Incorporated, and it has a tax map.** So -- and I have just a few cards here, and I'm going to call them out of order, because I want Carolyn Fahey from Economic Development to come up and to do a better job than I just did in explaining why the unusual circumstances of posting the hearing. Carolyn.

**MS. FAHEY:**

Good afternoon. I.R. 2011 amends our Empire Zone boundaries to include Hi-Tech Pharmacal of Amityville as a regionally significant project in our Empire Zone. Typically, we were to come before the Economic Development Committee and express, you know, the support for this legislation, but because of the timing of the Legislature's schedule and the ability of the County Attorney and the Clerk of the Legislature to certify the Local Law, it needs to be filed with the Secretary of State by the end of this year. There's the reason for this CN.

Hi-Tech Pharmacal is located in Amityville. They're a manufacturer of pharmaceutical products. Currently, they employ 230 people in six facilities over 200,000 square feet. As a regionally significant project, they are committed to increase their employment by 50, and they have committed over the next five years over 13 million dollars in investment in new facilities and equipment. Bill Peters, the Vice President and the CEO -- the CFO of Hi-Tech is here, along with their consultant, if there are any questions specific to the company's use of the RSP.

**P.O. LINDSAY:**

Thank you very much, Carolyn. Does anybody have any questions of Carolyn? Seeing none, I will call Paul Khanton, followed by Bill Peters.

**MR. KHANTON:**

Hi. I'm Paul Khanton and I'm here representing Hi-Tech Pharmacal. I'm a consultant to the company. The Legislature would probably prefer to hear from Bill Peters, the CFO, but we're here to answer any questions you may have regarding the company.

The company happens to be one of the largest -- I think it's the largest manufacturer in Amityville, and one of the largest manufacturers in Babylon Township. It's an excellent, excellent citizen, providing significant employment opportunities to a broad spectrum of the labor pool, from low and semi-skilled workers all the way through to professionals. The company has a payroll of over 16 million dollars for those 230 people, and it's average hourly wage is over \$16 per hour. And so they're employing all sorts of people. When you look at their analysis of their zip codes, you can see that they serve the community broadly and very well. Does the Legislature have any questions of me before Bill Peters?

**P.O. LINDSAY:**

I don't see any. Thank you. Mr. Peters.

**MR. KHANTON:**

Okay. Thank you.

**P.O. LINDSAY:**

Mr. Peters.

**MR. PETERS:**

Good afternoon. My name is Bill Peters. I'm the Chief Financial Officer of Hi-Tech Pharmacal located in Amityville. We're applying for this, because, you know, we've been in Amityville for 25 years and have been a growing company, growing in sales and income until recently. Pricing pressures have put us on harder economic times. Two years ago, we were a company that was making a profit of about 11 million dollars a year, but in this past year, that's now shrank to a loss of over 2 million dollars. And part of this economic problem has forced us to look at ways to help cut our costs and find ways that we can keep in business, really, to stay in Amityville, because it's being -- it's very

economically tough for us to be there with the high cost of wages and other things, taxes, and electricity in the area. So we're approaching this from many different angles and looking for ways to help keep the jobs here in Amityville. I'm prepared to answer any questions.

**P.O. LINDSAY:**

Thank you, Mr. Peters, for coming. Legislator Stern has a question.

**LEG. STERN:**

Just one question. You said you've been in business in Amityville for 25 years.

**MR. PETERS:**

Correct.

**LEG. STERN:**

What is the age of the business, is it that same 25 years, or is the business older than that?

**MR. PETERS:**

The business is 25 years old.

**P.O. LINDSAY:**

Legislator Alden.

**LEG. ALDEN:**

How many jobs do you say you have over there?

**MR. PETERS:**

We have just over 230 in Amityville alone, plus we have some sales people scattered throughout the country.

**LEG. ALDEN:**

Okay. So is it safe to say most of those are what, manufacturing jobs or assembly jobs, or --

**MR. PETERS:**

We probably have approximately 100 manufacturing jobs there, plus we also have scientists there in our research and development labs, approximately 20 people there, and we also employ about 40 scientists in our quality labs that are mostly chemists. So most of our -- you know, our skilled set of our employees ranges from low wage factory workers who are probably low skilled and semi-skilled to people with PhD's in Chemistry who are doing analytical work, and very high paid jobs as well.

**LEG. ALDEN:**

Most of the jobs you just said, 150 of the jobs are on the lower end of the scale?

**MR. PETERS:**

About 100 jobs are in the manufacturing area, and then the other 130 jobs range anywhere from clerical to scientific, and probably about 60 or -- 60 of those jobs are in the scientific area, people required either a Bachelor's, Master's, or a PhD in Chemistry.

**LEG. ALDEN:**

And those jobs are located in Amityville also?

**MR. PETERS:**

Those jobs are all in Amityville.

**LEG. ALDEN:**

Okay, but the 100 jobs are minimum wage, basically?

**MR. PETERS:**

No, we don't start at minimum wage, we actually start at about -- the lowest paid people make about \$8 an hour, and those are only -- have to raise it to about 8.50 an hour after they've been there -- we have people on a three-month temporary program, and if they -- if they work out well, then we raise them up to 8.50. So the lowest paid people that have been there for more than three months are making 8.50, but that 8.50, you know, is just for the lowest skilled people that we have. The people then can work their way up to line leaders and then manufacturing supervisors, and other types of positions that are higher paid than that. And as Paul had mentioned, our average wage at the Amityville facility is now over \$16 an hour.

**LEG. ALDEN:**

And the benefits package is?

**MR. PETERS:**

We offer vacation time, we offer health plans where the company pays for 70% of the health plan, and we also offer a dental plan that employees can buy into as well.

**LEG. ALDEN:**

Now you're the CFO, right?

**MR. PETERS:**

Yes.

**LEG. ALDEN:**

What have you identified as the major obstacle to staying in -- and I want you to be specific --

**MR. PETERS:**

Sure. Well --

**LEG. ALDEN:**

Because you're asking for -- this is a --

**MR. PETERS:**

Yes.

**LEG. ALDEN:**

There's a whole bunch of breaks that you're going to get and there's 10,000 businesses out there that aren't going to get these breaks.

**MR. PETERS:**

True. We will definitely be getting breaks, but just let me say that it doesn't cost the County anything. Most of this money would be coming from the State, not from the County, so it's not costing the County.

**LEG. ALDEN:**

Oh, but I'm a taxpayer in New York State --

**MR. PETERS:**

True.

**LEG. ALDEN:**

-- so that's my tax dollars going up and coming back.

**MR. PETERS:**

Yeah. Well, some of --

**LEG. ALDEN:**

Aside from that, what would you identify, like cost of energy, cost of -- what's the big cost that you have?

**MR. PETERS:**

We've done an analysis comparing the wages, the energy and the taxes to other areas of the country where our competitors are located, and part of the decrease in profits that we've seen is really due to pricing. We actually are shipping the same number of units this year that we did the previous year when we made 11 million dollars, and comparing to the year where we lost 2 million dollars. So our unit production has not changed, it's really just cost reductions by our competitors who are located in places such as Alabama. And in taking a look at the cost of wages, there's I think about a 20%, 30% wage difference between Alabama and Long Island. And additionally, the cost of electricity is really one of the -- on a percentage basis, it's that -- the biggest percentage difference. We're paying -- Paul?

**MR. KHANTON:**

Eighteen cents.

**MR. PETERS:**

Eighteen cents in Alabama, I think they're paying six?

**MR. KHANTON:**

Four-and-a-half.

**MR. PETERS:**

Four-and-a-half cents per kilowatt hour. So, if you take a look at that, our energy bill is over four times what our competitors bill is. Additionally, our property taxes are higher here as well. But, if you look at the single biggest percentage difference, it would be the cost of energy.

**LEG. ALDEN:**

Cost of what?

**MR. PETERS:**

Energy, electricity.

**LEG. ALDEN:**

Energy, all right.

**P.O. LINDSAY:**

Okay?

**LEG. MONTANO:**

I have a question.

**P.O. LINDSAY:**

Legislator Mystal is next, I believe, and Montano and Horsley.

**LEG. MYSTAL:**

I think my questions were partly answered, because the follow-up question was like, you know, if you didn't get this kind of breaks that you're asking for, would your company be more profitable if you move it to a place like Alabama or something like that?

**MR. PETERS:**

Yeah, we certainly would be more profitable if we were located in another part of the country.

**LEG. MYSTAL:**

And that would be the loss of the job for the people in Suffolk County.

**MR. PETERS:**

Absolutely, so, you know, if we were not able to get this, then we certainly are going to have to consider moving to another area.

**LEG. HORSLEY:**

But would they be happy?

**MR. PETERS:**

Well, some might be, some might not be.

**P.O. LINDSAY:**

Legislator Montano.

**LEG. MONTANO:**

Just a quick question. The 50 jobs that you indicate --

**MR. LAUBE:**

Microphone.

**LEG. MONTANO:**

All right. Can you hear me better?

**P.O. LINDSAY:**

Yes.

**LEG. MONTANO:**

The 50 jobs, what are the nature of these -- these are new jobs that you're going to be creating?

**MR. PETERS:**

Yeah. We're planning to invest 13 million dollars in capital improvements in the facility over the next several years, and part of that project will be to add some new production lines and reconfigure some other existing lines and buildings. But the 50 jobs will be new jobs that are not people employed right now and that will be employed in Amityville.

**LEG. MONTANO:**

And what level of jobs, this --

**MR. PETERS:**

It's going to be a wide -- it's also going to be a wide range. The biggest areas would be production, but also the quality area, and so the production would be, again, the semi-skilled jobs, but the quality area would be the higher wage jobs, people that acquired either a Bachelor's or Master's in Chemistry.

**LEG. MONTANO:**

And so the bulk of these 50 are going to be in the production, that's the lower end of the --

**MR. PETERS:**

I'd say no. That's -- it's really probably about half production and then about a quarter in the quality area, and then another quarter would be administrative jobs, sales supports, accounting, maybe some -- and probably one or two I.T. people as well.

**LEG. MONTANO:**

All right. And by passing this resolution, it allows you to get certain tax exemptions, is that what

I'm --

**MR. PETERS:**

Correct.

**LEG. MONTANO:**

Because I haven't looked at the bill, I just got it now.

**MR. PETERS:**

Yes.

**LEG. MONTANO:**

Do you have a dollar amount in terms of how much it saves in particularly the real estate taxes over a year?

**MR. KHANTON:**

Real estate is a rebate.

**LEG. MONTANO:**

Is real estate the biggest part of it, the real estate taxes?

**LEG. ALDEN:**

He can't testify from there, he's got to use --

**MR. PETERS:**

Real estate is one of the bigger components of it, and right now, we're paying almost \$800,000 of real estate taxes, but we'd get a rebate on part of that.

**MR. KHANTON:**

Right. And there's an investment tax credit.

**P.O. LINDSAY:**

You have to take the mike. You have to take the mike.

**MR. KHANTON:**

Yeah. There's an enhancement to the investment tax credit as well through the Empire Zone. So there's -- with investing 13 million dollars, there's a significant amount of additional tax credits just from -- generated from that investment as well. It makes New York competitive on an investment standpoint with alternative locations, like in Texas, or New Jersey, or Alabama.

**P.O. LINDSAY:**

Okay. Oh, I'm sorry, Legislator Horsley.

**LEG. HORSLEY:**

We'll never be competitive with Alabama, but it's okay. Let me just -- let me ask you quick a couple of quick questions. You're on Bayview Avenue in Amityville?

**MR. PETERS:**

That's our corporate headquarters, yes.

**LEG. HORSLEY:**

That's corporate headquarters. Are you -- is that -- do you have more than one building in Amityville?

**MR. PETERS:**

We have six buildings in Amityville and encompassing about 200,000 square feet.

**LEG. HORSLEY:**

Two hundred thousand square feet.

**MR. PETERS:**

And it's all -- they're all next to each other, all contiguous, sir.

**LEG. HORSLEY:**

Now, are you going to be expanding that location at all or --

**MR. PETERS:**

That's -- not as part of this program, but we -- that is one potential, you know, if we do this next phase of enhancements that say are internal to the buildings, reconfiguring some of the buildings. About a year-and-a-half ago, we purchased a new building that's across the street from our buildings. We've moved some people into that from our main factory, and what our plan is, is to reconfigure our factory and then enlarge it to take part of what was office space earlier and reconfigure that into --

**LEG. HORSLEY:**

And you're going to be --

**MR. PETERS:**

-- additional factory space.

**LEG. HORSLEY:**

That's interesting. Then you should see -- by the way, you should see the Babylon IDA before you do that. Check in on that, it's a good deal.

**MR. PETERS:**

We're talking to them, too.

**LEG. HORSLEY:**

Okay, good.

**MR. KHANTON:**

They're working with them.

**LEG. HORSLEY:**

Okay. All right. I just wanted to do -- before you -- are you going to be -- obviously, you're spending some dollars on new equipment; is that --

**MR. PETERS:**

Yes.

**LEG. HORSLEY:**

Is that what I gather?

**MR. PETERS:**

That's correct.

**MR. KHANTON:**

About 8 million dollars.

**LEG. HORSLEY:**

Eight million dollars.

**MR. KHANTON:**

I don't know if you heard that, 8 million dollars.

**LEG. HORSLEY:**

Eight million dollars. Okay. So that is some of the reasons why you're regionally significant is because you're putting not only new jobs on, but because you're also putting new equipment, updating more energy efficient, etcetera.

**MR. PETERS:**

Yeah, exactly, some higher speed lines to be more efficient, and also to reconfigure the manufacturing process so that we could be more productive.

**LEG. HORSLEY:**

Sounds like a good deal. Thanks.

**P.O. LINDSAY:**

Legislator Kennedy.

**LEG. KENNEDY:**

Thank you, Mr. Chair. Gentlemen, my question just goes to, and maybe you said it already, I apologize if I did not hear, what do you produce, Hi-Tech Pharmacal.

**MR. PETERS:**

Oh, I'm sorry. Hi-Tech Pharmacal, I should have said that initially, we have two businesses that we operate and the first is manufacturing generic pharmaceuticals. We specialize in liquids and semi-solids, creams and lotions. And being a liquid manufacturer, most of our products end up in either the pediatric or geriatric market. So we're making things like antibiotics for children, Albuterol solutions for people with asthma, things like that. And our business is that we have an OTC business, which has a line of branded products targeted for people with diabetes.

**LEG. KENNEDY:**

Do you manufacture any contraceptives.

**MR. PETERS:**

No.

**LEG. KENNEDY:**

Okay. Thank you.

**P.O. LINDSAY:**

Thank you very much, gentlemen, for your patience.

**MR. PETERS:**

Thank you.

**P.O. LINDSAY:**

I'll make a motion to close.

**LEG. MYSTAL:**

I'll --

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

Second. Second by Legislator Mystal.

**LEG. MYSTAL:**

I make a motion to approve.

**P.O. LINDSAY:**

Oh, you have a question?

**LEG. MYSTAL:**

No, no.

**P.O. LINDSAY:**

Oh.

**LEG. MYSTAL:**

Motion to -- I make a motion to -- go ahead, finish with your motion.

**P.O. LINDSAY:**

You second the motion to close?

**LEG. MYSTAL:**

Yes.

**P.O. LINDSAY:**

Okay. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Seventeen. (Not Present: Leg. Montano)

**LEG. MYSTAL:**

I wanted to make a motion to approve.

**LEG. HORSLEY:**

We need a motion to approve, then, right?

**P.O. LINDSAY:**

What do you want?

**LEG. MYSTAL:**

It's a public hearing, I know. Later on we'll do it.

**P.O. LINDSAY:**

I just have to post -- that's the end of the public hearings. I just have to read out the notice for the next public hearings.

Setting the date for the following public hearings: Tuesday, November 20th, 2007, at 2:30 P.M. in the Rose Caracappa Auditorium, Hauppauge, New York.

