

SUFFOLK COUNTY LEGISLATURE

GENERAL MEETING

SEVENTEENTH DAY

NOVEMBER 20, 2007

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

MINUTES TAKEN BY

LUCIA BRAATEN AND ALISON MAHONEY, COURT STENOGRAPHERS

[THE MEETING WAS CALLED TO ORDER AT 9:46 A.M.]

P.O. LINDSAY:

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

MR. LAUBE:

Yes, sir. Good morning.

(Roll Called by Mr. Laube, Clerk)

LEG. ROMAINE:

(Not Present)

LEG. SCHNEIDERMAN:

Here.

LEG. BROWNING:

Here.

LEG. CARACAPPA:

(Not Present)

LEG. LOSQUADRO:

Present.

LEG. EDDINGTON:

Here.

LEG. MONTANO:

Present.

LEG. ALDEN:

Here.

LEG. BARRAGA:

Here.

LEG. KENNEDY:

Here.

LEG. NOWICK:

Here.

LEG. HORSLEY:

Here.

LEG. MYSTAL:

Here.

LEG. STERN:

Here.

LEG. D'AMARO:

Here.

LEG. COOPER:

(Not Present)

D.P.O. VILORIA-FISHER:

Here.

P.O. LINDSAY:

Here.

MR. LAUBE:

Fifteen. (Not Present at Roll Call: Legs. Romaine, Caracappa and Cooper)

P.O. LINDSAY:

Could everyone rise for a salute to our flag, led by Legislator Browning.

(*Salutation*)

If you could remain standing, I'd like to ask Legislator Barraga to come to the podium and introduce Father Bob, our guest Clergy. Thank you.

LEG. BARRAGA:

It's a pleasure for me to introduce Father Robert Sheckenback. Sheckenback. I lost half a night's sleep trying to remember that name. It's almost as bad as Barraga. Father Bob is the Associate Pastor of Our Lady of Lourdes Church in West Islip. He was ordained in 1989, and he was a former Associate Pastor at Infant Jesus in Port Jefferson, and Good Samaritan --

FATHER SCHECKENBACK:

Good Shepherd.

LEG. BARRAGA:

Good Shepherd, I'm sorry, in Holbrook. And he was the Chaplain assigned to Saint John the Baptist High School. All right. And he does a great job for all the residents of West Islip, especially the parishioners of Our Lady of Lourdes. Father Bob.

FATHER SHECKENBACK:

Thanks, Tom. Very impressive, getting my name right. Took me until Sixth Grade to learn how to spell it.

It's an honor to be called here this morning to remind us that there is powers that work greater than ourselves, and we can attune ourselves to that spirituality and our lives and in creation, to accompany us on our journey and in our work. So we pray to you, Oh, Divine One, from whose hands comes the work of creation, so artfully designed. We pray that this work we are about to do may be done in companionship with you. May the work that will soon begin sing praise to you as song birds do. May the work that will soon begin add to the light of your presence, because it is done with great love. May this work here that will soon begin speak like a prophet of old of your dream of beauty and unity. May the work here that will soon begin be a shimmering mirror of your handiwork, in the excellence of its execution, in the joy of doing it for its own sake, in our poverty of ownership over it, in our openness to failure or success, in our invitation to others to share in it, and in its bearing fruit for the world. May we be aware that through this work we draw near to you. We come to you beloved with open hearts, minds, spirits, with ready hands. Amen. Amen.

P.O. LINDSAY:

Okay. Before we take our seats, as we have been doing here for sometime, unfortunately, I'm calling for a moment of silence to remember all of our service people that are in harm's way as we speak.

*(*Moment of Silence*)*

We have no proclamations this morning, which I'm very thankful for, because we have quite an agenda this morning. But I am going to call to the podium Steve Jones, who is the President of the Suffolk County Water Authority, who has requested some time to talk about a particular resolution.

MR. JONES:

Thank you very much. Thank you very much, Mr. Lindsay. Good morning, everybody. I'm here to speak about I.R. 1980, which is on your agenda for today.

I.R. 1980 talks about deducting \$100,000 from a credit fund that the County has, which was established in favor of the Suffolk County Water Authority. This \$100,000 would go toward the Suffolk County Water Authority's share of a -- of acquisition of new digital aerial photography, which is a consortium made up of the County, the Water Authority, the Railroad, and seven of the ten Towns are pooling their resources to acquire this aerial photography. This is a credit fund that has a life of five years, which began two years ago. It's an interest-bearing fund, so the more the County uses these credits, the more interest is saved. So I'm happy to answer any questions that anybody has.

P.O. LINDSAY:

So, you're encouraging us to pass 1980?

MR. JONES:

Yes, I am.

P.O. LINDSAY:

Okay.

MR. JONES:

And it was discharged from Legislator Fisher's Committee unanimously.

P.O. LINDSAY:

Okay. Does anyone have any questions of Mr. Jones? That's one of the reasons I called him before the Public Portion started. Thank you very much for coming.

MR. JONES:

Thank you.

P.O. LINDSAY:

You're welcome. And I also have the Islip School Superintendent, Alan VanCott, here as well. He signed a card, but I was requested to have you come up early, Mr. VanCott, so --

MR. VANCOTT:

Thank you, Mr. Lindsay. I don't have the specific bill number or -- it's a line item veto issue, I believe, Mr. Alden.

LEG. ALDEN:

Yes, it's a -- Mr. VanCott will be speaking about a veto of my Omnibus money for '07. I hope it's on the agenda.

P.O. LINDSAY:

Yeah, it's -- go ahead. I haven't started the Public Portion, yet, so that's why I'm allowing any comments. All right?

LEG. ALDEN:

I appreciate that.

MR. VANCOTT:

Okay. Thank you, Mr. Lindsay. Good morning. My name is Alan VanCott. I'm the Superintendent of the Islip School District, a position I've held for the last nine years. Prior to being Islip Superintendent, I've served in other building and Central Office administrative positions, as well as classroom teaching positions within the Islip Schools. Like you, over the years, I, too, have witnessed the increased challenges brought about by teenage drug, tobacco, alcohol and substance abuse and the root causes that are associated with each. During the same time period, the Islip faculty, staff and community have joined together to develop and implement numerous programs and activities designed to address these challenges. And through the consistent support of the County Legislator, Mr. Cameron Alden, we've been able to offer these additional programs and activities to our students and community. Now, for your information, these programs and activities are funded and offered outside of the regular school budget.

Speaking fanatically, these offerings are as follows:

Peer leadership programs, where students are trained to meet with other students to educate and influence their peers as to the negative impact of using drugs, alcohol and tobacco.

Healthy alternatives, where we've offered a community-wide 5K Family Fun Run and Town-wide Health Fair.

Large student group programming, where nationally-recognized presenters share their messages of positive self-esteem and making good choices.

And large parent group programs, where national presenters educate today's parents as to current information on the challenges of raising today's youth.

And, finally, after-school programs, where students are offered structured activities to keep them safe and away from destructive influences present in today's society.

In Islip, we formulated the IDEA Task Force, which stands for Islip Drug Education Awareness. Students, parents, faculties, administrators, government officials, Mr. Alden, and Police representatives meet regularly during the year to review common concerns and construct action plans to address, identify issues. Many of the items I mentioned previously were outgrowths of the work of the IDEA Task Force.

In Islip, we are a community that cares deeply about our children, and we go to great measures to protect them and guide them along their journey to become contributing members of society.

I thank you for the opportunity to be here with you this morning to voice my personal concern on the possible elimination of funding for these programs and activities.

P.O. LINDSAY:

So, Mr. VanCott, if I may.

MR. VANCOTT:

Yeah.