I.R. 1977, a Local Law to prevent sex offenders from being housed at general population emergency shelters.

I.R. 1979, a Local Law to authorize conveyance of real property to Saint Joseph's College.

I.R. 1997, a Local Law to establish a Prompt Payment Policy.

I.R. 2005, a Local Law to require cash deposits to be made in accounts at authorized banks or trust companies.

I.R. 2011, a Local Law -- oh, which one did I do?

**MR. NOLAN:**

2011 we just did.

**P.O. LINDSAY:**

Oh, we just did 2011, I'm sorry. I.R. 2064, a Charter Law to expand sex offender notification requirements to include public libraries.

I.R. 2065, a Local Law in relation to the disposition of auction properties.

I.R. 2067, a Local Law to offset the cost of maintaining surplus County property.

And I.R. 2069, a Charter Law to streamline the process by which resolutions and Local Laws are introduced.

That's to set that hearing date. Do I have a motion? I'll make the motion, second by Legislator Eddington. All in favor? Opposed? Abstentions? Yes, Legislator --

**MR. LAUBE:**

Seventeen. (Not Present: Leg. Montano)

**P.O. LINDSAY:**

-- D'Amaro would like to make a motion.

**LEG. D'AMARO:**

Yes. Yes, thank you, Mr. Presiding Officer. I'd like to make a motion to take out of order I.R. 1914. It's on Page 11 of the agenda this afternoon, and it is listed under the Ways and Means Committee.

**P.O. LINDSAY:**

*1914 is approving the reappointment of Penny Wells LaValle as Director of Real Property Tax Service Agency for County of Suffolk. We have a motion to take it out of order.*

**LEG. STERN:**

Second.

**P.O. LINDSAY:**

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

**LEG. ROMAINE:**

Motion to approve.

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

Okay. A motion is now before us, and Legislator Romaine has made a motion to approve.

**LEG. SCHNEIDERMAN:**

Second.

**LEG. D'AMARO:**

I'll second.

**P.O. LINDSAY:**

Seconded by Legislator D'Amaro. Anybody have any questions for Ms. LaValle? I apologize for waiting so long. I didn't realize you were in the audience this morning. We would have disposed of it this morning. All right. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**LEG. SCHNEIDERMAN:**

Tim, cosponsor.

**LEG. ROMAINE:**

Cosponsor.

**MR. LAUBE:**

Yes, sir.

**P.O. LINDSAY:**

We have a number of cosponsors, I guess. Legislator Mystal, you want to make a motion?

**LEG. MYSTAL:**

Yeah. I know it's a little bit imprudent, but we'd like to take *Resolution 2011 (A Local Law amending the Suffolk County Empire Zone Boundaries to include Hi-Tech Pharmacal Co., Inc.)* out of order. Since it's a CN, but the CFO is here and they've been here all morning, I'd like to take it out of order and see if we can close it and send them home.

**LEG. HORSLEY:**

Can we do that?

**LEG. MYSTAL:**

Yeah

**P.O. LINDSAY:**

Sure.

**LEG. MYSTAL:**

I'll make a motion to take it out of order.

**LEG. HORSLEY:**

Which one?

**P.O. LINDSAY:**

The one we just had a hearing on.

**MR. NOLAN:**

2011.

**P.O. LINDSAY:**

2011.

**LEG. MYSTAL:**

2011.

**LEG. CARACAPPA:**

Doesn't it have to age? Doesn't it have to age?

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

Where is it?

**LEG. MYSTAL:**

It's under CN.

**LEG. CARACAPPA:**

Oh, it's a CN.

**P.O. LINDSAY:**

Yeah.

**LEG. MYSTAL:**

2011.

**P.O. LINDSAY:**

Okay. We have a motion --

**LEG. STERN:**

Second.

**P.O. LINDSAY:**

-- to take it out of order, seconded by Legislator Stern. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**LEG. MYSTAL:**

I'm making a motion to approve the resolution.

**P.O. LINDSAY:**

A motion by Legislator Mystal to approve.

**LEG. HORSLEY:**

Second.

**P.O. LINDSAY:**

Second by Legislator Horsley.

**LEG. ALDEN:**

On the motion.

**P.O. LINDSAY:**

On the motion, Legislator Alden.

**LEG. ALDEN:**

Who else is -- who would be appropriate to testify as far as what the total package would be?

**P.O. LINDSAY:**

Probably Ms. Fahey.

**LEG. ALDEN:**

Ms. Fahey, is she -- oh.

**P.O. LINDSAY:**

She's still here.

**LEG. ALDEN:**

She's still here?

**LEG. MYSTAL:**

She's still here.

**LEG. ALDEN:**

Through the Chair, if we could have Ms. Fahey come up, then.

**LEG. MYSTAL:**

Ms. Fahey.

**MS. FAHEY:**

The cost benefit analysis that's done as part of the application takes into account the investment tax credits, the wage tax credits, the real property abatement, the potential of the sales tax abatement on the purchase of the equipment on the New York State sales tax, not the County portion. The calculation that was done initially shows that it's about \$15 tax credit for every dollar of investment on behalf of the company.

**LEG. ALDEN:**

Okay. But they made representations that they were putting in "X" number of millions of dollars.

**MS. FAHEY:**

Right.

**LEG. ALDEN:**

So what would be the total number, then?

**MS. FAHEY:**

Do you --

**MR. KHANTON:**

Total investment is 13 million.

**MS. FAHEY:**

Thirteen million. Thirteen million, so --

**MR. KHANTON:**

Total wages over the five years is 90 million.

**MS. FAHEY:**

Ninety million total wages over the five years, 13 million. And I believe the calculation is for every dollar of investment between the 15 and the wages would be \$15 for every one dollar of investment.

**LEG. ALDEN:**

So then it would be more like 15 million.

**LEG. HORSLEY:**

Do the math.

**P.O. LINDSAY:**

Fifteen times 13 million.

**LEG. ALDEN:**

Oh, 15 times 13 million?

**P.O. LINDSAY:**

Yeah.

**MS. FAHEY:**  
For every 15 --

**LEG. ALDEN:**  
That's tax credits that they're getting?

**MR. KHANTON:**  
Tax credits total are only --

**P.O. LINDSAY:**  
Why don't Mr. Khanton --

**MS. FAHEY:**  
Yes, Khanton, come up.

**P.O. LINDSAY:**  
-- come to the microphone.

**LEG. ALDEN:**  
The question is how much are your tax credits going to be?

**MR. KHANTON:**  
Yeah. The tax credits will total 19% of the investment.

**LEG. ALDEN:**  
And that is?

**MR. KHANTON:**  
And the investment is 13 million, so it's about 2.5 million dollars in investment tax credits and employment incentive credits.

**LEG. ALDEN:**  
And what other tax incentives do you get? You get -- do you get a reduction in --

**MR. KHANTON:**  
There'll be a real estate tax rebate that --

**LEG. ALDEN:**  
And that is how much?

**MR. KHANTON:**  
That's worth in the vicinity of 4 million dollars over the five years.

**LEG. ALDEN:**  
Okay. Now, are pilot payments made to the school district on your behalf, or is it just a reduction of the amount of money that goes to the school district?

**MR. KHANTON:**  
No. Actually, there's no impact on the school districts. The company continues to pay the property tax.

**LEG. ALDEN:**  
Okay.

**MR. KHANTON:**  
And the State of New York rebates it back to them under this program.

**LEG. ALDEN:**

Rebates it back to you.

**MR. KHANTON:**

Rebates it back to the company, yes.

**LEG. ALDEN:**

Okay. And that's in -- you said four, five million dollars of that?

**MR. KHANTON:**

That's correct.

**LEG. ALDEN:**

Okay.

**MR. KHANTON:**

That's about 4 million dollars over a five-year period.

**LEG. ALDEN:**

And what other -- what other incentives or tax breaks, or any other --

**MR. KHANTON:**

Well, wage tax credits, there's a tax credit called a wage tax credit, which is equal to fifteen hundred dollars per new hire, per incremental new hire per year each year for five years. And so 50 people generates an additional 3 million dollars in those tax credits as well.

**LEG. ALDEN:**

Okay. Now, when we're talking tax credits, that's New York State income tax, and that's Federal -- not Federal, just New York State --

**MR. KHANTON:**

It's not Federal, it's strictly New York State.

**LEG. ALDEN:**

New York State income tax.

**MR. KHANTON:**

That's correct.

**LEG. ALDEN:**

Not payroll taxes or --

**MR. KHANTON:**

No, no, it has nothing -- it has nothing to do with those. The company continues to pay the payroll taxes, the withholding tax. And there'll be payroll of about 90 million dollars generated over that period of time.

**LEG. ALDEN:**

Okay. And what do you have to do to live up to your side of the bargain? Number one, you have to stay where you are, obviously.

**MR. KHANTON:**

Correct. There are three things. One, the company has to stay in Amityville.

**LEG. ALDEN:**

Right.

**MR. KHANTON:**

Two, the company has to make the 13 million dollars in investment that it has committed to make over the five-year period. Three, it has to create the jobs, 50 new jobs incremental to their current head count, full-time jobs over the five-year period. So, at the end of five years, there are 50 more people working there, and they will have spent 13 million dollars. And, of course, in return, what the company is getting from the RSP is an adjustment in its investment cost, an adjustment in its operating cost, if you look at the property tax issue, so that it can be more competitive.

In deference to the gentleman who said it will never -- the cost of doing business in Suffolk County will never be equal to that in Huntsville, Alabama, we agree, it will never be equal to. But for 20 some-odd years, the company was able to successfully mitigate that differential and grow consistently over 20 years. And then finally, like that proverbial straw breaking the camel's back, between LIPA's increases of almost 100% over the last five years and New York State tax increases over the last five years of something like 8%, while Alabama's dropped 4% during the same time, that differential grew to the point where they can't compete anymore. And they really need the RSP as part of a package that they're getting in order to compete.

**LEG. ALDEN:**

Your title is?

**MR. KHANTON:**

I'm a consultant to the business, an advisor to the business.

**LEG. ALDEN:**

Okay, then the CFO.

**MR. KHANTON:**

The CFO.

**LEG. ALDEN:**

Can you make this representation to us, that it's not due to a lack of you putting capital back into your business over the past 25 years, it's due to --

**MR. PETERS:**

No, absolutely not. We've been making capital improvements to the building and -- buildings and buying new buildings there and expanding the program, as -- you know, if you take a look at our employments and our even square footage that we have there and the amount of equipment that we have there, it's steadily increased over 25 years.

**LEG. ALDEN:**

How much have you returned as far as capital investment into your --

**MR. PETERS:**

Pardon?

**LEG. ALDEN:**

You said you went from \$11 million of profitability per year to a minus 2 million.

**MR. PETERS:**

Correct.

**LEG. ALDEN:**

So, out of that 11 million, how much traditionally would you have returned into the business? Because I have a problem voting for something --

**MR. PETERS:**

Sure. Well, we don't --

**LEG. ALDEN:**

-- that's going to give you any kind of an incentive if you've been paying yourself first and not putting money back into the business.

**MR. PETERS:**

Well, we don't pay any dividends to shareholders right now, so the company is reinvesting all of its profits into the business.

**LEG. ALDEN:**

And that's how it's been for the past 20 years?

**MR. PETERS:**

Yeah, we've never -- we haven't paid any dividends, so all of the profits over the 25 years have been reinvested in the company.

**LEG. ALDEN:**

And you're a privately held --

**MR. PETERS:**

No, we're a publicly held company.

**LEG. ALDEN:**

Listed on?

**MR. PETERS:**

The NASDAQ. HIDK is the ticker.

**MR. KHANTON:**

The investments also the company make are certainly not limited to physical plant or equipment. The company is continuing to make significant investments in developing products. Why don't you comment on that?

**MR. PETERS:**

Yeah, we have -- right now, we've had thirty-three products approved by the FDA, and we have another thirteen pending to be reviewed by the FDA, and then 20, 20 further products in development.

**LEG. ALDEN:**

I just have two more, and these are quick questions.

**MR. PETERS:**

Sure.

**LEG. ALDEN:**

Number one, if you didn't get this tax incentive package, would you be delisted?

**MR. PETERS:**

No, we would not be delisted. However, we would continue to lose money, and we would seriously consider other alternative locations.

**LEG. ALDEN:**

Okay. The last, question. Carolyn, in the past, we've heard horror stories about accountability of these type of programs. Is there better accountability now? Is somebody watching to make sure that both sides live up to their side of a cut bargain?

**MS. FAHEY:**

When the State amended the program two years ago, the oversight was expanded on the RSP project. The Empire Zone, there's a misnomer that if you say you're going to create 50 jobs and invest 13 million, that you get the tax credits immediately. That's not the way it works. It's only on the actual performance that you receive the credits on. So, if you say you're going to create 50 jobs, as you incrementally create those jobs, that's when you're able to take the tax credits.

**LEG. ALDEN:**

Thank you.

**MS. FAHEY:**

So the benefits are only derived once the performance has been done.

**LEG. ALDEN:**

Thanks.

**P.O. LINDSAY:**

We have -- Legislator Cooper had a question, I saw first.

**LEG. COOPER:**

Thank you. We've received information on the tax benefits --

**LEG. LOSQUADRO:**

It's not on.

**LEG. COOPER:**

We've received information about the tax benefits that might accrue through participation in this program. Could you give us a little information about the executive compensation at your company, the Chairman, CEO of the top --

**MR. PETERS:**

What would you like to know?

**LEG. COOPER:**

What the salaries are and bonuses, benefits.

**MR. PETERS:**

I could probably look that up.

**MR. KHANTON:**

That's public record.

**MR. PETERS:**

The CEO makes approximately \$400,000. The Chairman made 285,000, Chairman Emeritus made 285,000 last year, but he recently passed away. And my pay last year was 218,000 salary in the last published financials.

**LEG. COOPER:**

Thank you. My colleague is totaling this up as you speak. I'm reading an article now. This was on the internet, September 27th of '06, and it referred to Bernard Seltzer, who at the time was

Chairman Emeritus.

**MR. PETERS:**

Chairman Emeritus.

**LEG. COOPER:**

And he received a base salary of \$285,000.

**MR. PETERS:**

Yeah, that's what I just mentioned.

**LEG. COOPER:**

Then his son, David Seltzer, as President and CEO, who had a base salary in '06, I believe, of \$382,000, plus a cash bonus of \$277,000 in '06. And then they referred to utilization of the services of Ruben Seltzer, who's the son of the Chairman Emeritus and the brother of the President, who provided legal and new business development services, in '06 earned \$236,000, plus he's the beneficial owner of 9.2% or 1.2 million shares of stock. And it talks of, and again, forgive me, I'm just reading this, referring to Ruben Seltzer's position, the author of this article says, quote, unquote, "What a great gig if you can get it. In our view, Mr. Ruben Seltzer is getting paid by HITK to", quote/unquote, "consult them on the company's investment in Neuro-Hitech, an HPI, of which Ruben Seltzer is Chief Executive Officer, and receives another \$165,000 in annual salary.

**MR. PETERS:**

Ruben Seltzer is our CEO's brother, and he is a consultant for the company. In the past year, he made \$178,000. This is all public information that we file in our 10K every year. The stuff you're reading is a little bit old, but that -- what you're reading there is not correct. He was not paid to consult to be the CEO of this other company, he was paid for work that he actually did for Hitech, which included business development work, including the purchase of a product that we made and also the disposition of a product. So there's specific task oriented things that he's being paid for, and that compensation is reviewed by our Board of Directors, you know, and as anybody familiar with public companies knows, there's tremendous oversight by the Board of Directors and the Audit Committees of public companies today, and all of these things must be disclosed and are disclosed. And if anybody would like copies of our 10K, they can either write to me or contact me and I can provide them, or they're also available online through the SCC website. But that article that you're talking about is by someone who really doesn't know what they're talking about.