P.O. LINDSAY:

What you're saying is the appropriation was actually for a drug education program that's done after school hours, that's not --

MR. VANCOTT:

After school.

P.O. LINDSAY:

That's not part of a school curriculum?

MR. VANCOTT:

That's correct.

P.O. LINDSAY:

Okay. Thank you.

MR. VANCOTT:

And, finally, with Cameron Alden's assistance and the assistance of the entire County Legislature, it's my hope that we'll be able to continue to offer these programs and communities to -- our programs to our students and community. My thanks to you all for this important work that you do, and I ask you for your continued support. If you have any other questions, I'd be happy to entertain them.

P.O. LINDSAY:

Yeah, Legislator Viloría-Fisher.

D.P.O. VILORIA-FISHER:

Hi, Mr. VanCott. How are you?

MR. VANCOTT:

Good morning.

D.P.O. VILORIA-FISHER:

Nice to see you. I just have a quick question, either for you or the sponsor. I was just trying to find the right veto message, and I believe that it indicated that we don't -- the County doesn't provide money for other taxing entities. And who is the sponsor of the programs? Is it through the PTA? Is it through a community organization, rather than the School District itself?

MR. VANCOTT:

Yeah. I mentioned the IDEA Task Force. That is made up of school, but also PTA, parent civic groups, Chamber, the Police have representatives, and government officials as well. They are the governing body that looks for funding to offer these other programs that I've mentioned.

D.P.O. VILORIA-FISHER:

Okay. Thank you.

P.O. LINDSAY:

Anyone else? Okay. Thank you very much --

MR. VANCOTT:

Thank you for this opportunity.

P.O. LINDSAY:

-- Mr. VanCott, for coming. Okay. Now we're going to start the Public Portion, which means there's no questions. Ira Bernstein?

MR. BERNSTEIN:

Good morning, everyone. I'm here, not to address any of the resolutions on your agenda now, but, hopefully, bring it up for the future.

I'm a newly elected Vice Chair of the Town of Brookhaven Senior Advisory, and I'm here mainly to stress that a lot of senior issues are coming up that haven't been addressed in terms of the rising health care costs, transportation, and some of the living conditions that seniors live under.

One of the first things that I noticed when I've been involved in working with seniors is that the Older Americans Act that was passed many years ago, has not been implemented in many towns, counties and states, and we hope that Suffolk County will have a forward look in addressing these issues.

The first issue I wanted to talk about is transportation. As you know, the energy costs are making it more difficult for seniors to get around privately. And a lot of the bus depots and a lot of the buses need to be addressed, because we just don't have enough facilities to handle our seniors. Many people are discouraged from using these, because the buses are not, or the shelters, are not kept in good repair. So, I would hope that the Legislature will address this, and add it to some of the agenda and the bills coming up in the future year.

The other issue I want to mention is the medical field. The medical field, from my studies, had shown a great abuse of seniors in overmedicating them, overdrugging them with various concerns when various natural remedies can be used to help a lot of our elderly seniors, especially addressing their nutrition needs. For example, just a slight change in their dietary habits, adding various essential vitamins, would prevent a lot of respiratory infections, which sometimes are fatal to our seniors. And those doctors have to start getting more education and training their patients to get in a more healthier life mode and get off all these drugs that are causing side effects. In fact, there are studies that show you that million of seniors die because of the medication, not from the disease.

One of the other issues that I'm concerned about is the -- what I mentioned with the housing conditions, especially Section 8 housing. I visited in my travels many Section 8 housing. Some of the communities have very bad heating systems, their maintenance is not surveilled, and a lot of those people are not providing the proper services for that. In addition, we need more housing, or affordable housing, for seniors, and that's another issue we hope to address.

Lastly, I want to mention, the gentleman before the Superintendent mentioned about youth and how we could incorporate our youth in our society. We have thousands of seniors that are out there with their talents and their inspiration that can be mentors to youth around the County, and I think this is something very important we need to include. And part of this is the recognition that seniors do have a place in our society, can be productive, and we should bring back programs to help utilize those by giving incentives to businesses to employ and hire them. So, I hope the Legislature will address this. And I thank you for the time to be able to address you.

D.P.O. VILORIA-FISHER:

Thank you, Ira.

P.O. LINDSAY:

Tom Isles.

MR. ISLES:

Good morning. Tom Isles, Suffolk County Planning Department. Thank you for the time, and I'll be brief.

You have before you today the consideration of the budget. Proposed in that budget at the present time is the elimination of two positions within the County Planning Department. I would ask for your reconsideration of that and tell you my concerns for that change to the budget.

The first position is the position of an Environmental Planner, which is funded under the 477 Program specifically for water quality improvement projects. The County Planning Department had filled this position last year. We had a person in place for a good part of this year. That person went on to other opportunities. We were not able to refill the position due to the issues with the State Assembly and the 1% sales tax issue. There was no other intent to leave the position vacant.

The County Planning Department has, by your direction, 1.3 million dollars in capital projects under the 477 projects -- under the 477 Program. Our total salaries total \$72,000, including this position. So, it's a small portion of the overall assignment we have, including the aquaculture project in the East End, the Mud Creek project in East Patchogue, the restoration of that location, and the Robertson Duck Farm property in Brookhaven Hamlet.

So, with that, I would certainly request that it's critical to us to be able to complete this work, to have that position filled. It is a professional position, entry level position, paying \$45,000 a year, and, frankly, without it, we will not be able to continue the rate of progress on those projects.

The second position is the position of Assistant Economist. This is a position that is a new position in the County Planning Department. It's a result of the transfer of functions from -- for Cornell Cooperative Extension into the County Planning Department. There are 19 contracts that Cornell has with the County. A number of those were with the County Executive's Office. In order to consolidate that function, that was moved in the 2007 budget into the County Planning Department. We're happy to take on that responsibility, which is processing vouchers, reviewing claims, and also doing performance review while the program is achieving what you and the County Executive have set out to achieve. The problem that we had, and I had, is that I did not have a staff person to do this, either physically or somebody with qualifications. Fortunately, we were able to put in for a new position in the 2008 budget that was recommended by the County Executive. Given the priority of that, we were actually to fill that position last month, but the way I was able to do it was by earmarking one of my vacant Planner positions.

My -- what I would like to request of you, quite respectfully, is to continue the Assistant Economist position, so that I can then reclaim that Planning position that was basically given up in October, to accommodate a person we have on staff now. I know that's getting a little bit confusing, but my fundamental point is that it was pointed out by Budget Review Office, for example, that having oversight centralized of Cornell Cooperative Extension would be in the County's interest. We hope that that's the case, but we need staffing to do that. And, respectfully, I should say that that should not come out of the expense of the core planning mission.

The County Planning Department, I think, is at its historical staffing lows. We're getting to the point now where we will do everything we have to do by statute, by your direction, and so forth. But in terms of our ability to -- basically, if we lose a person, we lose a function, is what we're down to at this point. So, I'm appealing to you today to reconsider or not override the County Executive's veto of those positions. I believe they are important, and would hope that you would act in that manner as well. And I appreciate the time today very much.

P.O. LINDSAY:

Thank you, Tom.

MR. ISLES:

Thank you.

LEG. ALDEN:

This is Public Portion, so we can't ask questions?

P.O. LINDSAY:

Right. Tom, I would ask that if you would hang around, because we don't have that many cards. We're going to go into the debate on the budget and there might be some questions of you later on, if you could --

MR. ISLES:

I would be pleased to do so.

P.O. LINDSAY:

Thank you. Nancy Schwartz.