**LEG. COOPER:**

And in '07, where profits have declined, I believe you said that you sold approximately the same amount of product, but I guess your sales declined.

**MR. PETERS:**

Yes.

**LEG. COOPER:**

And/or your costs increased. Did executive compensation decline?

**MR. PETERS:**

Executive bonuses dropped significantly. Those have not been disclosed yet, but I will say that David Seltzer, our CEO, who had made a bonus of \$314,000 for his work the year before had a zero bonus this year, but that hasn't been publicly disclosed yet. But that was -- you know, he went from 314,000 to zero.

**LEG. COOPER:**

Thank you.

**P.O. LINDSAY:**  
Legislator D'Amaro.

**LEG. D'AMARO:**  
Yes, thank you. Good afternoon.

**MR. PETERS:**  
Good afternoon.

**LEG. D'AMARO:**  
What I'm wondering is whether or not we're talking about granting this tax incentive at a time when your sales are down, but that sales are expecting to come back. You're painting a picture that your sales are down because of pricing competition, more costly to do business here in Suffolk County than, say, Alabama or another state. If you remained here, how do you project to increase your sales? Why are we making this investment in you?

**MR. PETERS:**  
Well, first of all, we're trying to cut our costs to be more cost competitive with our competitors. And, secondly, as I mentioned earlier, we have a research and development pipeline that we're working on to launch some new products as well. So we have plans to launch new products, and we also have these cost-cutting measures going on, so that we would be more cost competitive in the market.

Right now, in the past year, we've had to reduce the number of products that we've offered, because we could no longer compete on price, because certain of our competitors were offering these prices at prices below the -- our costs to make the goods.

**LEG. D'AMARO:**  
I'm also looking at an article, it's entitled "Hi-Tech Pharmaceutical Slips and Falls" by Elizabeth Trotta from July of 2007, and in there, Mr. Seltzer is quoted as saying that, "The generic pricing pressure to increase competition was a factor in the losses or the decline in sales that you're experiencing. In addition, we were delayed in launching several products. The company didn't give guidance for fiscal '08, but says it expects to launch five products within the year. Hi-Tech currently has thirteen products awaiting FDA approval, which it said target brands and generic sales of more than 2 billion dollars." So do we subsidize you this year and give you 2.5 million from the taxpayers and then you make 2 billion the following; how does this work?

**MR. PETERS:**  
That 2 billion dollars is not at generic sales level, those are at branded drugs, and those -- you know, there would be, you know, likely many generic competitors in there. For example, we did launch one of those products just this September and it was an 80 million dollar branded drug called ciclopirox, the brand name of that is Penlac. On the day one, there were ten generics approved to go into that market. Then the price of that drug then being sold by the generics drops by about 90%, and then there's ten competitors in there fighting for that 10% remaining. So that 80 million dollar market becomes an 8 million dollar generic -- what was an 80 million dollar branded market becomes a total market with the same volume of an 8 million dollar market, and then you have ten companies trying to fight for market share, basically just on cost alone. So the pricing pressure of -- so that what was an 80 million dollar opportunity, you know, our best case scenario might be we might make -- we might sell \$800,000 worth, our cost might be, you know, four or \$500,000. Maybe we'll make a couple of hundred thousand dollars of it.

**LEG. D'AMARO:**  
I guess the problem I'm having here is that there's a drug company in economic distress. It seems almost unheard of. What other companies are doing business in New York making generic drugs?

**MR. PETERS:**

Well, I don't think that's necessarily true, because I think what you're thinking about are branded drug companies that are making very large profits, where generic companies are very cost sensitive. We're not selling drugs at 90, 95% margins that branded companies are, we're selling products -- you know, our gross margin in the first quarter of this year was only 20%, so it's comparing apples to oranges. The prices that generic drugs -- that are for generic drugs are significantly lower, and if -- that's why you have -- you know, the copays on generic drugs are so much lower, and if you go to the pharmacies, you know, that's really where the pharmacies are making all of their profits, because they sell generic drugs at a much higher margin than they will the brand drugs.

**LEG. D'AMARO:**

Okay. And in fairness to you, that article does go on to say exactly what you're representing, that you are depending on a strong internal R and D pipeline of high barrier generics and an aggressive approach to licensing generic developments. So your company is trying to get -- trying to manufacture and get onto the market cheaper generic drugs.

**MR. PETERS:**

Correct.

**LEG. D'AMARO:**

And that's why you're looking for this tax incentive at this time.

**MR. PETERS:**

Correct.

**LEG. D'AMARO:**

What's the expectation on the FDA approvals?

**MR. PETERS:**

You can never tell with FDA, and that's something that's, you know, a federal problem really right now with -- the number of applications for generic drugs has really doubled over the last four or five years, and the FDA's generic drug budget hasn't really gone up much more than inflation. So the backlog, what's happened, you have the same number of people at FDA reviewing twice as many applications, and, therefore, it's taking twice as long to get drugs approved. It now takes longer to get a generic drug approved than it does to get a branded drug approved.

**MR. KHANTON:**

But it's more a question of when, rather than if, right?

**MR. PETERS:**

Correct. And we have -- like as mentioned, we just got one approved in September and we launched the Penlac, the generic version of Penlac, which is ciclopirox. So that was one, but we have many more that we hope to come shortly.

**LEG. D'AMARO:**

Thank you.

**MR. PETERS:**

Thank you.

**P.O. LINDSAY:**

Legislator Stern.

**LEG. STERN:**

Thank you. I'm looking at today's Business Week online.

**LEG. MYSTAL:**

I'm going to shut your computers off.

**LEG. STERN:**

Stock price back in 2002 at 10, rises in 2003 to about 30, drops back down to below 10 in 2004, and 2005, it's in the mid 20's, back up to 30 in 2006, and back down to about 11 now. So I guess what I'm -- I'm certainly not a professional stock analyst, but I see a pretty good roller coaster ride here. Maybe can you give a brief explanation as to why the roller coaster and how, you know, we can draw hopes on to at least 50 new employees, you know, in the coming time period, and how we pin our hopes on a roller coaster ride.

**MR. PETERS:**

Well, you know, of course we don't want it to be a roller coaster. You know, our plans are more for a strong steady growth. However, you know, the stock price, and if you look at the companies historic growth, the growth has not been a roller coaster. If you take a look at the growth in sales and the growth in profits up until last year, it was actually fairly steady. The roller coaster is just some market trends that we can't really explain necessarily. What we can explain is the growth in sales and the growth of profits that have been steady over the history of the company until the past year, when we had a significant decrease, you know, the companies first decrease in sales. And, you know, two years ago, we were at the highest profits we had ever been and now we're losing money, which was unheard of in the company's history as well. So that's really what's changed, and it has -- the profits and sales have not been a roller coaster until this year.

**MR. KHANTON:**

Nor had employment.

**MR. PETERS:**

Yeah.

**MR. KHANTON:**

We've grown 50 heads.

**LEG. STERN:**

Then maybe just one quick question. Is there -- other than just external market forces, was there anything in particular that caused a drop in stock prices internal to the company to make it go from 30 to about 10 in 2004/2005.

**MR. PETERS:**

In 2004/2005, I probably have to take a look, I think, you know, we were still growing, but we were not growing as fast as we had been. And so I think what was happening back then was people were assuming that we would continue the growth rate that the company had started, and then were disappointed when the company was actually growing at about 10 or 15%, rather than the higher percentages that they had been growing at a couple of years earlier.

**P.O. LINDSAY:**

Okay. Legislator Nowick.

**LEG. NOWICK:**

Hi. I think I just have two or three concerns. And I'm happy to hear that the CEO did not take the bonus this year. But I think that the one thing I wanted to know was the amount of employees that you have right now, are what, 200 and --

**MR. PETERS:**

About 230 in Amityville, plus --

**LEG. NOWICK:**

Two-hundred and thirty in Amityville.

**MR. PETERS:**

Correct.

**LEG. NOWICK:**

And you're anticipating putting on how many more?

**MR. PETERS:**

Fifty.

**LEG. NOWICK:**

Fifty. See, my concern is with those almost 300 people, and I certainly would like to see their jobs secure here on Long Island. But more for Carolyn, if I could ask you maybe, and I know we've gone over it, but maybe in two lines, because I know it's getting old now. We, as Legislators, of course, are concerned that why this company, when there are so many companies at this economic point that are in distress. You are here to testify. Can you tell us just why this company from your reasoning?

**MS. FAHEY:**

I wouldn't call this company in distress, and I don't think they would call themselves in distress. This program is open to anybody. Any company that sees the benefit and the ability to grow and to create a strong foundation for their business at a time when electricity is tough, wages are tough. If they're able to apply a program that allows them to create that stronger foundation for the future and stay here, the program is open to them.

**LEG. NOWICK:**

So, all right. So part of our concern is why doesn't -- why don't more companies, I guess, come in and do this or --

**MS. FAHEY:**

There is --

**LEG. NOWICK:**

Do they not know about it?

**MS. FAHEY:**

Well, that's part of it. Marketing is part of it. We've been marketing, we've been trying -- it's the County Empire Zone. Keep in mind, the Towns of Brookhaven and Islip have their own Empire Zones. You don't see their RSP projects. Islip, I believe, has done anywhere from 12 to 15 so far this year, and Brookhaven has done a good 10 to 12. So you're only seeing the RSP's for the Suffolk County zone, which is Huntington, Babylon, Smithtown, and then the five east end towns, you're not seeing the other companies that are taking advantage of it from Brookhaven and Islip.

**LEG. NOWICK:**

Okay. I'm glad I asked the question, because that makes -- gives me a better direction to go in. Thank you.

**MR. KHANTON:**

And if I might just say a word, I believe the intent of the program was to level the playing field for counties such as Suffolk and Nassau that had a dearth of Empire Zone acreage. And there are generic pharmaceutical companies in New York State that are in empire zones, and just by right, they get the benefits that Hi-Tech has had to subject itself to your questions to get.

**MS. FAHEY:**

It's a good point, if I could just -- traditionally, the Empire Zone is set boundaries, and it's been up in the former Grumman facility in Calverton. There's 48 acres of that acreage at Gabreski Airport for the Hampton Business Technology Park. Companies have to relocate into those sites in order to take advantage of it. Most of these companies can't afford to relocate. If they're going to relocate, they're leaving the Island. So the program was amended to allow the zone programs to be brought to them to keep them where they are in New York State and within the municipality.

**LEG. NOWICK:**

Thank you.

**P.O. LINDSAY:**

Legislator Kennedy. No?

**LEG. KENNEDY:**

All the questions were asked. You could take me off.

**P.O. LINDSAY:**

Legislator Barraga.

**LEG. BARRAGA:**

Thank you. I always have an interest in terms of companies and their bottom line, and how difficult and challenging it is to make a profit. But I always look, especially if a company is listed on the NASDAQ, it's a public company. You know, what are the inside guys doing, you know, the key executives of a respective company? And I'm taking a look here at January 6th, 2006. David S. Seltzer sold 20,000 shares at 44.50 a share, made \$893,000. David S. Seltzer, 10,000 shares, sold at 44.76, made 448,000. Ruben, sale at 46.67, \$233,000. Bernard, 10,000 shares, \$46.50, \$470,000. Then on the 16th of January, Ruben comes back and he buys. He exercises an option of 22,500 shares at \$1.78 a share; costs him \$40,000. All right? It continues. If I may, right up the line here, right through January, right through January 9th, 2007, David S. Seltzer comes in again. He exercises an option of 112,500 shares at \$1.78 per share. That's what he's buying into. It cost him 200,000. Stock is going for at least 11, 11.50 a share. You know, I understand your bottom line as a company and your product, but these guys are making plenty of money. Are they owners?

**MR. PETERS:**

They are large shareholders, and the company was founded by their father, Bernard Seltzer.

**LEG. BARRAGA:**

What are their titles in this company right now?

**MR. PETERS:**

David is the Chairman and Chief Executive Officer, and Ruben --

**LEG. BARRAGA:**

Is this the guy who didn't take the bonus?

**MR. PETERS:**

Yes.

**LEG. BARRAGA:**

Looks to me like he didn't have to take the bonus.

**MR. PETERS:**

Well, I think that was -- I'm not sure when that was. You said that was 2006, or was that -- I thought that --

**LEG. BARRAGA:**

Started in 2006, and this has been going on for a year-and-a-half. And the latest transaction, dated January 9th, 2007, David Seltzer, he exercised an option, apparently the Board gave him the option, at \$1.78 a share, 112,000 shares, it cost him 200,000.

**MR. PETERS:**

The options are all granted at the share price at the time they're granted. For the most part, I believe David has only exercised options when they're about to expire. So those options are ten years old at the time he's doing it.

**LEG. BARRAGA:**

But the point is David and Ruben financially are doing pretty well here.

**MR. PETERS:**

Yeah, but the --

**LEG. BARRAGA:**

Are they reinvesting any money, any of their money in the company?

**MR. PETERS:**

They both maintain very large investments in the company.

**LEG. BARRAGA:**

Are they reinvesting? What are they doing, are they taking their money and putting it back into the company in some way, shape, or form?

**MR. PETERS:**

I don't know if they're actually buying more stock in the company, but I believe they both have very significant portions of their wealth tied up in the company.

**LEG. BARRAGA:**

Because they're selling -- you know, like most business people, they're selling at the high and they're exercising the options at the low, \$1.75, \$1.78 for \$11 stock, 112,000 shares. I would say both of those parties are doing extremely well. Now, I don't know how this affects your request for this --

**MR. PETERS:**

Well, I don't -- you know, I really don't think it does affect the request, because, you know, these options are granted. You know, the options that they exercised were granted at the stock price on the day that the option was granted, and they've both waited until those options are about to expire pretty much every time that they've been exercising. So those -- that difference in share price just shows the success of the company over that ten-year period, you know, when they were growing the company, growing the sales, growing the profits of the company, that led to a very large increase in stock price. That trend has now turned the other direction in the past year, and that's why we're here now, and that's not -- that's why we weren't here two years ago.

**LEG. BARRAGA:**

But those two gentlemen on a personal basis, even though the stock may be down, when you're exercising an option at \$1.75 a share and stock's \$11, you're still making plenty of money, especially if you're exercising an option at 112,000 shares.

**MR. PETERS:**

Yeah, but I don't think the issue is whether they made money -- have made money in the past, it's the future of the company and the 230 other employees there.

**LEG. BARRAGA:**

I'm just wondering if we're going down two separate avenues. We're looking -- we're looking as a group of Legislators at the bottom line. These two guys are out there and they're doing pretty well financially, regardless of how this company is doing.

**P.O. LINDSAY:**

I got you, John. Oh, come on, guys. Legislator Cooper.

**LEG. COOPER:**

If you get these tax benefits, and it has the desired effect and your profits turn around, and I assume that if your profits increase, then the compensation for your top executives would likewise increase to the levels that they were in '06 and '05. And what bothers me, when I'm not a County Legislator, I run a manufacturing company in Nassau County, not as large. We have about 175 employees, sales of about 25, 26 million. My compensation is nowhere near this, and I've never asked for anything from Nassau County for me to remain in Nassau. But I know that if your profits turn around, David -- well, Ruben Seltzer and his brother will certainly benefit. You're certainly not going to be sharing those increased profits with Suffolk County to reimburse us for our investment in your company, in effect, because that's not the way it works. So I just happen to have a problem --

**MR. PETERS:**

Yes, but we will be creating jobs in the County, and many of our employees, it's not just the top executives that are getting options, probably, you know, about 100 people in the company are. So they're spread throughout all, you know, various levels of the company, and those wages earned by those people would generate tax revenue for the State, and if that happened, it might pay for itself that way.

**LEG. COOPER:**

And if you can refresh my memory, I know that you had said, I think it was -- was it Ruben Seltzer or was it his brother that -- I guess it was brother that was not getting a bonus this year.

**MR. PETERS:**

Well, no, Ruben has never gotten a bonus. He's a paid consultant of the company. David, the CEO, did not get a bonus for this past fiscal year.

**LEG. COOPER:**

But what was his compensation, aside from the bonus, his overall compensation?

**MR. PETERS:**

He had a base of I think 401 -- about 400,000 or so.

**LEG. COOPER:**

And this article, it says, "We are troubled with the corporate governments at Hi-Tech. How can Ruben Seltzer make a material contribution to Hi-Tech when he more than has his hands full running day-to-day operations and R and D complexities at NHI? And why is Hi-Tech giving him a car allowance and health insurance, too?"

**MR. PETERS:**

I don't think the compensation structure of, you know, one of our consultants is necessarily, you know, relevant to the matter at hand.

**LEG. COOPER:**

Well, I guess, in a nutshell, my only concern is that you will be getting, one way or another, 2 million, 2 1/2 million dollars in tax benefits, which is more or less at least a year ago, when your profits were better, more or less equivalent to the top compensation for two or three of your upper level executives. And I guess the question is whether that's -- whether we feel as a body that that's appropriate or not. So I think that executive compensation does play a --

**P.O. LINDSAY:**  
Legislator Cooper.

**LEG. COOPER:**  
Is a factor.

**P.O. LINDSAY:**  
Legislator Cooper, we went over this ground over -- vote against it then. You know, it's 5:00, you have three-quarters of your agenda to do yet. Legislator D'Amaro.

**LEG. D'AMARO:**  
Thank you. Very quickly, I'm not going to go all over all that again, although I do agree that before we give taxpayer money, we need to look at these issues and ask these questions. It's our responsibility to do that, and I appreciate you gentlemen answering us throughout the dialogue.

Ms. Fahey, I had a question for you. Let's assume the motion is approved, the resolution is approved, the tax -- the Empire Zone is expanded, this company goes out now to do business and, hopefully, be successful. What auditing process do we have that they're meeting the goals that are being represented in expanding the Empire Zone?

**MS. FAHEY:**  
Annually, they have to submit a business annual report to the Empire Zone Coordinator, who reviews it, compiles the data, then sends it up to New York State Taxation and Finance, the Empire State Director in New York State, Empire State Economic Development. There are three or four different levels of oversight and --

**LEG. D'AMARO:**  
So there are specific stated targets that have to be met?

**MS. FAHEY:**  
Correct.

**LEG. D'AMARO:**  
Is that accurate?

**MS. FAHEY:**  
Correct.

**LEG. D'AMARO:**  
And what is the consequence if the targets are not met?

**MS. FAHEY:**  
They face decertification.

**LEG. D'AMARO:**  
And that means?

**MS. FAHEY:**  
That means that the benefits going -- they lose the tax credits going forward.

**LEG. D'AMARO:**  
Okay. And that's spread out over a ten-year period.

**MS. FAHEY:**  
Five years.

**LEG. D'AMARO:**

A five-year period? So each of those five years, there is a review mechanism in place to make sure targets are being met --

**MS. FAHEY:**

Correct.

**LEG. D'AMARO:**

-- and the representations being made here are being fulfilled?

**MS. FAHEY:**

Correct.

**LEG. D'AMARO:**

Okay. Thank you.

**P.O. LINDSAY:**

We have a motion and a second. And before we vote, I just want -- could I have everyone's attention, please. We're going to take a vote. Just to clarify this issue is we have an Economic Development Department whose charge is to attract companies to our County and to keep companies to our County. They do that through tax incentives that, for the most part, we get from New York State. Ms. Fahey has brought this proposal back to us and now it's time to decide whether you want to try and keep 280 jobs in Suffolk County or you want to let them go. So we have a motion and a second. All in favor? Opposed?

**LEG. BARRAGA:**

Opposed.

**LEG. ALDEN:**

Opposed.

**LEG. KENNEDY:**

Opposed.

**P.O. LINDSAY:**

Abstentions? Okay. Do you have -- do you have them, Mr. Clerk?

**LEG. KENNEDY:**

Roll call.

**MR. LAUBE:**

Fourteen.

**LEG. BARRAGA:**

Roll call.

**P.O. LINDSAY:**

All right. They want a roll call. Call the roll.

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

**LEG. MYSTAL:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. COOPER:**

No.

**LEG. D'AMARO:**

Yes.

**LEG. STERN:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. KENNEDY:**

No.

**LEG. BARRAGA:**

No.

**LEG. ALDEN:**

No.

**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:**

Fourteen.

**P.O. LINDSAY:**

Back to Page 9. *1870 - Authorizing planning steps for acquisition of the Suffolk County Multifaceted Land Preservation Program, the DeLea property, Town of Brookhaven.*

**LEG. LOSQUADRO:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Losquadro. Do I have a second? Second by Legislator Eddington. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*J.R. 1911 - Authorizing planning steps for acquisition under the Suffolk County Multifaceted Land Preservation Program, the Nicklin Property, Town of Shelter Island.*

**LEG. ROMAINE:**

Motion.

**LEG. SCHNEIDERMAN:**

Second.

**P.O. LINDSAY:**

Motion by Legislator Romaine.

**LEG. SCHNEIDERMAN:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*1936 - Authorizing acquisition of land under the Suffolk County Save Open Space, Farmland Preservation, and Hamlet Parks Fund, Hamlet Parks Component, for the R.D. Associates, Incorporated, property, Town of Babylon.*

**LEG. MYSTAL:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Mystal, seconded by Legislator Horsley. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*1937 - Authorizing acquisition of Farmland Development Rights under the New Suffolk County Drinking Water Protection Program for the North Shore Homefinders, Ltd. Property, Town of Brookhaven.*

**LEG. LOSQUADRO:**

Motion.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*1938 - Appropriating funds in connection with Suffolk County Multifaceted Land Preservation Program and authorizing acquisition of Farmland Development Rights under the Suffolk County Multifaceted Land Preservation Program for the Shoreline Development Corporation, Town of Riverhead.*

**LEG. ROMAINE:**

Motion.

**P.O. LINDSAY:**

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

**LEG. ROMAINE:**

Would the Clerk please list me --

**MR. LAUBE:**

18.

**LEG. ROMAINE:**

-- as a cosponsor.

**MR. LAUBE:**

Yes, sir.

**P.O. LINDSAY:**

On the accompanying bonding resolution, **1938A**, same motion, same second. Roll call.

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

**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:**

Yes.

**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:**

Eighteen.

**P.O. LINDSAY:**

All right. *1941 - Authorizing planning steps for the acquisition of lands previously approved under the Community Greenways Fund for open space preservation.*

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

Motion.

**LEG. ROMAINE:**

Motion.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

***J.R. 1961 - Appropriating funds from the Water Quality Protection Program, Fund 475, Fund Balance for the acquisition of land in the Pine Barrens and Non-Pine Barrens Towns and for parkland operating and security expenses in accordance with Local Law 21 of 1996.***

**LEG. ROMAINE:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Romaine. Do I have a second?

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

Second.

**LEG. COOPER:**

Second.

**P.O. LINDSAY:**

Second by Legislator Vilorina-Fisher. All in favor?

**LEG. ALDEN:**

On --

**P.O. LINDSAY:**

Oh, wait.

**LEG. ALDEN:**

On the motion.

**P.O. LINDSAY:**

On the motion, Legislator Alden.

**LEG. ALDEN:**

And through the Chair, maybe Gail knows the answer to this. What portion of this goes towards operating and security expenses, and if you have a dollar amount for that?

**MS. VIZZINI:**

There's 79,707 that's going for repairs of buildings. This is capturing the old 475 money.

**LEG. ALDEN:**

But security and operating expenses are ongoing. Where is that going to come from in the future, or is this just one shot?

**MS. VIZZINI:**

This is the -- this is the old Water Quality money that still was difficult to spend. Environment and Energy has captured what there is available and designated \$79,707 for the maintenance and security. It's going to be used for building repairs.

**LEG. ALDEN:**

Wow. Okay.

***(\*The following was taken and transcribed by  
Alison Mahoney - Court Stenographer\*)***

**P.O. LINDSAY:**

Gail, does this come out of the sales tax money?

**MS. VIZZINI:**

This is sales tax money, but it's the old program -- we discussed this in committee. These monies were designated for specific towns, that's how the old program used to be. It's been very challenging for them to spend it because it's very specific. We've often criticized them and now they've identified how they can spend it.

**P.O. LINDSAY:**

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

**LEG. ALDEN:**

Abstain.

**P.O. LINDSAY:**

One abstention.

**MR. LAUBE:**

Sixteen (Abstention: Legislator Alden - Not Present:  
Legislator Romaine).

**P.O. LINDSAY:**

**Labor, Workforce & Affordable Housing:**

***1894-07 - Authorizing the sale of County-owned real property pursuant to section 72-h of the General Municipal Law to the Town of Islip for affordable housing purposes (SCTM No. 0500-158.00-03.00-045.000) (County Executive).*** Motion by --

**LEG. MONTANO:**

I'll make it.

**P.O. LINDSAY:**

By Legislator Montano.

**LEG. ALDEN:**

Second.

**LEG. BARRAGA:**

Second.

**P.O. LINDSAY:**

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

**LEG. ALDEN:**

Cosponsor.

**MR. LAUBE:**

Seventeen (Not Present: Legislator Romaine).

**P.O. LINDSAY:**

***1895-07 - Authorizing the sale of County-owned real property pursuant to section 72-h of the General Municipal Law to the Town of Islip for affordable housing purposes (SCTM No. 0500-202.00-01.00-009.000) (County Executive).***

**LEG. MONTANO:**

Motion.

**P.O. LINDSAY:**

Same motion, same second.

**LEG. BARRAGA:**

No, give it to Alden.

**LEG. ALDEN:**

It doesn't matter; I'll take a cosponsor.

**LEG. MONTANO:**

That's my district.

**P.O. LINDSAY:**

Okay, motion by Legislator Montano, seconded by Legislator Barraga.  
All in favor? Opposed? Abstentions?

**LEG. MONTANO:**

Cosponsor.

**LEG. ROMAINE:**

Here.

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

***1898-07 - Authorizing the sale of County-owned real property pursuant to section 72-h of the General Municipal Law to the Town of Babylon for affordable housing purposes (County Executive).***

**LEG. D'AMARO:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator D'Amaro. Do I have a second?

**LEG. MYSTAL:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

We did 1926, 26A.

**Parks & Recreation:**

***1928-07 - Appropriating funds in connection with modification for compliance with the Americans with Disabilities Act (ADA) at Suffolk County Vanderbilt Museum (CP 7450)(Cooper).***

**LEG. MYSTAL:**

Tim, 1898, cosponsor.

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

Motion.

**LEG. NOWICK:**

Second.

**P.O. LINDSAY:**

Motion by Legislator Vioria-Fisher, seconded by Legislator Nowick. All in favor? Opposed?  
Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

The *accompanying Bond Resolution, 1928A*, same motion, same second; roll call.

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

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

Yes.

**LEG. NOWICK:**

Yes.

**LEG. COOPER:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. STERN:**

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:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. ROMAINE:**

Yes.

**P.O. LINDSAY:**

Yes.

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

**Public Safety:**

***1855-07 - Adopting the Corporate Emergency Access System for use during periods of restricted public access and execute related agreements as necessary (County Executive).***

**LEG. EDDINGTON:**

Motion to approve.

**LEG. LOSQUADRO:**

Second.

**P.O. LINDSAY:**

Motion to approve by Legislator Eddington, second by Legislator Losquadro. Can I get an explanation on this one? I missed the Safety meeting.

**MR. NOLAN:**

This resolution authorizes FRES to work with a non-profit organization and enter into a contract with them. What they will do is develop a program that authenticates critical business employees for access to restricted areas following a disaster; so allow workers to go back into their jobs essentially after disaster, the cost will be borne by the private sector participants in the program. FRES came in and the Police Department as well and were supportive of this.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

***1951-07 - Amending the 2007 Capital Budget and Program and appropriating funds in connection with the replacement of Caumsett Radio Tower at Caumsett State Park, Town of Huntington (CP 3215). (County Executive).***

**LEG. MYSTAL:**

Town of Huntington.

**LEG. STERN:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Stern.

**LEG. COOPER:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

***1951A, the accompanying Bond Resolution***, same motion, same second; roll call.

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

**LEG. STERN:**

Yes.

**LEG. COOPER:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. MYSTAL:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. BARRAGA:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. EDDINGTON:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. CARACAPPA:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. ROMAINE:**

Yes.

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

Yes.

**P.O. LINDSAY:**

Yes.

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

**Public Works & Transportation:**

***1916-07 - Authorizing the execution of an agreement by the Administrative Head of Suffolk County Sewer District No. 6 - Kings Park with Flynn Subdivision (SM 1594)(County Executive).***

**LEG. NOWICK:**

Motion.

**LEG. KENNEDY:**

Second.

**P.O. LINDSAY:**

Motion by Legislator Nowick, second by Legislator Kennedy.

**LEG. NOWICK:**

Tim, cosponsor.

**P.O. LINDSAY:**

All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

***1917-07 - Authorizing the execution of an agreement by the Administrative Head of Suffolk County Sewer District No. 3 - Southwest with 55 Marcus Drive Building (HU 1588)(County Executive).*** Do I have a motion?

**LEG. COOPER:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Cooper, seconded by Legislator Viloría-Fisher.  
On the question? All in favor? Opposed?

**LEG. ALDEN:**

Opposed.

**P.O. LINDSAY:**

Abstentions?

**MR. LAUBE:**

Seventeen (Opposed: Legislator Alden).

**LEG. MYSTAL:**

Sixteen.

**MR. LAUBE:**

No, seventeen.

**P.O. LINDSAY:**

*1920-07 - Amending the 2007 Capital Budget and Program and appropriating funds in connection with the rehabilitation of Smith Point Bridge, Town of Brookhaven (CP 5838) (County Executive).*

**LEG. BROWNING:**

Motion.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

On the *accompanying Bond Resolution, 1920A*, same motion, same second; roll call.

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

**LEG. EDDINGTON:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. COOPER:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. STERN:**

Yes.

**LEG. MYSTAL:**

Yes.

**LEG. HORSLEY:**

Yep.

**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:**

Eighteen.

**P.O. LINDSAY:**

Okay, the next one, 1921, I'm going to skip over because there's a corrected copy in the packet of CN's.

***1922-07 - Appropriating funds in connection with the rehabilitation of the Shinnecock Canal Bulkhead, Town of Southampton (CP 5348).  
(County Executive).***

**LEG. SCHNEIDERMAN:**

Motion.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

Same motion, same second; roll call.

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

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. COOPER:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. STERN:**

Yes.

**LEG. MYSTAL:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. BARRAGA:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. EDDINGTON:**

Yes.

**LEG. CARACAPPA:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. ROMAINE:**

Yes.

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

Yes.

**P.O. LINDSAY:**

Yes.

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

Okay, that was 1922A.

***1923-07 - Appropriating funds in connection with the purchase of dredge support equipment (CP 5201) (County Executive).***

**LEG. SCHNEIDERMAN:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Schneiderman, seconded by Eddington.

All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**LEG. ROMAINE:**

Would the Clerk please list me as a cosponsor?

**MR. LAUBE:**

Yes, sir.

**LEG. SCHNEIDERMAN:**

And myself as well.

**P.O. LINDSAY:**

**1923A**, same motion, same second on the ***Bonding Resolution***; roll call.

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

**LEG. SCHNEIDERMAN:**

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:**

Yep.

**LEG. BROWNING:**

Yes.

**LEG. ROMAINE:**

Yes.

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

Yes.

**P.O. LINDSAY:**

Yes.

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

***IR 1943-07 - Authorizing transfer of a 1987 Ford Van to the Town of Shelter Island (County Executive).***

**LEG. ROMAINE:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Romaine.

**LEG. SCHNEIDERMAN:**

Second.

**P.O. LINDSAY:**

Seconded by Legislator Schneiderman. On the question, Legislator Losquadro.