MS. SCHWARTZ:

Good morning, everybody. I came here unprepared this morning. I received a letter that was sent out to all Principals and Superintendents in Suffolk County from Mr. Levy and Mr. Dormer, and I am extremely upset. Mr. Eddington will tell you that I am a huge supporter of DARE. A year ago, I met with Mr. Eddington to make sure that DARE was not dropped. He did introduce me to the person in charge of the Health Smart curriculum. I then went with my other -- another person, Nancy {Damonte} to meet with {Martha Cahan} and her people to go over the curriculum. We never said that we support the Health Smart Program over DARE. We showed them the things that we felt differently about. Somewhere in the months following that, without asking us, without our approval, they put us -- and I don't remember if we're actually on their Board. We received a letter that we were placed on their Board with a nomination. Now, my feeling was that they put us on the Board because of our staunch support of DARE, and it would look good for them to have us.

I am President of DREAM, which over the years, for any of you who have been here, since my son was ten years old, I have fought for the DARE Program. He is now 21. I was the large part in getting DARE into our middle schools. I have a pen certificate from Mr. Gaffney that hangs in my library, and there is a resolution, which, if I recall the number, it's 1174-1998, which states that all middle schools in Suffolk County will be getting the DARE Program. So, my feeling is at this point that Mr. Levy and Mr. Dormer are going against you, all of you, the Legislators, in trying to take DARE out without going through the proper policy of going through getting -- getting rid of a resolution that was placed many years ago.

I'm very angry, because, at the bottom of this letter, which I'd be more than happy to make copies for you, it states, and I will state -- let me get it out for you. And it states, "Note: Health Smart curriculum is supported by the Suffolk District PTA," which I'm also not 100% sure of. I have my Council President calling the head of Suffolk District to find out if they also support Health Smart, "and DREAM", which is me, that is, it's Drug Resistance Education Awareness Moms. And I do not, I want every single one of you to hear, and I've already sent a message to News 12, and I intend to call every single Superintendent, I do not support Health Smart over the DARE Program here in Suffolk County.

If there's anybody who has, you know, any questions, I mean, 11, 12 years of my life was dedicated to saving DARE in Suffolk County. The fact that one person has now put my name on their Board, I've never attended one of their meetings, I have never sent approval that, "Yes, I am definitely in support of your program." I find it to be absurd.

And I'll tell you that, last year, I stepped on Mr. Levy's toes and Mr. Dormer's toes. Unfortunately, I knew of information that they were going to also, behind everybody's back, be getting rid of the DARE Program, and I then went, and, fortunately, they were not then able to take away DARE. The DARE Officers found out that they were no longer going to be doing DARE from the newspaper article on Friday. They had no idea. So, if they're lying about me, they're lying to every single one of you, and they're lying to the Superintendents and the children of Suffolk County.

P.O. LINDSAY:

Thank you, Ms. Schwartz.

MS. SCHWARTZ:

Thank you.

P.O. LINDSAY:

I have R.C. Metric? I'm having trouble with the handwriting.

D.P.O. VILORIA-FISHER:

{Metahek}?

P.O. LINDSAY:

{Metahek}? No? R.C. wants to talk about safety, Legal Aid topic on the budget. R.C. {Metahek}, no? Okay. Maybe when we get to the end, if I don't call your name, that's you. Robert Nolan?

LEG. ALDEN:

Oh, not another Nolan.

P.O. LINDSAY:

He's not related, I asked already.

LEG. ALDEN:

These guys are all over the place.

MR. MITCHELL:

Mr. Chairman, did you call me, Legal Aid?

P.O. LINDSAY:

Oh, it's Mitchell?

MR. MITCHELL:

Yeah, I'm sorry.

D.P.O. VILORIA-FISHER:

That says "Mitchell"?

P.O. LINDSAY:

All right. I'll take you next.

MR. NOLAN:

Okay. My name is Robert Nolan. I'm President of the Long Island Farm Bureau, and I just have a brief statement to read concerning I.R. 2117, the Fertilizer proposal here.

The Long Island Farm Bureau supports the Suffolk County initiative to reduce nitrogen loading in our groundwater, surface water and estuaries. We believe there needs to be more information and outreach done on this subject for the general public. We don't want to see our members, however, overburdened with cumbersome regulations. Our Long Island Farm Bureau policy states that the regulation of fertilizer should be administered at the New York State level of government and should be based on sound science.

We look forward to working with the County in any way possible, so that the goals of our members and that the goals of the County can be met. We thank the Suffolk County Executive and Suffolk County Legislature for taking the time to address this issue, and we look forward to working with you in the future. Thank you.

P.O. LINDSAY:

Thank you. Thank you, Mr. Nolan.

MR. NOLAN:

You're welcome.

P.O. LINDSAY:

Bob Mitchell.

MR. MITCHELL:

Mr. Chairman, members of the Legislature, my name is Bob Mitchell. I'm the Attorney in charge of Suffolk County Legal Aid. I have Mr. Mazzola with me, my right-hand man. I'm here to ask you to kindly keep us in the omnibus package for the override, to override the veto. I notice there may be some questions with regards to the \$300,000 for raises?

P.O. LINDSAY:

Well, what I would suggest, Mr. Mitchell, is when -- if you could hang around, because we're on the Public Portion, and I can't open the floor to questions. But when we start debating the budget, which is going to be in a very few minutes --

MR. MITCHELL:

Okay.

P.O. LINDSAY:

Then we might, indeed, have some questions for you.

MR. MITCHELL:

Fine, I'll be here.

P.O. LINDSAY:

Thank you.

MR. MITCHELL:

Thank you.

P.O. LINDSAY:

Michael White just joined us. Michael?

MR. WHITE:

Thank you very much, Mr. Presiding Officer and Members. Just a brief statement. I'm here to support the legislation for the Regional Planning Council. This would be an amendment to your 2005 legislation that would recreate the Long Island Regional Planning Board into a Regional Planning Council. I know it was discharged out of committee without recommendation, but an amended version has been filed and it should be before you today, and I would hope that we can receive support from the Legislature.

This is an amazingly important step for the Regional Planning Board, both in terms of the mission that we are charged with, and what everyone expects us to be able to do. It will give us an opportunity to actually hire a couple of core staff, but extremely importantly, the opportunity to receive further outside funding than merely the County funding. And I know this will make a difference, not only to the County in terms of a budget position, but, certainly, extremely important to us as a matter of going on and completing our work.

So, again, I'm here to ask for your support for legislation renaming the Long Island Regional Planning Board to the Regional Planning Council. It gives us an opportunity to also expand that Board, importantly, to put on Town and Village representation, which, as I've always said, we've had some good plans, but good planning will involve implementation, and I know the zoning authorities are key to getting that implementation done. So, I thank you very much, and I hope for your support on that legislation.

P.O. LINDSAY:

Thank you.

MR. WHITE:

Thank you.

P.O. LINDSAY:

And the last card is Cheryl Felice.

MS. FELICE:

Good morning, Presiding Officer Lindsay and members of the Legislature. I'm here to speak on Resolution 2080, the extension of the health insurance agreement for all of the County employees in Suffolk County, both active, retirees, and bargaining unit members and exempt members as well.

As you know, AME sits as a Co-Chair, the Labor Co-Chair of EMHP, the Employee Medical Health Plan, which oversees the self-insured program for Suffolk County. We are very proud to work with each and every union member, along with ten equal members of management representatives, in overseeing this health insurance plan that has saved Suffolk County significant money over the 15 years that it has been in existence.

I'm joined today by a number of my members in the union, but also the immediate past Co-Chair, Ellen Shuler-Mauk, who was instrumental in being a Charter Member of this committee, and has been with the Suffolk County Community College as its President for the last 28 years. Together, we share the ideas that is necessary to make sure this plan is run efficiently and effectively for Suffolk County, saving it significant money and saving the taxpayer dollars significant money. In turn, the benefit that is given to the members of EMHP with their health insurance plan helps keep them at their desk delivering services for you and your constituents.