**LEG. LOSQUADRO:**

I thought we had gone away from donating vehicles or giving them away at a reduced cost, that we were just auctioning vehicles off at market value. Why are we giving a vehicle to another taxing entity?

**P.O. LINDSAY:**

Legislator Romaine seems to want to answer that question.

**LEG. ROMAINE:**

The answer to that question, we're not giving anything, they are paying for it at a price established by the County Executive as a fair market price for the vehicle.

**LEG. LOSQUADRO:**

Is there someone who could tell us what that price is, because it's not listed. Is it in the resolution?

**MR. NOLAN:**

Two thousand and three dollars.

**LEG. LOSQUADRO:**

Okay.

**P.O. LINDSAY:**

1987.

**LEG. LOSQUADRO:**

For a 1987?

**P.O. LINDSAY:**

Do you want to buy it?

**LEG. LOSQUADRO:**

Fine, thank you. That's enough.

**P.O. LINDSAY:**

As I recall, we did change the policy of in terms that it would be at market value, not necessarily that it would be auctioned off.

**LEG. LOSQUADRO:**

Market value. Okay, thank you.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**LEG. ROMAINE:**

Would the Clerk please list me as a cosponsor?

**MR. LAUBE:**

Seventeen (Not Present: Legislator Mystal). Yes, sir.

**P.O. LINDSAY:**

***1947-07 - Authorizing the transfer of six (6) surplus County computers, six (6) surplus County monitors, two (2) surplus County printers and one (1) surplus County keyboard to the Adaptive Aquatics Program at SUNY Stony Brook (Kennedy).***

**LEG. KENNEDY:**

Motion.

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

Second.

**P.O. LINDSAY:**

Motion by Legislator Kennedy, seconded by Legislator Vilorio-Fisher. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*1950-07 - Authorizing transfer of ten (10) surplus County computers and three (3) surplus County printers to the Lighthouse Resource Center, Inc. (Montano).*

**LEG. MONTANO:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Montano.

**LEG. EDDINGTON:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*1960-07 - Approving the purchase of vehicles in accordance with Section 186-2(B)(6) of the Suffolk County Code and in accordance with the County Vehicle Standard (County Executive).* Do I have a motion?

**LEG. CARACAPPA:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Caracappa.

**LEG. LOSQUADRO:**

Second.

**LEG. BROWNING:**

Second.

**P.O. LINDSAY:**

Second by Legislator Losquadro.

**LEG. ALDEN:**

Explanation.

**LEG. KENNEDY:**

On the motion.

**P.O. LINDSAY:**

Explanation.

**MR. NOLAN:**

According to the resolution, this is 109 replacement vehicles, 80% Federally funded. I believe the resolution alludes to hybrid vehicles.

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

Some of them, right, because some of them are (inaudible).

**MR. NOLAN:**

The resolution doesn't really say what the breakdown is.

**P.O. LINDSAY:**

Does anybody have any -- Legislator Kennedy.

**LEG. KENNEDY:**

Yeah, my questions is -- are, Mr. Chair, and maybe I have this confused; I know Mr. Anderson is here, but I'll ask Counsel first. Weren't there a couple of items in there that were actually SUV's, four-wheel drive SUV's, or am I confusing the resolution?

**P.O. LINDSAY:**

Would you know that, Commissioner Anderson?

**COMMISSIONER ANDERSON:**

There are some -- I believe there are; yes, there are some SUV's in there.

**LEG. KENNEDY:**

Okay. Is there a four-wheel-drive SUV for Economic Development?

**COMMISSIONER ANDERSON:**

I don't have that information in front of me; unfortunately I can't tell you.

**LEG. KENNEDY:**

My recollection is that I saw a four-wheel drive SUV for Economic Development and, you know, it immediately came to mind. Is there criteria for approving for a department when they're getting a four-wheel-drive SUV?

**COMMISSIONER ANDERSON:**

If I'm not mistaken, I recall that and that was for the airport. I don't know what exactly they were doing with it, but I do know that it was for the airport's use, possibly for -- with some relationship to snow removal but, again, I don't have that information in front of me.

**LEG. KENNEDY:**

All right, let me just shift gears to the procurement process.  
Does the department have to --

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

(Inaudible).

**LEG. KENNEDY:**

Yeah, you're right. Does the department have to provide some kind of justification in order to get -- a four-wheel-drive SUV is a 45 or \$50,000 vehicle, correct; approximately?

**COMMISSIONER ANDERSON:**

Correct.

**LEG. KENNEDY:**

Okay. Is there some rationale for them to get a vehicle of that type?

**COMMISSIONER ANDERSON:**

Generally it's -- if the need is off-road or in snow emergencies, being used for some type of snow emergency.

**LEG. KENNEDY:**

Okay, so we're going to hope, then, that this is for the airport.  
All right, all right, I'll yield.

**P.O. LINDSAY:**

I apologize, we just had a side conversation going on over here whether there is a hybrid SUV and my colleagues tell me there is one made by Lexus, and I said I just can't picture our County Executive buying --

**LEG. MONTANO:**

Lexus makes one, it's \$80,000.

**P.O. LINDSAY:**

-- a Lexus, I'm sorry.

**COMMISSIONER ANDERSON:**

Ford makes one as well. Yeah, Ford makes one.

**P.O. LINDSAY:**

Okay. Anybody have any more questions about the vehicle purchase? Okay, all in favor? Opposed? Abstentions? If you would stay there, Mr. Anderson, I'm going to go back --

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

-- because we skipped over a resolution until we could get the -- some input from the department and as soon as you give your input to this, I'm not sure -- I don't think we would need you anymore, so you could probably go home.

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

It's under the Tabled Resolutions.

**LEG. NOWICK:**

1433.

**P.O. LINDSAY:**

Okay.

**LEG. ALDEN:**

Page seven.

**P.O. LINDSAY:**

Page seven, ***1433-07 - 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) (Romaine)***, which is something I know we've talked about this before, so -- but there is some questions about it. Legislator Browning, did you have a question of the department?

**LEG. BROWNING:**

Yeah, curiosity; how many traffic lights like this have we installed, DPW?

**COMMISSIONER ANDERSON:**

I don't have that number in front of us, but we -- we have done it in the past.

**LEG. BROWNING:**

Okay. Because basically what it is is the fire department called me and said they do need that light; it's not that they just want it, they need it, it's a safety issue. So that's what I need to know is have you done it before and how many times have you done it before?

**COMMISSIONER ANDERSON:**

Again, I don't have the exact number, we have done it.  
We generally don't expend DPW funds to do it, but we have done it.

**LEG. BROWNING:**

Okay. And my question -- maybe Mr. Romaine can answer this. I know that the substation has not yet been built, when do they plan to do ground breaking?

**COMMISSIONER ANDERSON:**

Next year I believe it begins construction.

**LEG. ROMAINE:**

My understanding -- through the Chair, my understanding is that the Manorville Fire Department will begin the construction of the substation next spring.

My understanding also is that it usually takes six to eight months after a resolution is approved to see lights installed. So if you're expecting a light the day after or the month after or, you know, somewhere before the end of the year, it ain't happening. Because when we approve resolutions, it takes DPW on the average of six to eight months to install lights; is that not correct, Commissioner?

**COMMISSIONER ANDERSON:**

Yes, to design and install. Once the design is complete, it's relatively, you know, something we can do quickly.

**LEG. ROMAINE:**

Right, but it does take time because I can site other examples from Westphalia right on down. So the reason this resolution is up now is because we have a fire substation being constructed on a town road that has the nearby intersection of a County Road that they may have to cross to respond to alarms. If the signal does not turn red to stop the traffic, they can't cross the four-lane divided highway.

**P.O. LINDSAY:**

Okay, Legislator Cooper had a question.

**LEG. COOPER:**

The sponsor answered part of it, but one of the reasons that I had made a motion to table this was that I thought that the resolution was just way too preliminary. But now you're saying -- earlier today I wasn't able to get information as to when they expected to even break ground, now you say that you think that they'll be breaking ground in the spring. When do you expect them to actually complete the work on the substation? Is this something we have to address now or can we wait until the spring or even later to take this up? Why the rush?

**LEG. ROMAINE:**

I will wait --

**LEG. COOPER:**

Why the rush?

**LEG. ROMAINE:**

Why the rush? Through the Chair, again, the rush is because it could take eight months or more from the time a resolution passes to the time that lights are installed, and I have experience in waiting and noting when resolutions have passed and when finally the light is installed. I don't have the power that the County Executive does to get lights up overnight, and when the Legislature passes it, if it's not a high priority, it will take at least eight months, maybe longer, to have that done.

**LEG. COOPER:**

But they won't even be starting construction until five or six months it looks like. And how long will it take for them to actually complete the substation?

**LEG. ROMAINE:**

That I don't know, I haven't made that inquiry. I haven't seen the final construction plans and I haven't asked them how long is it going to take. They've asked that a light be installed, understanding the process and how long it would take, I would want to see a signal up there. The signal is only going to turn red when the fire department, through {NOSAP}, sets it off and they cross -- so they need to cross the highway to get to the other side of the community to address an alarm situation.

**MR. ZWIRN:**

If I may, Mr. Chairman?

**P.O. LINDSAY:**

Yes, Mr. Zwirn.

**MR. ZWIRN:**

I had a chance to talk to the fire department today just to try to get an update on when construction would begin and they said some time -- hopefully, they weren't sure exactly when -- some time hopefully in the spring of '08.

But I think what you may not understand is that County Road 111 -- the fire station will be on Halsey-Manor Road, a town road, it intersects somewhere a little bit down the road with County Road 111. County Road 111 is four lines, two lanes going south, two lanes going north with trees in the middle. So you're going to have to put up not one but two lights; you're going to have one on the north side, one on the south side, so it's going to be two lights. I indicated, and I had a chance to talk to Legislator Romaine during the break, that DPW is looking at this and they think it's going to take more money than \$75,000, they think it's going to cost closer to \$100,000 because you have to do a second light on the other side of the County -- on the other side of County Road 111.

So, since there's so much time before this has -- this needs to be done, maybe we should go back, revisit it, get it done right, get the right number in the budget and do it the right way. There is no pressing need at the present time because there is no substation.

**P.O. LINDSAY:**

I figured you'd want to respond.

**LEG. ROMAINE:**

No, I have quick question.

**P.O. LINDSAY:**

Go ahead.

**LEG. ROMAINE:**

Quick question; if we table the resolution now and we amend it and make it \$100,000, would the

Executive's Office support this resolution?

**MR. ZWIRN:**

We'll take a look at the resolution.

**LEG. ROMAINE:**

Will you support --

**MR. ZWIRN:**

But we know that the resolution as it stands now, one, is premature and, two, from what we understand, it's underfunded. It will be up to the Legislature at that point to make that decision.

**P.O. LINDSAY:**

But will you put it in blood?

**MR. ZWIRN:**

You could have it in my blood.

**P.O. LINDSAY:**

Any other comments, questions?

**MS. VIZZINI:**

Mr. Presiding Officer?

**P.O. LINDSAY:**

Oh, wait, Ms. Vizzini wants to weigh in.

**MS. VIZZINI:**

I just want to clarify for the Legislature that this is a Capital Project with a Capital offset. The offset is available currently, that could change as the demands of the Capital Program grow. And as you know, if you don't appropriate Capital monies before the end of the year, they lapse.

**P.O. LINDSAY:**

Okay, thank you for refreshing our memory. Legislator D'Amaro.

**LEG. D'AMARO:**

Yeah, I know -- thank you. I know we discussed this I think at the last session and Mr. Hillman was here speaking to the resolution, and I recall that he was recommending that we not approve the resolution based on the fact that this was not a light being placed at the firehouse but somewhere in proximity to the firehouse and that was not standard procedure; is my recollection correct?

**COMMISSIONER ANDERSON:**

I believe so. I think Bill's concern was -- I spoke to Bill before coming here and his concern was -- and again, I guess the record would show -- that we don't allow lights or signals to be installed at driveways. I can check with Bill on the --

**MR. ZWIRN:**

Right. And in this case, the fire department is going to pay for the light in front of the firehouse.

**LEG. ROMAINE:**

Right.

**MR. ZWIRN:**

They're going to take care of that, but they're asking us to take care of the one on County Road 111 which is down the road. It's a little bit different than a situation I think that we've had in the past, but it's a County road. It would be up to the Legislature at some point, but we're just saying, maybe we should get it right and then address it at that time; right now, again, it's premature. And we're

not sure that the amount of money that's covered in this piece of legislation would be enough to pay for both lights, because I don't think it was anticipated that there were going to be two, but that's what's going to be needed.

**P.O. LINDSAY:**

Could I -- just to clarify something in my mind. So the -- initially it was the department's feeling that we shouldn't pay for the light at all, that it should be paid for by the department.

**MR. ZWIRN:**

Right.

**P.O. LINDSAY:**

Now that's changing; we agree that we should pay for the light, we just don't have the right amount because of design problems and we think it might be underfunded?

**MR. ZWIRN:**

Well, I think we get a sense of the Legislature when we hear and watch the dynamics going back and forth and I think there was a sense that the Legislature might be leaning toward doing this, which is fine, but we want to make sure it's done the right way. And we're not saying don't do it, but we're saying it's different than what we've done in the past. If the Legislature says go ahead and do it then, you know, it will take its course from there, but we just want to make sure that it's done right and at least that we have the time so we have a chance to do it the right way.

**P.O. LINDSAY:**

Do we -- is it unusual for the fire department to pay for this signalization on a County Road like this if it's remote from the department, or is it the usual that we pay for it?

**COMMISSIONER ANDERSON:**

I mean, the fact that it's remote is unusual, it is somewhat of an unusual situation.

**P.O. LINDSAY:**

For the department to pay for it, for the fire department to pay for it.

**COMMISSIONER ANDERSON:**

No, because it services directly the fire department. I mean, the --

**P.O. LINDSAY:**

Well, I mean, if we're going to go -- at some point, as population increases out there, we're probably going to signal this intersection anyway.

**COMMISSIONER ANDERSON:**

Correct, but that's a different being -- you know, a three-phase signal is different than what's being installed and proposed now, that's strictly a flashing yellow light that will turn red.

**P.O. LINDSAY:**

Okay, but wouldn't it behoove us to go forward and install the full-fledged signalization now and just have it flash?

**COMMISSIONER ANDERSON:**

No, at this point it's not warranted; we've done the study and the three-phase signal, the red, yellow and green, is not warranted.

**P.O. LINDSAY:**

Okay. But, I mean, even if we just installed the red light, we have to install the poles, you have to put some kind of loop or tripping device, you have to put up the guide wires, you have to put up the device, the only difference is really the head, no?

**COMMISSIONER ANDERSON:**

Right, yes. But your -- you know, it could also become confusing to the community where you have a flashing three-phase signal. Because normally, when you install a new fixture, it does flash so that people become aware of it and then at some point it becomes signalized.

**P.O. LINDSAY:**

It becomes activated, okay. So we would just install this, but in effect we're probably doing 75% --

**COMMISSIONER ANDERSON:**

Yes.

**P.O. LINDSAY:**

-- of the work towards the full signalization of the intersection.

**MR. ZWIRN:**

On County Road 111 we've added four traffic lights probably in the last two years on a five mile stretch and now there are five lights on that road right now. That's the road that takes you from the end of -- Exit 70 down to Sunrise Highway and out into the east end, a road I'm very familiar with.

**P.O. LINDSAY:**

If we were to, you know, give you guys some time on a better number and design, what are we looking at before we'd have an answer? I mean, would we have it before the end of the year so we could, you know, do it in the '07 Capital?

**MR. ZWIRN:**

Yes.

**COMMISSIONER ANDERSON:**

Absolutely.

**P.O. LINDSAY:**

How is that, Legislator Romaine?

**LEG. ROMAINE:**

Legislator Lindsay, you're always the voice of moderation and reason. I'm happy to --

**LEG. MYSTAL:**

Bring the violin.