And I would just like to point out one of the successes of our health program with one of our own Unit Presidents who suffered, and by his permission, has allowed me to share this story with you today.

Last week, underwent some chest pains, some numbness to the arm; immediately went to the hospital, was found to have two blockages in his heart, and with a -- with the success of the -- of medical technology and a stent procedure, was able to have those blockages cleared up, and he's back at work today, and he's in the audience with all of you today. John Sarno, would you, please, stand? Where's John? Did he stay with us? There's John.

(Applause)

He missed our convention last week, but he's here today, back on the job delivering services for your -- for the residents of Suffolk County. And I think that's no more greater testament to prove the success of the health insurance program, and the fact that all ten unions came to agreement with County Executive Levy when it came to securing the health insurance program and extending it into the future. So, I would appreciate all of your support. Thank you.

P.O. LINDSAY:

Thank you, Cheryl. I don't have anymore cards. Is there anyone else in the audience that would like to address us on the Public Portion? Seeing none, I'll accept a motion to close the Public Portion.

LEG. EDDINGTON:

Motion.

LEG. ALDEN:

Motion.

P.O. LINDSAY:

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

MR. LAUBE:

Seventeen. (Not Present: Leg. Caracappa)

P.O. LINDSAY:

Okay, thank you. Before -- I want to go into the budget at this point in time, and the reason why I'd like to see if we can dispose of that early in the day is that the Clerk has staff waiting to start working on the warrants to get that paperwork out to the Towns, so that we can establish the tax levies to be voted on at the next meeting.

I apologize. We started a few minutes late this morning, because we didn't get the vetoes until -- I didn't see them until after the close of business last night and we were reviewing them. And what I would propose to do, if it's acceptable to everybody, is there is a number of documents, and I'm going to take them a document at a time. If there is -- if there is no objections, we will vote on that whole document, all right, up or down. If there is an objection and someone wants to separate out one of the items within that document, then we'll address that and talk about the items that you want to talk about, if it's the will of the majority. Legislator Romaine?

LEG. ROMAINE:

Yes. Normally, I'd like to consider each and every item and give it the careful consideration it deserves, but, quite frankly, being delivered after 5 o'clock last night shows absolute discourtesy for this body to do an analysis item by item. We just don't have the time. So, Mr. Chairman, I definitely think that we should just do what we have to do and just say, "Hey, next time you want our consideration of each and every item in here, give us a couple of days to analyze your veto and your veto message. Don't send it over after 5 o'clock, after you've spoken to the Newsday reporter and made your arguments there without our ability to do a counterargument or to analyze your arguments and to ask questions."

It's very difficult at this late hour, coming here today and sitting here for the last 10 or 15 minutes, to try to analyze carefully the Executive's veto message. I don't believe he intended us to take this seriously, because he certainly hasn't dealt with this in a serious manner.

P.O. LINDSAY:

Legislator Romaine, that's why I proposed to take it a document at a time. And, as you review the document, if there's an item within the document that you want to separate out and not vote on as a group, I will certainly put that to the body. In the process of going through this, if either one of, you know, the caucuses would like to call a short recess to review something, you know, feel free. We're going to do this in an orderly and logical manner and we're going to take our time. I know the clock is ticking against us in terms of getting all the work necessarily done for the warrants, for the Clerk to do his work, but we'll take it a piece at a time. Mr. Zwirn, did you want to make a comment before we start the process?

MR. ZWIRN:

If I might, Mr. Presiding Officer. I just would like to say that the County Executive takes this process very seriously. We work very hard on putting the vetoes together, as you well know this is the work that has to go into it. We filed these documents approximately 4:30 yesterday in accordance with the statutory requirements. We reduced the amount of paperwork that has been done. We have had excellent cooperation with the Clerk's Office and with the Presiding Officer's Office in getting this done in a timely manner. We have simplified the process, we have sent it over in an E-mail, for the first time that we can remember, to try to make it easier for this to be disseminated to members of this Legislature. So, to take this kind of criticism over the work that was done by this office, I think, is unfair and unwarranted. You know, as you -- how you want to take the vetoes is certainly the business of the Legislature, and I'm not going to intrude on that, but I do take umbrage with the way this was done and in a timely manner in which it was prepared. If Mr. Romaine could have looked at his E-mail last night, and like the rest of us that were here, he could have looked at it over the night, and if he had any questions, we'd be surely glad to answer them for him.

LEG. KENNEDY:

Mr. Chair.

P.O. LINDSAY:
Yeah.

LEG. ROMAINE:
Mr. Chairman, on a personal matter.

P.O. LINDSAY:
Okay.

LEG. ROMAINE:
I checked with my office. The E-mail was delivered at 5:45, Mr. Zwirn.
That's not serious government.

MR. ZWIRN:
Is that when you stop working, Mr. Romaine? Do you stop working for the taxpayers of this County at 5:45? We don't.

LEG. LOSQUADRO:
Oh, come on.

LEG. ROMAINE:
Mr. Zwirn, all you do is disserve your boss with comments like that.

P.O. LINDSAY:
Legislator Kennedy.

LEG. KENNEDY:
I don't want to add to this debacle too much longer, but at 8 o'clock last night, when I fired up my E-mail, I could not download the three documents that were there. So, I don't find that to be a satisfactory explanation, that it was delivered electronically.

P.O. LINDSAY:
Okay?

LEG. SCHNEIDERMAN:
You stop working at eight?

LEG. KENNEDY:
It doesn't bode well.

LEG. SCHNEIDERMAN:
Come on.

P.O. LINDSAY:
Maybe we could get to the substance instead of the process. And just to add my two cents, I do appreciate, the documents aren't -- I remember four years ago, we had a stack of paper that was about twelve inches high, so this is a vast improvement.

LEG. ALDEN:
Well said.

P.O. LINDSAY:
I would have liked a little bit more time to look at them, you know, but so be it. Let's get into it, this -- what is it, the P.S. period of vetoes? Okay. **Document Number 1** was approved, so there's

no action necessary.

Document 2, does anybody want to address anything within that document separately?

LEG. LOSQUADRO:

No.

P.O. LINDSAY:

Seeing none, I'll make a motion to override --

LEG. LOSQUADRO:

Second, Mr. Chair.

P.O. LINDSAY:

-- all of the items in Document Number 2, seconded by Legislator Losquadro. On the question, Legislator Viloría-Fisher?

D.P.O. VILORIA-FISHER:

No.

P.O. LINDSAY:

Okay. All in favor? Opposed?

LEG. BARRAGA:

Opposed.

P.O. LINDSAY:

Abstentions?

MR. LAUBE:

Sixteen. (Not Present: Leg. Caracappa)

P.O. LINDSAY:

Document -- did you get the one negative?

MR. LAUBE:

Yes, I did. Sixteen.

P.O. LINDSAY:

Okay. **Document Number 3**, which is one of the most -- I think has more items than any of the others --

D.P.O. VILORIA-FISHER:

I do want to --

P.O. LINDSAY:

Okay.

D.P.O. VILORIA-FISHER:

-- address something in it.

P.O. LINDSAY:

Do you want to make a motion to pull something out of it, or do you want to --

D.P.O. VILORIA-FISHER:

Yes, Mr. Chair. I'd like to pull out D.O. 36, which is the Assistant Economist position to which Mr. Isles referred earlier.

P.O. LINDSAY:

Okay.

D.P.O. VILORIA-FISHER:

I would like to pull that out.

LEG. NOWICK:

Second that.

D.P.O. VILORIA-FISHER:

-- in order to override the rest of it.

P.O. LINDSAY:

Is there any other, just that -- just D.O. 36?

LEG. LOSQUADRO:

Just that one.

D.P.O. VILORIA-FISHER:

Yes.

D.P.O. VILORIA-FISHER:

Okay.

LEG. LOSQUADRO:

Second.

P.O. LINDSAY:

We have a second to that by Legislator Losquadro. And the vote is just to pull out D.O. 36 and treat it as a separate item. All in favor? Opposed? Abstentions?

MR. LAUBE:

Seventeen. (Not Present: Leg. Caracappa)

P.O. LINDSAY:

Okay. D.O. 36 is before us. Do I have a motion on D.O. 36?

D.P.O. VILORIA-FISHER:

I move -- well, we don't have to make a motion --

P.O. LINDSAY:

Okay.

D.P.O. VILORIA-FISHER:

-- if we're going to sustain the veto, right?

P.O. LINDSAY:

That's correct.

LEG. LOSQUADRO:

Yes.

P.O. LINDSAY:

That's correct. Does anyone want to make a motion to override D.O. 36?

LEG. MYSTAL:

Yes.

P.O. LINDSAY:

Yes, Legislator Mystal.

LEG. MYSTAL:

I'd like to know the intention of the sponsor of pulling D.O. 36; is it to override it or to defeat it?

P.O. LINDSAY:

No, no, to sustain it.

D.P.O. VILORIA-FISHER:

To sustain it.

P.O. LINDSAY:

She wants to sustain the veto of D.O. 36. She wants to keep the Assistant Economist position, Grade 21, in the budget. The Working Group took it out.

LEG. NOWICK:

No.

LEG. MYSTAL:

No.

LEG. NOWICK:

Right, right.

LEG. HORSLEY:

Sustain the veto.

LEG. NOWICK:

Yes, that's it, sustain it.

D.P.O. VILORIA-FISHER:

Yeah.

P.O. LINDSAY:

Right.

LEG. NOWICK:

That's why you sustain it.

P.O. LINDSAY:

Maybe, you know, although we don't have a motion before us --

D.P.O. VILORIA-FISHER:

Can I just speak to why we need that?

P.O. LINDSAY:

Go ahead.

D.P.O. VILORIA-FISHER:

Mr. Isles spoke before us earlier. In fact, maybe we could ask him to come back, because this is a

little bit complex. But the Planning Department has been given additional duties, one of them being the oversight of, you know, all those Cornell contracts that we've talked about that had to have additional scrutiny. We had heard about the MOU in doing all of their contracts at -- in one shot. So, the Planning Department continues to be given more responsibilities and they need this position, because, and I can't get into the really complex parts of it where there was one title and it was filled by another title, and they wound up with a negative. And this is a department which, when you see the Environment Committee's agenda on today's agenda, you'll see how very busy the Planning Department is with all of their different tasks. So this is why I would like to sustain that part of the veto and keep that position in the Planning Department.

P.O. LINDSAY:

Okay. Legislator Alden.

LEG. ALDEN:

Just a couple of comments and then a couple of questions, maybe to Legislator Viloría-Fisher. When we went through the process, most of the time, where we actually kept a newly created position, the discussion revolved around are these positions that are now going to be filled, because there's so many positions that are vacant, and then, most of the time, when we actually left in a new position, we would abolish something else to offset it. So the question should be asked, then, because we didn't ask it in the Work Group, are there -- and I think maybe we did, but are there other positions in this department that are unfilled, and has the Commissioner gotten the assurance that this position will be filled?

P.O. LINDSAY:

What I'd like to do is I'd just like to go to Ms. Vizzini from Budget Review to give us her thoughts on this particular position. And then if you could come up, Mr. Isles, and --

LEG. ALDEN:

Is anybody else cold? I'd like a little more heat.

D.P.O. VILORIA-FISHER:

Oh, my God.

MS. ORTIZ:

We called.

LEG. ALDEN:

All right. Yeah, crank it up a little bit.

MS. ORTIZ:

We called.

LEG. SCHNEIDERMAN:

We need to collect that energy tax.

LEG. ALDEN:

I got a chill.

LEG. MYSTAL:

I mean, whenever Lynne is hot, you know it's hot.

LEG. NOWICK:

And I'm warm.

D.P.O. VILORIA-FISHER:

You know, we want to make sure we have that global impact, you know, the global warming.

LEG. SCHNEIDERMAN:

It's the energy tax we get. You know, we make a lot of money off of heating it.

P.O. LINDSAY:

Go ahead, Ms. Vizzini.

MS. VIZZINI:

Yeah, the Assistant Economist was one of 24 new positions that were in the recommended budget. All of them had some justification or another. This one, in particular, was for the oversight of the Cornell contracts, and, as it turned out, the need for that was expedited by taking an existing vacancy of Senior Planner and earmarking it to the title, so that the individual and the Assistant Economist are already up and running in the department. And partially, for this reason, as well as the fact it was a new position, we used it -- it was one of the positions that the working group did not believe should go forward.

P.O. LINDSAY:

Mr. Isles?

MR. ISLES:

I don't disagree with that. I think the point is, is that Planning was assigned this responsibility, which is -- Cornell Cooperative Extension is many times larger. We're a budget of two-and-a-half million dollars in County Planning. Cornell Cooperative Extension is at least 6 million dollars, multiple year contracts, and so forth. They have personnel ranging from 72 to over 100 personnel. So, taking on the additional responsibility, we needed a qualified person on board to do that. Given the importance of it and the timeliness of the review of Cornell vouchers, the importance of their function and role in Suffolk County, we were able to accomplish that last month, and we appreciate that very much. However, I think to do so, to say to Planning, "We want you to do this important responsibility for County Government, oh, but, by the way, your core mission of planning in guiding this County, the largest suburban county in the country, we're taking a person away from you." And I understand you've got the larger picture of the budget, and I'm not disrespecting that in any way, but we're at the point now where we're so pruned back on staff, where this department had over 40 people back in the '80's, and so forth.

As I said, it comes now down to cutting functions, and we -- I will do the best I can. I will work as hard as I can, my department will work hard as it can, but that's where we are with this position. And with the additional responsibility, in order to maintain what we do, we need the help.

P.O. LINDSAY:

Tom, I think the threshold question here is that if we sustain --

MR. ISLES:

Right.

P.O. LINDSAY:

-- this veto, and if we sustain the veto here and leave it in the budget --

MR. ISLES:

Yes.

P.O. LINDSAY:

-- that will give you a vacant position in your Department. Do you have any assurances? We know that you do a good job, and we know that you need people. Do you have any assurances that you'll be able to fill that position?

MR. ISLES:

I do.

P.O. LINDSAY:

You do.

MR. ISLES:

I've been meeting with the County Executive's Office --

P.O. LINDSAY:

Okay.

MR. ISLES:

-- regularly over the past few days. I have a commitment from the Chief of Staff for a signed SCIN form.

P.O. LINDSAY:

Okay. And I think that was the threshold question here.

MR. ISLES:

Okay. Thank you.

P.O. LINDSAY:

We just didn't want to put another vacant position back in the budget --

MR. ISLES:

Right.

P.O. LINDSAY:

-- if it wasn't being used.

MR. ISLES:

I understand.

P.O. LINDSAY:

Legislator Alden.

LEG. ALDEN:

Along that same line, do you have any other positions in your department that are vacant and not filled?

MR. ISLES:

I have one other position that was here again, someone that -- a Planner position does regulatory review. We receive over twenty-six applications a year. I had an employee who was on board this year, who then took a job at a higher pay in a municipality in a Town Government. I have not been able to refill that here again due to the larger issue of the State budget. I have a commitment that I can get that refilled, and I'll have a signed SCIN form on that. So, I have one vacant position here again for a critical function that --

LEG. ALDEN:

But you have a signed SCIN form on it.