**LEG. ROMAINE:**

I'm happy --

**P.O. LINDSAY:**

Let him talk, let him talk.

**LEG. ROMAINE:**

I'm happy to have this tabled if Ms. Vizzini will tell us if there's sufficient time for me to amend this resolution and have it come in front of this body at our next full meeting which I believe is the 16th of November -- the 20th of November.

**P.O. LINDSAY:**

Actually, you have three meetings before the end of the year; if you appropriate the money before the end of the year, it's '07 Capital.

**LEG. ROMAINE:**

And that's sufficient, Ms. Vizzini? Mrs. Vizzini.

**MS. VIZZINI:**

My only question is that you have several CN's in front of you that begin to use Capital Projects as offsets and you have -- you know, you have competition for the monies in the Capital Program.

**LEG. ROMAINE:**

Thank you, Gail. I guess I am going to move forward with the resolution based on that premise, because I don't want to find out after -- and by the way, Ben, I've got to tell you, the Executive is getting his money's worth. I admire your spin because had I followed --

**MR. ZWIRN:**

You're right, Presiding Officer, we should just let him go on all afternoon. I want copies of this, please.

**LEG. ROMAINE:**

Nevertheless, I think I'll move forward with it as a way of locking up that money for the time being to make sure that it is there so I don't go hat-in-hand at the end of the year and find the pot is empty.

**P.O. LINDSAY:**

Okay, we have a motion to approve and a second.

**MR. LAUBE:**

No, no, you had a motion to table first.

**P.O. LINDSAY:**

Motion to table first, okay. Call the roll on it.

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

**LEG. COOPER:**

Yes to table.

**LEG. HORSLEY:**

Table.

**LEG. D'AMARO:**

Yes.

**LEG. STERN:**

Yes.

**LEG. MYSTAL:**

I'm just sick of that thing; no to table.

**LEG. NOWICK:**

No.

**LEG. KENNEDY:**

No to table.

**LEG. BARRAGA:**

No.

**LEG. ALDEN:**

No.

**LEG. MONTANO:**

No.

**LEG. EDDINGTON:**

No.

**LEG. LOSQUADRO:**

No.

**LEG. CARACAPPA:**

Nope.

**LEG. BROWNING:**

No.

**LEG. SCHNEIDERMAN:**

No.

**LEG. ROMAINE:**

No.

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

Yes.

**P.O. LINDSAY:**

Yes.

**MR. LAUBE:**

Six.

**LEG. ROMAINE:**

Motion to approve.

**P.O. LINDSAY:**

Motion to approve is before us. You want a roll again?

**LEG. BROWNING:**

Second.

**P.O. LINDSAY:**

Roll call.

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

**LEG. ROMAINE:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. COOPER:**

Yes, cosponsor. No, I'm just joking, but a yes, yes.

**P.O. LINDSAY:**

He wants some accolades, too, you know?

**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:**

Absolutely.

**LEG. BROWNING:**

Yes, cosponsor.

**LEG. SCHNEIDERMAN:**

Yes.

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

Yes.

**P.O. LINDSAY:**

Yes.

**MR. LAUBE:**

Eighteen.

**LEG. CARACAPPA:**

Go Eddie.

**P.O. LINDSAY:**

We have the same motion and the same second on the Bonding Resolution and we have to call the roll again; roll call.

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

**LEG. ROMAINE:**  
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.

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

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

Okay, back to page eleven.

**Ways & Means:**

***IR 1762-07 - Sale of County-owned real estate pursuant to Local Law 13-1976, Albert G. Mangels and Eleanor L. Mangels, his wife (SCTM No. 0500-372.00-04.00-016.000) (County Executive).*** Do I have a motion? Do I have a motion?

**LEG. MYSTAL:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Mystal.

**LEG. D'AMARO:**

Where are we?

**P.O. LINDSAY:**

Who's Ways & Means?

**LEG. MYSTAL:**

1762.

**P.O. LINDSAY:**

We need a second.

**LEG. D'AMARO:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

***1901-07 - Sale of County-owned real estate pursuant to Local Law 13-1976, Kenneth McLellan and Maureen McLellan, his wife (SCTM No. 0102-009.00-01.00-026.000) (County Executive).***

**LEG. D'AMARO:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator D'Amaro.

**LEG. MYSTAL:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*1902-07 - Sale of County-owned real estate pursuant to Local Law 13-1976, Gregg Lewis and Jacqueline A. Lewis, his wife (SCTM No.0600-079.00-01.00-015.039) (County Executive).*

**LEG. D'AMARO:**

Motion.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*1903-07 - Sale of County-owned real estate pursuant to Local Law 13-1976, Treavor Jones (SCTM No. 0200-899.00-01400-117.000). (County Executive).*

**LEG. MYSTAL:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator --

**LEG. STERN:**

Second.

**P.O. LINDSAY:**

-- Mystal, second by Legislator Stern. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

We did 1914.

1915-07 - Authorizing the acquisition of two permanent --

**LEG. MYSTAL:**

Did we skip 1904?

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

We didn't do 1904, I don't think.

**P.O. LINDSAY:**

Oh, I'm sorry, *1904-07 - Sale of County-owned real estate pursuant to Local Law 13-1976, Joseph R. Traina (SCTM No. 0900-056.00-01.00-019.027). (County Executive).*

**LEG. D'AMARO:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator D'Amaro, second by Legislator Mystal.

All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

We did 1914 already.

*1915-07 - Authorizing the acquisition of two permanent subsurface easements in and to a portion of certain public highway known and designated St. Andrew's Road for highway purposes and requesting approval from the Town of Southampton, Suffolk County, New York, for conveyance of same (County Executive).*

**LEG. SCHNEIDERMAN:**

Motion.

**LEG. LOSQUADRO:**

Second.

**LEG. D'AMARO:**

Second.

**P.O. LINDSAY:**

Second by Legislator D'Amaro. On the question, Legislator Mystal.

**LEG. MYSTAL:**

On the question; we did get the approval from the Town of Southampton.

**P.O. LINDSAY:**

Is this a question or a statement?

**LEG. MYSTAL:**

No, no, no, I'm just saying for information; we did get it.

**LEG. ALDEN:**

How much?

**LEG. SCHNEIDERMAN:**

We got it.

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

We have a temporary easement from the town.

**LEG. SCHNEIDERMAN:**

We still need to pass this because it's more than just requesting permission, it's actually taking the easements.

**LEG. MYSTAL:**

Yeah, we take it.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

***IR 1942-07 - Authorizing the sales of certain tax liens sold at the August 15th, 2007 auction as per Exhibit "A" (Omnibus Resolution).  
(County Executive).***

**LEG. MYSTAL:**  
Motion to table.

**LEG. EDDINGTON:**  
Motion to table.

**P.O. LINDSAY:**  
We have a motion to table by Legislator Mystal and seconded by Legislator Eddington, and I'm going to make a motion to approve.  
Do I have a second?

**LEG. D'AMARO:**  
I'll second the motion to approve.

**P.O. LINDSAY:**  
Okay. The tabling motion goes first.

**LEG. ALDEN:**  
Could we have an explanation?

**LEG. BARRAGA:**  
Could I get an explanation of this?

**LEG. ROMAINE:**  
Roll call.

**LEG. MONTANO:**  
No, explanation.

**P.O. LINDSAY:**  
Okay, explanation.

**MR. NOLAN:**  
By an earlier resolution this year, the Legislature authorized to attempt to sell the tax liens to Brownfield Properties. An auction was held, two properties the liens were borne to and this is approving the sales of those -- of the liens to those two properties.

**LEG. MONTANO:**  
Question.

**LEG. ROMAINE:**  
Question. Question.

**LEG. ALDEN:**  
I have a question.

**LEG. ROMAINE:**  
Point of information.

**P.O. LINDSAY:**

I'm going to ask that we quickly go into executive session.

**LEG. MYSTAL:**

I was going to withdraw my tabling motion because I just remembered what we discussed, an executive motion.

**P.O. LINDSAY:**

Well, I think that everybody just needs to be briefed a little bit because there is some associated litigation with this sale, all right? So I'm going to make a motion to go into executive session and seconded by Legislator Viloría-Fisher. I need the County Attorney's Office to be present.

**MR. LAUBE:**

Eighteen.

*(\*Executive Session: 5:33 P.M. - 6:00 P.M. \*)*

**P.O. LINDSAY:**

Okay, Mr. Clerk, we're back out of executive session and we have Resolution 1942 before us. And as I recall, we have a tabling resolution as well as a motion to approve?

**MR. LAUBE:**

Correct.

**P.O. LINDSAY:**

Correct; tabling goes first.

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

On the motion.

**P.O. LINDSAY:**

On the motion, Legislator Viloría-Fisher.

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

Why --

**LEG. LOSQUADRO:**

Microphone.

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

I was just curious as to why we were tabling it.

**LEG. MYSTAL:**

I made the motion to table because I --

**LEG. LOSQUADRO:**

You've got to use the mike, Elie.

**LEG. MYSTAL:**

-- thought that somehow we had decided to table it.

**LEG. LOSQUADRO:**

You have to use the mike.

**LEG. MYSTAL:**

Since --

**P.O. LINDSAY:**

We wanted more information on the bill.

**LEG. MYSTAL:**

Thank you; I can't push the button up. Okay, that's it.

**P.O. LINDSAY:**

We want more information, okay.

**LEG. SCHNEIDERMAN:**

Are you withdrawing it or are you keeping the tabling motion?

**P.O. LINDSAY:**

No, there's a motion to table before us.

**LEG. BARRAGA:**

I'll second that.

**LEG. MYSTAL:**

Let's just vote on it.

**P.O. LINDSAY:**

We already have a motion and a second.

**MR. LAUBE:**

That's correct.

**P.O. LINDSAY:**

Any other questions? I was asked a question on the motion.

**LEG. MONTANO:**

No, no, we understand that.

**P.O. LINDSAY:**

Legislator Alden has a question?

**LEG. ALDEN:**

On the motion. How much money -- if we approve this, how much money does come in and how much of a period of time do people have? Because all they're buying is the lien.

**P.O. LINDSAY:**

I think it's \$380,000 we're selling the liens for.

**LEG. ALDEN:**

That's the total and that was --

**P.O. LINDSAY:**

Something like that, right?

**LEG. ALDEN:**

How many parcels?

**MR. NOLAN:**

It's \$360,000 between the two properties.

**LEG. ALDEN:**

Okay.

**LEG. MONTANO:**

How much time before the --

**LEG. ALDEN:**

Yeah, how much time -- they have to pay the money up front, but how much time do they have to either foreclose those liens or not act on that?

**P.O. LINDSAY:**

Well, I don't have those questions for you. Maybe that's why you, you know, should consider about tabling it and we'll get those questions answered by Real Estate, because I don't see Mr. Kent here.

**LEG. ALDEN:**

Good, all right. Then through the Chair, we're going to arrange for him to come down to a General Session?

**P.O. LINDSAY:**

If it gets tabled, I will make sure that they're back here for the next General Session.

**LEG. ALDEN:**

Very good.

**P.O. LINDSAY:**

All right? Are there any other questions? Yes, Legislator D'Amaro.

**LEG. D'AMARO:**

Just on the motion. I respect that Legislator Alden has some questions and that should be a basis for him to table. I, on the other hand, have sat through two executive sessions and one committee hearing in Ways & Means and I have all the information that I need to cast my vote, so I'm going to be opposing the tabling motion.

**P.O. LINDSAY:**

Okay. Thank you very much.

**LEG. HORSLEY:**

There is no question.

**LEG. MONTANO:**

And the answer is?

**LEG. ALDEN:**

Then has -- through the Chair?

**P.O. LINDSAY:**

Go ahead, Legislator Alden.

**LEG. ALDEN:**

As Chairman, maybe you can answer a couple of those questions then for me. How long do they have to actually foreclose the lien?

**LEG. D'AMARO:**

How long does who have?

**P.O. LINDSAY:**

The successful low bidder, high bidder.

**LEG. ALDEN:**

The successful bidder or whatever you want to call him, the potentially successful bidder.

**LEG. D'AMARO:**

I think that -- I really don't know, but I would assume as long as they're paying the taxes, the current taxes, they would not be compelled to foreclose the land.

**LEG. ALDEN:**

But my understanding, the program does not compel them to pay the current taxes. And we don't get paid -- actually, all our back taxes we don't get paid until they foreclose the lien.

**LEG. D'AMARO:**

I don't think that's true; I think someone has to pay the current taxes or the County takes a further tax lien.

**LEG. HORSLEY:**

Not if it's dirty.

**LEG. ALDEN:**

No, after three -- don't they take it after three years?

**LEG. MONTANO:**

One year.

**LEG. D'AMARO:**

Well, why don't we ask --

**LEG. ALDEN:**

One year?

**LEG. NOWICK:**

Not for industry; one year for industry, three years for --

**LEG. MONTANO:**

Is this commercial or residential?

**LEG. ALDEN:**

Yeah, most of the restrictions on the property, when we sell it, is it zoned commercial or is it zoned residential?

**MS. BIZZARRO:**

I will try to answer the questions if I can. I'm going to guess that this is commercial, these are commercial properties both, zoned RA --  
I'm sorry.

**LEG. ALDEN:**

But Lynne, with an eye towards -- Suffolk County up-fronts some money to all the other municipalities, including the school district. So we've got a considerable outlay, even on a piece of property like this where the taxes aren't being paid. So the auction, an upset price had to be a minimum of what we've outlaid plus interest?

**MS. BIZZARRO:**

Correct. Yes, it was interest, penalties; I'm not sure about all the numbers.

**LEG. ALDEN:**

Okay. And then they have X amount of time to foreclose the lien which is how much?

**MS. BIZZARRO:**

I don't know the time because as Legislator D'Amaro stated, you know, as long as they keep the current taxes paid and they hold on to that lien, I don't know if there's an expiration on their time to foreclose on it. But somebody will have to pay those taxes otherwise then the County would come in and take another lien; and on the vacant property it's within a year, it's not the three years.

**LEG. D'AMARO:**

The owner of the -- I'm sorry.

**MS. BIZZARRO:**

So we can continue to take the tax liens as they come up when the taxes aren't paid, so whoever buys this -- you know, these tax liens would, you'd think, conceivably pay the taxes if they want to hold on to the property.

**LEG. ALDEN:**

Okay, but this is past tax status state, obviously. So this would apply to -- when do they actually -- they don't go into title unless they foreclose the lien, so they're not entitled, right?

**MS. BIZZARRO:**

Correct, correct.

**LEG. ALDEN:**

So they have no responsibility then towards any clean-up unless they elect to --

**MS. BIZZARRO:**

Not until they take title, correct.

**LEG. ALDEN:**

Until they foreclose and that would be foreclosing the lien.

**MS. BIZZARRO:**

Correct.

**LEG. ALDEN:**

Against -- who do they foreclose that against, the former owner?

**MS. BIZZARRO:**

Yeah, the former owner would be named as a party, potentially the County would, whoever, you know, somehow was involved in the property, but definitely the prior owner, yes.

**LEG. ALDEN:**

And there's nothing in the lien law or tax law in the State of New York or Suffolk County on how long somebody can hold the lien?

**MS. BIZZARRO:**

There may be and I just don't know the answer to that, just speaking to you.

**LEG. ALDEN:**

Maybe Lou's got that answer.

**LEG. D'AMARO:**

I don't have that answer. But I would assume, just through the Chair, that -- and again, Legislator Alden, I respect your right to ask questions, you know, I don't question that. But what I'm saying is that if someone is going to go to an auction, take the trouble to bid, buy a contaminated -- or buy the tax lien for a contaminated property, they're going to have to pay the current taxes to protect

their interest otherwise they're going to lose everything they put up in the bid, the County is being made whole through the sale of the tax lien. I don't -- you know, at that point, this bidder is in the same position as any other bidder at any other auction.