MR. ISLES:

No, I don't have a signed SCIN form.

LEG. ALDEN:

Oh.

MR. ISLES:

I was told that I'd have a signed SCIN form this week, and I believe that.

P.O. LINDSAY:

Does anybody else have any questions of Mr. Isles? Thank you, Tom, for hanging around.

MR. ISLES:

Thank you.

P.O. LINDSAY:

Okay. So, before us is D.O. 36 that we voted to pull out of Document 3. And there is not a motion on it to override; am I correct? I don't see any motions.

LEG. ALDEN:

Wasn't there a motion to pull it out?

P.O. LINDSAY:

There was a motion to pull it out and we passed that already.

LEG. ALDEN:

Good.

P.O. LINDSAY:

Okay. So, seeing that there is no motion, that veto is sustained. Boy, I'll get this right yet, huh?

D.P.O. VILORIA-FISHER:

Yes.

P.O. LINDSAY:

Now, the rest of Document Number 3 is before us, and I will make a motion to override.

LEG. MONTANO:

Second.

P.O. LINDSAY:

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

LEG. BARRAGA:

Opposed.

MR. LAUBE:

Sixteen. (Not Present: Leg. Caracappa)

P.O. LINDSAY:

We go to Document Number 4. There is no action necessary on this, because it's a pocket approval. Okay. So, go to Document Number 5.

LEG. KENNEDY:

What does that mean?

P.O. LINDSAY:

What does that mean, is the County Executive chose not to sign those particular budget items, but they are not disapproved.

LEG. KENNEDY:

So, we -- those positions --

P.O. LINDSAY:

They stay. Okay? *Document Number 5.*

D.P.O. VILORIA-FISHER:

Six.

LEG. MYSTAL:

Number 6.

D.P.O. VILORIA-FISHER:

Six.

LEG. NOWICK:

Five.

P.O. LINDSAY:

Five.

D.P.O. VILORIA-FISHER:

Oh, I'm sorry.

P.O. LINDSAY:

Okay. It's really an objection to the Ninth Resolved Clause. Why don't you explain that, Ms. Vizzini.

MS. VIZZINI:

Document 5 and Document 6 both refer to the \$29,500 transfer from the General Fund to fund the Welfare to Work Mentoring Program. Document 5 pertains to the mandated resolution, and Document 6 pertains to the discretionary resolution, so it's the same program.

P.O. LINDSAY:

Let -- all right. Let me explain this particular issue, and it's really a small issue, although it does -- we have two documents on it. It involves \$29,500. It was an item that was put into the budget last year at the request of the Welfare to Work Commission. And what they wanted, or what they thought they wanted to experiment with is, when someone signs up for DSS help, they either have to actively seek employment in order to get a check, or else to attend training programs to continue to get a check. The people that signed up for training, the failure rate, I don't remember the numbers, but it was quite high. And what the Welfare to Work Commission felt, that with a little bit of money to create a mentoring program for these people, they could increase the success rate of these people and their educational endeavors dramatically.

We funded it last year. I think we put the line in the Labor Department. The program was very successful. It improved the success rate, I believe, by about 20 points of the people that took educational material. The money was kicked all over the place. It was assigned to Labor, but Labor didn't have the personnel to do it. It wound up with the College, because the College had the professional expertise to conduct such a mentoring program. So, this year, we put it in the College Budget, which is highly unusual, because we vote on the College Budget separately. So, we're transferring \$29,000 from the Operating Budget to the College Budget, so the money doesn't -- goes through about three or four different hands before it gets to the College.

It is our intention, or my intention, to attach it for '09 in the College Budget, so we wouldn't have to deal with it again in the Operating Budget, if the program continues to be as successful as it was in the first experimental year. The County Executive has a lot of questions, why, in the Operating Budget, are we transferring money from the Operating Budget to the College Budget. And, I admit,

it's highly unusual, but it's because of the circumstances that we got ourselves into with this program, trying to find the proper people to do the program. Does anybody have any questions?

D.P.O. VILORIA-FISHER:

I do.

P.O. LINDSAY:

Yes, Legislator Viloría-Fisher.

D.P.O. VILORIA-FISHER:

Gail, I have a question for you about putting this in the College Budget, in the next College Budget, and it being a program that's developed by the County, the Welfare to Work Commission being a Legislative group, vis-a-vis Plan C and internal -- I'm just hoping we're not going to run into any problems.

I don't know, Mr. Chair, if you've talked to the College about this, this being a Legislative Task Force that has put this together, and I think it's working beautifully. Has the College said anything to you about Plan C and our putting this into the budget?

MS. VIZZINI:

Well, the College is running the program, as the Presiding Officer indicated. Originally, the money was transferred from the Labor Department by resolution. During the year, we actually transferred money to the College, along with our other transfers from the General Fund, supporting the College. This resolution -- you know, this Resolved Clause, rather, clarifies how the College is to treat the money, that it's not part of the County contribution, and that it should be reflected in the estimates and where it should be reflected, so --

D.P.O. VILORIA-FISHER:

So, then it's outside of the Plan C, because it's not the County contribution to the College, it's funding this particular program, is that what you're saying?

MS. VIZZINI:

Correct. It's distinguished from our County contribution.

D.P.O. VILORIA-FISHER:

Okay. That was my question.

MS. VIZZINI:

Yes. And it should --

D.P.O. VILORIA-FISHER:

You articulated it better than I did.

MS. VIZZINI:

Yeah, it should not -- Plan C should not be any type of obstruction or obstacle to this.

D.P.O. VILORIA-FISHER:

Okay. Thank you, Gail.

P.O. LINDSAY:

Any other questions? I'll make a motion to override Document Number 5, seconded by Legislator Viloría-Fisher. All in favor? Opposed?

LEG. BARRAGA:

Opposed.

P.O. LINDSAY:

Abstentions?

MR. LAUBE:

Sixteen. (Not Present: Leg. Caracappa)

P.O. LINDSAY:

Okay. *Document Number 6*. Again, we're dealing with a couple of Resolved Clauses here. Ms. Vizzini, would you like to go through them with us? This -- yeah, this is the one where there is some interest.

MS. VIZZINI:

I'll just summarize the general idea of the several Resolved Clauses that are incorporated in Document 6.

Document 6 vetoes Resolved Clause 5, in which we authorize augmenting appropriations to Probation to maximize alternatives to incarceration, including, but not limited to, day reporting, pretrial supervision, juvenile intensive supervision, Stop DWI. Interestingly enough, the particular line items adding those appropriations were not vetoed, just the Resolved Clause.

Document 6 also vetoes Resolved Clause 7, in which we identify certain positions funded with Water Quality funding as nonessential. These positions are limited to those for which there was no approved SCIN form, and for which, at the time we did the omnibus, there was no active recruiting. Basically, the thrust of this is that those positions be abolished, and should there be a need to create anymore positions funded with Water Quality funding, that the manner in which that would be done would be either through a resolution, and, therefore, you could exercise your oversight in terms of the necessary justification for these positions.

Document 6 also vetoes Resolved Clause 9, which formalizes the Legislature's oversight of the Water Quality funding for contracted agencies. It sets up a procedure whereby the -- several departments -- it includes Environment and Energy, Planning and Economic Development, all have 477 funded contract agencies under their oversight.

The Legislature and the Working Group indicated a need for additional information from the Water Quality funded contracts in terms of a status report; what are these contracts for, how much money is in the budget, what have we accomplished thus far, what are the goals for 2008, what needs to be done, and whether, of course, these are bona fide 477 efforts. The procedure is that that report be made as early as possible, a copy to all Legislators, and an oral presentation made before the Environment, Planning and Agriculture Committee. And then, upon acceptance of the report, there would be no further impediment to moving forward on these contracts.

LEG. ALDEN:

Can we ask a question on that as we go along?

P.O. LINDSAY:

Sure. Legislator Alden.

LEG. ALDEN:

Gail, would that impede the possibility of putting in a project during the year by resolution? If it was -- say it was filed after March 15th in '08.

MS. VIZZINI:

Not that I could see. This was a compromise. Rather than taking money out of the budget, because we did not have the answers to these questions, and putting money back into the Water Quality Fund, it was thought that if we could in some way get the justification and status update,

understand the goals and objectives and the future objectives of the program, and the best avenue for that would be -- to the whole Legislature, but via the committee process.

LEG. ALDEN:

So, the report could be a broad statement, that there's "X" number of projects needed, and there will be other projects needed on point-source pollution? This doesn't exclude the possibility of adding a point-source elimination project later?

MS. VIZZINI:

No, it doesn't exclude the possibility of adding.

LEG. ALDEN:

Good.

P.O. LINDSAY:

Could I just -- and I know, Legislator Alden, you were at all the meetings of the Working Group, but just for the edification of the rest of my colleagues, the reason that we attempted to put these Resolved Clauses in the budget is because when 477 first came about, it was envisioned to be a bricks-and-mortars type of funding source that we could fund a specific project that would improve water quality. A lot of the projects that we're funding now are ongoing. We're not doing so much in-house as we're using contract agencies like the Nature Conservancy and the Cornell Cooperative Extension. And there seems to be a trend that these are annual appropriations that come out of 477, and we wanted to try and get a handle on them to rein them back in a little bit, to find out what progress we're making on some of these longer-term projects, and that was the intent.

I'm sensitive. I know the County Executive, in his veto message, feels that we'll be complicating some of the processes. I'm not necessarily married to this method, but it is my intent to rein in some of these projects, that we get better oversight on what -- where is our money going? Legislator Losquadro, did you want to comment?

LEG. LOSQUADRO:

Yes, I did, on that -- on that same vein. In the veto message of the Seventh Resolved Clause, near the bottom, it says, "The abolishing of these positions does nothing to lower property taxes, because the funding source is from Quarter Percent. If these positions are abolished, these duties will not be carried out."

The point is, as the Presiding Officer just said, it's not about the duties. The point of the 477 Fund is to fund these actual projects. So, to try to tie this specifically to the salaries is exactly our point. We don't want to just see it for salaries, we want to make sure the projects are actually getting completed. So, I think part of the County Exec's veto message actually made our point for us.

P.O. LINDSAY:

Okay. And my comments weren't directed at 7, it was primarily at 9, 10 and 11.

D.P.O. VILORIA-FISHER:

Can I just add something?

P.O. LINDSAY:

Go right ahead.

D.P.O. VILORIA-FISHER:

And, as my colleague, Legislator Losquadro, knows, because he's on the Environment Committee with me, is that we're often in a reactive mode regarding the use of 477 monies. And I believe that these Resolves -- it was, I think, very well done by the Working Group. I congratulate you, Mr. Chair, and the other members of the Working Group for putting this language in, so that we can be part of the process, rather than just be in a reactive mode. So, I think this is good language.

And, by the way, we have to respect the taxpayers' money, whether it comes out of property taxes or the quarter percent sales taxes. People are paying to have water quality and not just to be a buffer against the Operating Budget.

P.O. LINDSAY:

Legislator Cooper, did you wish to be recognized?

LEG. COOPER:

Yes. One question for Gail. Are there other ways of achieving our stated goal of 477 funding oversight. If we didn't want to use this approach, what other approaches might be available to the Legislature?

MS. VIZZINI:

Well, I'm sure there are other approaches. If the same sort of approach could be obtained on a voluntary basis, if the Committee Chair or the Legislature required this type of reporting from the agencies, or if it wasn't able to be obtained on a voluntary basis, certainly, you could do this through resolution, which is tantamount to what this is, a resolution setting up the procedure. Off the top of my head, I can't think of any other ways, but I'm sure, if there's -- you know, we could agree to something.

LEG. COOPER:

If I could, I'd like to ask Mr. Zwirn to come up for a moment to further explain the County Exec's rationale for this veto.

MR. ZWIRN:

With permission of the Presiding Officer, Mr. Lindsay, may I?

P.O. LINDSAY:

Sure.

MR. ZWIRN:

The County Executive's Office has not quarreled with the oversight responsibilities of the Legislature. We just think, if you want to have further oversight and do it, we would respectfully ask you to consider it in the new year by legislation, by resolution, as opposed by doing it in the budget, because one of the things that -- in these resolutions that is put forth is that the 477 contracts and projects will be overseen by the Environment Committee, not the entire Legislature, which means Legislator Alden, who may want to have some input into this, or Legislator Losquadro. There's no knowing who's going to be on the Environment Committee in the following year, and some of you, who may not be on there, may want to have input into the 477. And there is no appeals process from this. If it does not get through the Committee, there's no process where it goes before the entire Legislature for review.

One of the things we're concerned about is that there are multi-year contracts under 477 that are currently in existence. And the Comptroller is going to be in a difficult spot, when people come forward for payment, and according to this, these Resolved Clauses, even continuing contracts, are ones that are going to have to pass review by the Committee. So, we're concerned. We're not quarreling about oversight, we know that the Legislature is concerned, but we would ask you at this point to sustain the veto with respect to these resolutions, and then take it up by resolution through the Committee and through the Legislative process starting in January, so that we have an opportunity to vet all these issues in a proper manner. We just think that we understand the intent. We're concerned about the process that has been laid out in this document, but willing to work with you going forward into the new year, if that's possible.

P.O. LINDSAY:

And that's -- you're referring to 9, 10 and 11.

MR. ZWIRN:
That's correct.

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

D.P.O. VILORIA-FISHER:
Thank you, Ben, for clarifying that, but I do have to disagree with some of what you said. All of the policies that are voted on by this Legislature go through the committee process, and every Legislator has the ability to see every resolution that is laid on the table and is considered by every committee. And if, in fact, a committee votes against a particular resolution or it doesn't discharge a resolution, every member of this Legislature has the ability to have a discharge petition, so that --

MR. ZWIRN:
It's not in here.

D.P.O. VILORIA-FISHER:
This cannot go through discharge?

MR. ZWIRN:
It's not -- it doesn't go before the whole Legislature, it's only the Environment Committee has the final say on this. There is no process for this to go before the entire Legislature to discharge. And, remember --

D.P.O. VILORIA-FISHER:
George, is that true? Because that would be different from every other --

MR. NOLAN:
What it requires is for the departments that administer these contracts to come before the EPA Committee, make a presentation, and then the Committee has to accept that presentation. Once the Committee does that, then things can proceed as they normally do.

MR. ZWIRN:
But if they don't accept it, there's no timetable. We're just saying, we understand, but we think it could -- if we could do it through the committee process, where some of our questions could be vetted, that's --

D.P.O. VILORIA-FISHER:
But you know that every agenda of every committee is sent to every member of the Legislature as well. Everybody knows what's going on in all the committees.

MR. ZWIRN:
Legislator Viloría-Fisher, I understand. We're not trying to be -- we have tried to be as conciliatory -- well, I would say we've been more conciliatory than we have been in the past, certainly with respect to the messages. We have pocket-approved a number of things where if -- because we agree with you with policy. We're just not sure the money's going to be there. So we have tried to take a very -- maybe the P.S. approach to the vetoes, and -- but on this one, we would ask you if you could please work with us on this, so that we can go into the new year and try to get this thing done the right way. Again, we're not quarreling with the oversight, but we're trying to do it, we think, the right way for both the Legislature and for the County Exec's Office.