**LEG. ALDEN:**

Well, not really because in a bid process there's always a determination by the municipality as to who is a qualified bidder and that is up to the municipality, whether it be a school board or whether it be the State of New York or the County of Suffolk who qualifies as a bonafide bidder, and that's up to us to decide that. But did they already give these two successful bidders or high bidders or whatever you want to call it, did they give a certified check to the County of Suffolk for the entire amount of their bid?

**MS. BIZZARRO:**

I don't know the answer to that.

**LEG. ALDEN:**

Did they give any money to the County of Suffolk?

**MS. BIZZARRO:**

I don't know if they gave some type of a deposit.

**LEG. ALDEN:**

How long -- do you know whether they have a length of time where they have to actually close on the lien?

**MS. BIZZARRO:**

Again, I think, unfortunately, Chris Kent probably would be the best one to answer that question.

**P.O. LINDSAY:**

She doesn't have those answers, all right?

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

You have to wait for Chris Kent.

**LEG. ALDEN:**

All right.

**P.O. LINDSAY:**

Did somebody else -- yes, Legislator Mystal.

**LEG. MYSTAL:**

I'm going to try to see if I can make this easy.

**LEG. MONTANO:**

You can't, Elie.

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

Let's just vote.

**LEG. MYSTAL:**

Let me try. The guy, whoever buys the property -- just follow a little bit of logic, I know it's very hard.

**LEG. D'AMARO:**

Tax lien.

**LEG. MYSTAL:**

He buys the tax lien, okay, he is speculating that maybe the contamination is not that much. He's going to go and take the tax lien, look at it and say, "Okay, how much would it cost me to clean this property?" Let's say it's going to cost him \$200,000. He says, "Okay, I bought the property for 180, it's going to cost me \$200,000 to clean it up, then maybe I can sell it for about half a million and make a profit." But let's say he goes in and the property is going to take him \$2 million to clean it up, he goes, "Okay, I'm going to walk away, I lost \$180,000," and he walks away and the County takes the property back. It's speculation. We have Brownfields, he's speculating that maybe he can clean it up, and if he can't clean it up to a certain amount of money that he knows he can turn a profit on, he's going to build on it and the County will take it back; it's a simple deal.

**P.O. LINDSAY:**

Okay, a simple deal. Let's get to the vote.

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

Let's vote.

**LEG. NOWICK:**

Let's vote on the simple deal.

**LEG. D'AMARO:**

Bill, I had one more question, please.

**P.O. LINDSAY:**

Okay.

**LEG. D'AMARO:**

The Department of Health does a survey to determine the potential clean-up costs; is that correct, Ms. Bizzarro? Well, let me answer that because in --

**LEG. ROMAINE:**

Ask it and answer it.

**LEG. D'AMARO:**

What's her name? I forgot her name. Gail; Gail stated that the Department of Health estimates clean-up costs and that's public information at the time of the auction. Those who are bidding on the properties are aware of that cost, they've already made their economic analysis, they've already assessed the risk and that's why they're going forward.

**MS. BIZZARRO:**

Yes, it's sold as is, it's clearly Brownfield. Everyone knows going in it's contaminated and there's going to be a cost associated with that, absolutely.

**P.O. LINDSAY:**

Okay, roll call on the tabling motion.

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

**LEG. MYSTAL:**

Yes.

**LEG. EDDINGTON:**

Yes.

**LEG. COOPER:**

Yes.

**LEG. D'AMARO:**

No.

**LEG. STERN:**

No.

**LEG. HORSLEY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. BARRAGA:**

Yes.

**LEG. ALDEN:**

Pass.

**LEG. MONTANO:**

Yes.

**LEG. LOSQUADRO:**

Pass.

**LEG. CARACAPPA:**

Abstain.

**LEG. BROWNING:**

Yes.

**LEG. SCHNEIDERMAN:**

No to table.

**LEG. ROMAINE:**

Abstain.

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

Yes.

**P.O. LINDSAY:**

Yes.

**LEG. ALDEN:**

Yes to table.

**LEG. LOSQUADRO:**

Yes to table.

**MR. LAUBE:**

Thirteen.

**LEG. SCHNEIDERMAN:**

Tim, change mine to a yes to table.

**MR. LAUBE:**

Fourteen.

**P.O. LINDSAY:**

At the next meeting I will have Mr. Kent from Real Estate here to answer a lot of the questions that I just don't have the answers to. Thank you very much.

Okay, we have three or four Procedural Motions; I can't find them. Wait, here they are. Okay, we have three Procedural Motions.

**Procedural Motions**

***Procedural Motion No. 17-2007 - A Truth-in-Government bill that directs the posting and summary of County Proposition 1 on the Suffolk Legislature's website (Alden & Barraga).***

**LEG. MYSTAL:**

Oh, that's a two cigarette one.

**LEG. ALDEN:**

Motion to approve.

**P.O. LINDSAY:**

Motion to approve by Legislator Alden.

**LEG. D'AMARO:**

Second.

**P.O. LINDSAY:**

Second by Legislator D'Amaro. Any discussion? Okay, all in favor? Opposed? Abstentions?

**LEG. MYSTAL:**

All right, I thought that was a two cigarette one.

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

***Procedural Motion No. 18-2007 - Amending Procedural Motion No. 12-2007 (Presiding Officer Lindsay).*** It's correction of an error, that's the funding for a community organization, all right?

**LEG. NOWICK:**

Motion.

**P.O. LINDSAY:**

I'll make a motion.

**LEG. LOSQUADRO:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

Oh, there's actually four.

***Procedural Motion No. 19-2007, it's authorizing funding for Community Support Initiatives (Phase VIII)***, which is the end of them. Yep, I think so.

**LEG. NOWICK:**  
Motion.

**P.O. LINDSAY:**  
Motion by Legislator Nowick. 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:**  
And ***Procedural Motion No. 20-2007 - Amending Procedural Motion No. 16-2007 (Presiding Officer Lindsay)***.

**LEG. CARACAPPA:**  
Which amends 12.

**P.O. LINDSAY:**  
I'll make a motion.

**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:**  
Okay, go to the red folder, CN's.

**LEG. SCHNEIDERMAN:**  
Can we do the one I discharged?

**P.O. LINDSAY:**  
Oh, okay.

**LEG. SCHNEIDERMAN:**  
1874? I'd like to make a motion to approve 1874.

**P.O. LINDSAY:**  
***1874-07*** was discharged and aged and it's simply ***amending the 2007 Operating and transferring funds for Island Harvest (Schneiderman)***, and it's taking money that was already appropriated and redirecting it to a different agency.

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

I'll second it.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

All right, red folder, CN's.

Let me see, *1921-07 - Amending the 2007 Capital Budget and Program and appropriating funds in connection with dredging of Three Mile Harbor, Town of East Hampton (CP 5200)*.

**LEG. SCHNEIDERMAN:**

Motion.

**P.O. LINDSAY:**

I thought we had someone asleep over there, we could just knock this down.

**LEG. SCHNEIDERMAN:**

You said East Hampton, I woke up.

**P.O. LINDSAY:**

Okay, we have a motion by Legislator Schneiderman. Do I have a second?

**LEG. MONTANO:**

What's this now?

**LEG. ROMAINE:**

Second.

**P.O. LINDSAY:**

Dredging East Hampton Harbor, in the red packet. Second by Legislator Romaine. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

There's a Bond Resolution that goes with that.

**P.O. LINDSAY:**

Yeah, I have it, Paul, I was going to do that next.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

Yeah, you have the Bond; okay, good.

**P.O. LINDSAY:**

*IR 1921 A, the accompanying Bonding Resolution*, same motion, same second, roll call.

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

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. ROMAINE:**

Yes.

**LEG. COOPER:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. STERN:**

Yes.

**LEG. MYSTAL:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. BARRAGA:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. EDDINGTON:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. CARACAPPA:**

Yep.

**LEG. BROWNING:**

Yes.

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

Yes.

**P.O. LINDSAY:**

Yes.

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

Okay, *1973-07, Calling a Public Hearing for the purpose of considering a proposed extension of Sewer District No. 18, Hauppauge Industrial.* I'll make a motion.

**LEG. KENNEDY:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*1974-07 - Amending Resolution No. 598-2005 which called for a Public Hearing for the purpose of considering the proposed increase and improvement of facilities for Sewer District No. 18, Hauppauge Industrial.*

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

And this is the revised version that we're talking about.

**P.O. LINDSAY:**

Yeah.

**LEG. KENNEDY:**

I'll make the motion, Mr. Chair. But on the motion, can I just --

**P.O. LINDSAY:**

Motion by Legislator Kennedy. And I'll second it for the purpose of discussions and I need an explanation between 73 and 74.

**LEG. KENNEDY:**

That was going to be my question, too, Mr. Chair.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

The short answer is that if you want to have access to the \$34 million which is in the Capital Budget for 2007, it needs to be appropriated before the end of the year. Unfortunately, there was an error that was made in 2005 in the legal notices for the Public Hearing that otherwise would have taken place. The State Comptroller just recently found that defect and has asked us to basically, you know, reenact and correct what had taken place, it just requires these two resolutions to get back there.

**LEG. KENNEDY:**

Which I understand, Paul, and I appreciate that, thank you. I guess my question, though, goes to -- well, first you answered; in other words, we have sufficient amount of funding in the '07 Capital in order to address this project, assuming we rectify this publication notice.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

Right, and the significance is if you don't and you roll over to 2008, you're going to have to, with the new law, find \$34 million in offsets.

**LEG. KENNEDY:**

Right. But why are we split between two resolutions, then; 73 and 74 are both addressing Sewer District 18?

**MR. WRIGHT:**

The State Comptroller indicated that we need two resolutions, one for an extension and one for the financial and improvement aspects. Initially what we did for the first Public Hearing was to have one resolution doing both of them; their review of the application indicated we need two.

**LEG. KENNEDY:**

Because we're expanding the boundaries of the district --

**MR. WRIGHT:**

Extending the boundaries and also making improvements.

**LEG. KENNEDY:**

-- and we're constructing a new plant.

**MR. WRIGHT:**

Yes.

**LEG. KENNEDY:**

Okay. All right.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

We already did 2011, thank God.

***2071-07 - Calling for a Public Hearing for the consent to the acquisition of additional land at Mount Pleasant Road, Town of Smithtown, County of Suffolk, State of New York by the Roman Catholic Church of St. Patricks in Smithtown for cemetery expansion purposes.***

**LEG. KENNEDY:**

I'll make the motion, Mr. Chair. And I appreciate the accomodation from the County Exec with this request.

**P.O. LINDSAY:**

Okay.

**LEG. KENNEDY:**

It's a time sensitive matter.

**P.O. LINDSAY:**

Motion by Legislator Kennedy.

**LEG. NOWICK:**

I'll second it.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

Okay, *2072-07 - Amending the 2007 Adopted Operating Budget to transfer 100% Federal funds from Catholic Charities of Rockville Center to Pederson-Krag Center, Inc., for the provision of vocational rehabilitation services.* Do I have a motion?

**LEG. COOPER:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Cooper.

**LEG. MYSTAL:**

Second.

**P.O. LINDSAY:**

Second by Legislator Mystal. I need an explanation, why is that, why are we doing this?

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

Catholic Charities was doing a program which it discontinued at the end of the first quarter of this year. There's now 100% Federal funding to allow Pederson-Krag to replace Catholic Charities which stopped doing the work on March 31st, so this is going to reimburse them for the work that they did when they stepped into the shores. There's no County dollars involved.

**P.O. LINDSAY:**

Thank you.

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

Motion.

**P.O. LINDSAY:**

Motion; we have a motion and a second?

**MR. LAUBE:**

Yes.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*2073-07 - Accepting and appropriating 100% additional State aid from the New York State Office of Mental Health to the Department of Health Services, Division of Community Mental Hygiene Services for the provision of Cost Of Living Adjustments (COLA) and for revenue gaps due to PROS implementation.*

**LEG. KENNEDY:**

I'll make a motion.

**P.O. LINDSAY:**

Motion by Legislator Kennedy.

**LEG. LOSQUADRO:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

We've got a Bonding Resolution, 2074, but no accompanying bill?  
Oh, we did 2074, we approved it.

**LEG. NOWICK:**

No, we didn't do 2074.

**MR. NOLAN:**

No, that's a different --

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

We haven't done 2074 yet.

**P.O. LINDSAY:**

No, that had to do with the dredging?

**MR. NOLAN:**

It's a different dredging, this is more generalized.

**P.O. LINDSAY:**

We didn't approve 2074 yet?

**MR. LAUBE:**

No, we're about to do it now.

**P.O. LINDSAY:**

Okay. *IR 2074-07 - Amending resolution, amending the 2007 Capital Budget and Program and appropriating funds in connection with dredging of County waters (CP 5200).*

**LEG. NOWICK:**

Motion.

**LEG. KENNEDY:**

Second.

**P.O. LINDSAY:**

Motion by Legislator Nowick, seconded by Legislator Kennedy.  
All in favor? Opposed? Abstentions?

**LEG. SCHNEIDERMAN:**

Cosponsor, please.

**MR. LAUBE:**

Eighteen.

**LEG. ROMAINE:**

Would the Clerk list me as a cosponsor?

**P.O. LINDSAY:**

On the *accompanying Bond Resolution, 2074A*, same motion, same second; roll call.

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

**LEG. NOWICK:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. COOPER:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. STERN:**

Yes.

**LEG. MYSTAL:**

Yes.

**LEG. HORSLEY:**

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.

**P.O. LINDSAY:**

*IR 2075-07 - Accepting and appropriating 100% Federal grant funds from the United States Department of Justice, National Institute of Justice to the Department of Health Services for a Forensic DNA Backlog Reduction Program.*

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

Motion.

**P.O. LINDSAY:**

Motion by Legislator Viloría-Fisher.

**LEG. MYSTAL:**

Second.

**P.O. LINDSAY:**

Seconded by Legislator Eddington, Romaine? Okay, Romaine.

**LEG. ROMAINE:**

I have a question.

**MR. NOLAN:**

He has a question.

**P.O. LINDSAY:**

On the question.

**LEG. ROMAINE:**

A quick question; what is our backlog in handling --

**P.O. LINDSAY:**

Use a mike, Ed.

**LEG. ROMAINE:**

What is our backlog currently in undertaking DNA forensic work?

**LEG. MYSTAL:**

Two hundred and fifty-seven.

**P.O. LINDSAY:**

The answer is it depends. Can anybody answer that question, what the backlog is?

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

I don't know what the quantity is, but it refers to -- the word backlog in this context is talking about unresolved cases from years ago. With new DNA evidence, they're reopening old cases.

**P.O. LINDSAY:**

Cold case, cold case.

**LEG. KENNEDY:**

CSI, baby.

**P.O. LINDSAY:**

Legislator Caracappa.

**LEG. CARACAPPA:**

After this one.

**P.O. LINDSAY:**

Oh, okay. So any other questions on 2075? We want to take the 100% Federal money, right?

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

Sounds good to me.

**LEG. MYSTAL:**

I think so.

**P.O. LINDSAY:**

Okay, good. Okay, all in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

And then I jump right to 79?

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

That's what I have.

**P.O. LINDSAY:**

Okay.

**LEG. CARACAPPA:**

Mr. Chairman?

**P.O. LINDSAY:**

Oh, I'm sorry; Legislator Caracappa.

**LEG. CARACAPPA:**

I'm sorry. On CN No. 2074 -- and I'd like to thank Legislator Alden for bringing this to my attention -- I'd like to make a motion to reconsider.

**LEG. ALDEN:**

Second.

**LEG. CARACAPPA:**

-- due to the fact that the offset --

**LEG. LOSQUADRO:**

One of them.

**LEG. CARACAPPA:**

One of the offsets is the noise abatement structure on County Road 83, money I had appropriated earlier in the year. And I certainly can't support that and I'd ask my colleagues, seeing that you've supported me in the past on it, to table this so that we can find an appropriate offset.

**P.O. LINDSAY:**

Okay. We have a motion to reconsider 2074 and a second.

**LEG. KENNEDY:**

Mr. Chair, on the motion?

**P.O. LINDSAY:**

To reconsider?

**LEG. KENNEDY:**

Yeah.

**P.O. LINDSAY:**

Okay, Legislator Kennedy.

**LEG. KENNEDY:**

Legislator Caracappa, I think, speaks to the importance of the sound walls, and nobody knows that better than I do, having gone through two plus years in order to get a sound wall completed.

I have first-hand knowledge about this dredging project because it's at the mouth of the Nissequoque River. I'm wondering if there is some alternative that might be had as far as what's just a small component there, I believe; what are we looking at, 50,000?

**LEG. ALDEN:**

This would be more appropriate if we reconsider it.

**P.O. LINDSAY:**

The motion before you is just for reconsideration.

**LEG. KENNEDY:**

All right, all right, I'll yield.

**P.O. LINDSAY:**

Just yes or no, you don't want to reconsider or you do want to reconsider.

**LEG. KENNEDY:**

No, no, no, move.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

All right, 74 is back before you.

***1974-07 - Amending Resolution No. 598-2005 which called for a Public Hearing for the purpose of considering the proposed increase and improvement of facilities for Sewer District No. 18, Hauppauge Industrial.***

**LEG. CARACAPPA:**

Motion to table.

**P.O. LINDSAY:**

Motion to table by Legislator Caracappa.

**LEG. ALDEN:**

Second.

**LEG. CARACAPPA:**

Or actually, it's a CN, so I'd make a motion to commit to Public Works.

**P.O. LINDSAY:**

Commit to Public Works. Do I have a second?

**LEG. ALDEN:**

Second.

**P.O. LINDSAY:**

Second by Legislator Alden. On the question?

**LEG. NOWICK:**

On the motion.

**P.O. LINDSAY:**

On the motion, Legislator Nowick.

**LEG. NOWICK:**

The only problem is that the dredging needs to be started on November 15th. Do you have an offset we could use which wouldn't interfere?

**P.O. LINDSAY:**

You can't do it before November 15th.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

The Budget Office advised me that they -- I mean, it's tight now with offsets and this \$50,000 I think is more symbolic than it is in reality in terms of the abatement structure because --

**LEG. CARACAPPA:**

Yeah, because you won't do it.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

-- I don't think even if you had the \$50,000 still in place and even if you, you know, started tomorrow, the noise abatement project is not going to happen this year. So the dredging is going to happen.

I don't know of any other offset to go to. It still leaves \$2.9 million in the Capital Budget, symbolically showing that the Legislature is still committed to \$2.995 million for noise abatement. But to take another offset, my understanding from Budget is that you've got to take a project that is a viable project.

**LEG. NOWICK:**

So what you're saying is that the noise abatement project is not going to happen right now.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

Well, it's not going to happen between now and the end of the year. Dredging can happen between now and the end of the year because we have the environmental permits finally in place.

**LEG. NOWICK:**

It has to be, right, by November?

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

We're kind of -- we're squeezed in terms of time because the window is now November 1st to about March 1st and that's the reason we're doing a Certificate of Necessity.

**P.O. LINDSAY:**

Legislator -- Oh, I'm sorry.

**LEG. CARACAPPA:**

Yeah, I hate to debate sound structures with a dredging project which is -- we all understand, there are time components involved, environmental components involved, and I want to, of course, help you out, both of my colleagues. But the \$50,000 that we're talking about here isn't to erect the walls, that's just one small component that was in this year's Capital Budget and Program and that was to start the right-of-way acquisition process which can start immediately. And I'm sure as you know, Paul, and everyone around this horseshoe knows, starting that process takes time and better now than -- unless you're telling me you're not doing it, which I -- which we pretty much assumed you were. But I'm leaving this Legislature in a few weeks and I'm not about to -- and I'd hope my colleagues don't undermine a project that I've been working on for six years or seven years and something that we approved, and it's not for the wall structure itself, it's for a right-of-way acquisition which can start. And if I don't appropriate the money now, you know as well as I, it's lost.

**P.O. LINDSAY:**

Okay.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

Well, as I -- well, I think somebody wanted to cut in.

**P.O. LINDSAY:**

I know, but I wanted to just exercise the right of the Chair and ask -- Gail wanted to chime in on this.

**MS. VIZZINI:**

I just want to advise you that Resolution 200 of this year appropriated the 50,000.

**LEG. CARACAPPA:**

Right.

**MS. VIZZINI:**

So it's not there to be used as an offset, this resolution doesn't rescind that authorization.

**LEG. CARACAPPA:**

Can I do a Tiger Woods?

**LEG. MYSTAL:**

You don't have an offset then.

**LEG. KENNEDY:**

So is this flawed on its face then?

**LEG. MYSTAL:**

Yes, it is.

**LEG. CARACAPPA:**

As Paul would say, it's a fatally-flawed bill.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

We have to get a reconciliation. I'm relying on the information provided by the budget people. If

you can just -- Allen is making a phone call. If we could just jump back to the other bill and while he's getting the phone call to get a reconciliation, we could at least finish the other CN.

**P.O. LINDSAY:**

Did you want to talk about this, Legislator Romaine?

**LEG. ROMAINE:**

Very briefly. I'm very sympathetic to both the sound wall which I strongly support and I understand the question with dredging, but earlier in this year when dredging was reduced in the Capital Budget from 1.2 million to about a little bit more than 600,000, I asked the question and the answer -- is there sufficient money for dredging and the answer came back there is.

**LEG. MYSTAL:**

Yes.

**LEG. ROMAINE:**

And guess what? Here we are, the end of year in the fourth quarter and there isn't.

**LEG. MYSTAL:**

Because we used it and it's done.

**P.O. LINDSAY:**

And we'll do that, but Legislator Kennedy I think wants to call for a dinner break.

**LEG. KENNEDY:**

No, no, no, no, no, no, no, no not at all; as a matter of fact, just as much, and I agree with Legislator Caracappa. But I -- if we can yield, we need the reso, but I agree with it, absolutely, positively, we shouldn't advance an initiative that's been so important to my colleague, you know, for six years running. I think we're smarter than that to figure out an alternative.

**LEG. CARACAPPA:**

The money is appropriated, so.

**LEG. ALDEN:**

I think it was two or three years ago I -- did I vote for it? I don't know if I voted for it, but we appropriated money to build a jail which we haven't used that's appropriated; I'd be more than happy to give up 50,000 of that.

**LEG. KENNEDY:**

Go figure, that was Christmas time.

**LEG. ALDEN:**

It was Christmas time, a Special Meeting.

**P.O. LINDSAY:**

Was that sarcasm? That wasn't sarcasm.

**LEG. ALDEN:**

No, it was a general thought.

**P.O. LINDSAY:**

Okay.

**LEG. ROMAINE:**

Mr. Presiding Officer?

**P.O. LINDSAY:**

We --

**LEG. ROMAINE:**

Possibly we could call a Special Meeting for some time on November 7th where we could maybe find an offset to do the dredging in time for the dredging to go forward.

**LEG. NOWICK:**

Well, we're meeting, we're meeting anyway on this subject.

**LEG. ALDEN:**

Yeah, that's what we need, we need a new meeting.

**LEG. NOWICK:**

Can we -- no, no, we have one.

**P.O. LINDSAY:**

No, you're here November 7th.

**LEG. NOWICK:**

We have one.

**LEG. ROMAINE:**

November 7th, the same day we're meeting anyway.

**P.O. LINDSAY:**

We're here for the budget, he's suggesting we address it while we're here.

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

Yes, we could do it November 7th.

**LEG. CARACAPPA:**

It's a budget meeting, you'd actually have to have a Special Meeting.

**LEG. ROMAINE:**

A Special Meeting, right.

**LEG. CARACAPPA:**

But we could add this to the Special Meeting Notice, right.

**P.O. LINDSAY:**

All right, but right now 2074 is before us and Counsel is telling me because it's defective, we also have to revisit 2074A.

**LEG. ALDEN:**

Motion to reconsider 2074A.

**MR. NOLAN:**

Have we acted on 2074 yet?

**P.O. LINDSAY:**

No, we haven't, we haven't.

**MR. NOLAN:**

Let's do that one first.

**P.O. LINDSAY:**

Well --

**MR. NOLAN:**

Let's do it together.

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

Well, Joe made a motion to commit to committee.

**P.O. LINDSAY:**

Yeah, why don't --

**LEG. HORSLEY:**

So do we table this; what happens?

**LEG. NOWICK:**

We're going to have to.

**P.O. LINDSAY:**

Do you want to move forward with it? Mr. Sabatino would like us to wait for the budget people to come back and figure out what's going on.

**LEG. NOWICK:**

So can we hold it and do the other three?

**LEG. ROMAINE:**

Call a special session, we have to be here anyway.

**LEG. CARACAPPA:**

Well, they would have to come with a brand new offset, obviously, right now.

**LEG. MYSTAL:**

Right now they can't.

**LEG. CARACAPPA:**

And if they can't do that, obviously I'd -- I would hate to see this killed, I would like to see it moved to committee and then amended by way of an offset, take out the fatal flaw and then move it to the next possible moment that we can.

**P.O. LINDSAY:**

Instead of recommitting it --

**LEG. NOWICK:**

We can't, we don't have time.

**P.O. LINDSAY:**

Legislator Caracappa, what if we --

**LEG. CARACAPPA:**

If we can get another CN right now, it would be great.

**P.O. LINDSAY:**

Well, you know, as Legislator Romaine pointed out, we're going to be here November 7th. If in between now and November 7th we were able to find another offset that would be adequate to fund the dredging project --

**LEG. CARACAPPA:**

Of course.

**P.O. LINDSAY:**

-- would anybody be adverse to addressing it on November 7th?

**LEG. ROMAINE:**

No, absolutely not.

**LEG. ALDEN:**

As long as I'm still here.

**LEG. CARACAPPA:**

So I would make the motion to table this bill to the budget meeting of November 7th; is that an appropriate motion, Counsel? To be added to the Special Meeting Notice of the Budget Meeting of November 7th?

**MR. NOLAN:**

Well, the meeting has not -- hasn't been set yet, I mean, the notice hasn't gone out for the Special Meeting, we all know that's going to happen. So I don't know that we can table it to that date since that meeting has not been set yet.

**LEG. HORSLEY:**

Just put it in.

**P.O. LINDSAY:**

Can we just table it?

**LEG. CARACAPPA:**

Is that going to be our next meeting, though, the budget meeting?

**LEG. SCHNEIDERMAN:**

Why can't we just --

**LEG. CARACAPPA:**

I make a motion to table to the next scheduled meeting.

**LEG. ALDEN:**

Or special meeting.

**LEG. CARACAPPA:**

Next scheduled and/or special meeting of this body.

**LEG. ROMAINE:**

Second.

**LEG. MYSTAL:**

Sounds good.

**LEG. ALDEN:**

That works.

**LEG. NOWICK:**

Okay.

**P.O. LINDSAY:**

Okay, we have a motion to table it to the next regular or special meeting of this Legislature; everybody all right with that?

**MR. NOLAN:**

I would only add that when we do a Special Meeting Notice we put this on the agenda.

**LEG. ALDEN:**

The pressure is on the Clerk.

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

Okay, motion to reconsider IR 2074.

**P.O. LINDSAY:**

No, no, I've got to take the vote on 74 yet. We have the motion. All in favor? Opposed? Abstentions? We had a second on that, right?

**MR. LAUBE:**

Did you reconsider? You didn't take a vote for reconsidering it.

**P.O. LINDSAY:**

Yeah, we did.

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

Yes, we did.

**MR. LAUBE:**

No, you didn't call the vote.

**P.O. LINDSAY:**

The motion to reconsider; all in favor? Opposed? Abstentions?

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

Yeah, we did, Renee has it.

**MR. LAUBE:**

Oh, eighteen.

**P.O. LINDSAY:**

And now the motion to table to our next meeting. We have a motion by Legislator Caracappa, a second by Legislator Alden.

**P.O. LINDSAY:**

All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Thank you; eighteen.

**LEG. CARACAPPA:**

Motion to reconsider 2074A.

**P.O. LINDSAY:**

Reconsider 2074A by Legislator Caracappa, second by Legislator Vilorio-Fisher. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**LEG. CARACAPPA:**

Motion to table to the next scheduled meeting of this Legislature, be it special or scheduled.

**P.O. LINDSAY:**

By Legislator Caracappa.

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

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**LEG. CARACAPPA:**

Thank you.

**P.O. LINDSAY:**

Where the hell are we?

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

We're up to 2079.

**P.O. LINDSAY:**

*2079-07 - Calling a Public Hearing upon a proposal to increase the annual rate charged for sewage treatment in the proposed Suffolk County Sewer District No. 2 - Tallmadge Woods in the Town of Brookhaven.*

**LEG. LOSQUADRO:**

Motion to approve.

**P.O. LINDSAY:**

Motion to approve by Legislator Losquadro and seconded by Legislator Eddington. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*2081-07 - Approving the purchase of vehicles in accordance with Section 186-2(B)(6) of the Suffolk County Code and in accordance with the County Vehicle Standard.*

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

Oh, they are Hybrid SUVs.

**LEG. LOSQUADRO:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Losquadro. Do I have a second for the purpose of discussion?

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

Second.

**P.O. LINDSAY:**

Second by Legislator Viloría-Fisher. On the question; Legislator Alden, do you wish to be recognized?

**LEG. ALDEN:**

Just to point out, the financial impact is zero and I'm not so sure --

**MR. NOLAN:**

It says there's funds already in the budget.

**LEG. ALDEN:**

Oh, because it's in the budget.

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

And just to tell the Presiding Officer, there are two Hybrid SUV's on this list.

**P.O. LINDSAY:**

All right.

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

And they're Lexus.

**P.O. LINDSAY:**

And they're Lexus'.

**MR. NOLAN:**

Did we take a vote on that?

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

I don't think we called the vote yet; did we?

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

Okay, Late Starters, yellow packet:

I want to make a motion to waive the rules and lay on the table the following Late Starters; IR -- I don't have a number -- 2071, calling for a Public Hearing for the consent to the acquisition of additional land at Mt. Pleasant Road, Town of Smithtown, County of Suffolk.

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

We did this with a CN.

**LEG. KENNEDY:**

We just did that by CN, Mr. Chair.

**P.O. LINDSAY:**

Oh, we did that by CN; I'm sorry.

**LEG. KENNEDY:**

Thank you.

**P.O. LINDSAY:**

IR 2076, Sale of County-owned Real Estate pursuant to Local Law 13-1976, Denise Martinez, assigned to Ways & Means; 2077, authorizing a lease with temporary use of County facilities at Police Headquarters in Yaphank by New York State Division of Criminal Justice Services, assigned to Ways & Means; 2078 appropriating funds in connection with Water Quality Model - Phase V, assigned to Health & Human Services;  
2077 should have been assigned to Budget, right?

**MR. NOLAN:**

Is that a lease? I think we send all leases to Ways & Means.

**P.O. LINDSAY:**

Ways & Means, okay.

Okay, 2080, Approving an agreement to extend and modify health insurance benefits for active and retired County employees, that's assigned to Labor, Workforce & Affordable Housing.

Okay, if there is no other business before us --

**LEG. ROMAINE:**

Motion to adjourn.

**MR. NOLAN:**

You need a second.

**MR. LAUBE:**

You've got to call the vote on that.

**P.O. LINDSAY:**

I made a motion; I need a second.

**LEG. LOSQUADRO:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

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

We're out of here.

**P.O. LINDSAY:**

Eighteen. I accept a motion to adjourn, unless somebody objects.  
We stand adjourned.

**LEG. CARACAPPA:**

Yeah, great.

**MR. LAUBE:**

Eighteen.

*(\*The meeting was adjourned at 6:39 P.M. \*)*