P.O. LINDSAY:
If you could just stay there for a minute.

MR. ZWIRN:

Sure.

P.O. LINDSAY:

Legislator Kennedy.

LEG. KENNEDY:

Thank you, Mr. Chair. I agree with my colleague's concerns with 477, as I sit on EPA Committee. I think that all of us here want to look at bricks and mortar. But I also have a concern with Number 5 and the fact that the Exec makes reference to Caputo vs. Halpin, which I have a copy of right here. And, unfortunately, it appears that the Exec's attempting to assert an unfettered right to go ahead and limit anything that we do as far as hiring, when the case clearly doesn't say that. It limits to 10% the ability for the Exec to unilaterally make a determination. And then beyond that, the Exec is obligated to come forward to us with a writing to determine whether or not there has to be further limitation. One of the principals in that case, as a matter of fact, sits here on the horseshoe right now, so --

LEG. ROMAINE:

Me.

LEG. KENNEDY:

I don't want to split hairs, but, again, the absence of actuality, I think, is what speaks volumes in here. This is not an unfettered right on the part of the Executive to go ahead and not fill any position whatsoever that we include to go ahead and put in. I disagree with that as far as it's asserted.

P.O. LINDSAY:

Thank you. Legislator Cooper.

LEG. COOPER:

I just wanted to make a motion. I share some of the concerns that were expressed regarding Resolved Clause 9, and, therefore, related Resolved Clauses 10 and 11. And based on the County Exec's stated willingness to work with us to help us achieve our stated goal, I'd like to make a motion to separate out Resolved Clause -- Clauses 9, 10, and 11.

P.O. LINDSAY:

Motion to take out Resolved Clause 9, 10 and 11 and treat them separately. I'm going to second that motion with this caveat, is that the amount of money that we spend through contract agencies on 477 is pretty large, and some of the programs have been going on for a couple of years, and we haven't heard anything about how our money's being spent. And if this was to be sustained, we're going to want to get some reports on how that money's being spent. And if we feel it isn't being spent properly, we're going to look on how to get out of those contracts.

LEG. ALDEN:

Mr. Presiding Officer.

P.O. LINDSAY:

Yes, Legislator Alden.

LEG. ALDEN:

Mr. Zwirn's nodding his head "yes". Would that be possible before the end of the year, a report, and then, going into next year, we can do some formal type resolution?

MR. ZWIRN:

Through the Presiding Officer, I'll talk to Commissioner --

P.O. LINDSAY:

I'm not sure, I mean, because -- I mean, for one thing, I'm just thinking of -- I know Cornell runs about two or three different environmental programs for us. I mean, I would love to hear how a report on the progress of how those projects are going. I don't want to overburden somebody with a big formal report, but if we could get a report before the end of year, I would certainly welcome that.

LEG. ALDEN:

It wouldn't have to be real, real formal, and wouldn't have to be, you know, completely in-depth, but we should have some kind of documentation to base our deliberations, you know, because we're going to try to take this up very early next year.

MR. ZWIRN:

I don't have any problem going back to Commissioner Gallagher, and then you just direct the County Exec's Office. You want her to come before the Committee or do you want her to come before the full Legislature? That's one of the reasons why we objected to 9, 10 and 11, because it's -- I think some of this -- I think some of the Legislators are going to want to be able to weigh in on some of these things.

P.O. LINDSAY:

Well, I think I would prefer it to come before the full body.

LEG. ALDEN:

Yeah.

P.O. LINDSAY:

Yeah.

LEG. ALDEN:

Maybe we could, you know, give her like ten minutes or fifteen minutes at one of the December meetings.

P.O. LINDSAY:

All right.

MR. ZWIRN:

I will do that.

P.O. LINDSAY:

Okay.

MR. ZWIRN:

Thank you very much.

P.O. LINDSAY:

So, we have a motion to pull 9, 10 and 11 Resolved Clause out of Document 6, and a second. And then this is just to pull it out, not to necessarily override the veto, sustain the veto, whatever. All in favor of pulling out 9, 10 and 11? Opposed? One opposition, two oppositions, three oppositions. Okay. (Legs. Romaine, Caracappa and Losquadro opposed)

MR. LAUBE:

Fifteen.

P.O. LINDSAY:

Okay, 9, 10 and 11.

MR. LAUBE:

Fourteen. Elie's not here.

P.O. LINDSAY,

9, 10 and 11 are before us. Is there a motion to override?

LEG. ROMAINE:

Motion to override.

P.O. LINDSAY:

Motion to override by Legislator Romaine.

LEG. LOSQUADRO:

Second.

P.O. LINDSAY:

Second by Legislator Losquadro. Okay.

LEG. ROMAINE:

Roll call.

P.O. LINDSAY:

Roll call on the override.

(Roll Called by Mr. Laube, Clerk)

LEG. ROMAINE:

Yes.

LEG. LOSQUADRO:

Yes to override.

LEG. SCHNEIDERMAN:

No.

LEG. BROWNING:

No.

LEG. CARACAPPA:

Yes.

LEG. EDDINGTON:

No.

LEG. MONTANO:

No.

LEG. ALDEN:

Pass.

LEG. BARRAGA:

No.

LEG. KENNEDY:

Yes.

LEG. NOWICK:

Yes.

LEG. HORSLEY:

No.

LEG. MYSTAL:

No.

LEG. STERN:

No.

LEG. D'AMARO:

No.

LEG. COOPER:

No.

D.P.O. VILORIA-FISHER:

Yes.

P.O. LINDSAY:

No.

LEG. ALDEN:

Reluctant no.

MR. LAUBE:

Six.

P.O. LINDSAY:

Okay. The override fails.

MR. LAUBE:

Six.

P.O. LINDSAY:

Okay. On the rest of Document 6, I will make a motion to override the vetoes.

LEG. MONTANO:

Second.

P.O. LINDSAY:

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

LEG. BARRAGA:

Opposed.

LEG. ROMAINE:

Opposed.

MR. LAUBE:

Sixteen.

P.O. LINDSAY:

Document 7. Maybe you could go over the content of the document, Gail.

MS. VIZZINI:

Sure. Document 7 is dedicated to Omnicode 42 and 43. Forty-two represents most of the working Omni-Group in regards to contract agency funding, and 43 also represents the work of the Group for contract agency funding, but also represents certain district-specific downtown revitalization, cultural affairs and programs of that nature. The only thing that was not vetoed in those two areas of contracted services was the restoration of the contracted health clinics to the 2007 levels, or any additional monies given to contracted health clinics by the Legislators.

P.O. LINDSAY:

I'll make a motion to override --

LEG. LOSQUADRO:

Second.

P.O. LINDSAY:

-- the Document 7, second by Legislator Losquadro. Any discussion? All in favor? Opposed? Abstentions?

LEG. BARRAGA:

Opposed.

MR. LAUBE:

Seventeen.

P.O. LINDSAY:

Okay. With that, that completes the work on the budget. And I'd like to again thank the Working Group, Budget Review, the Exec's Office, and everybody that was involved in the budget process. We're going to go to the main agenda in the paper form.

LEG. ALDEN:

Mr. Presiding Officer.

P.O. LINDSAY:

Yes, Legislator Alden.

LEG. ALDEN:

There's an appointment for the Parks Commissioner, the new Parks Commissioner. He's been sitting here, if we could take that out of order and send him back to work.

P.O. LINDSAY:

Sure. What resolution number and what page?

LEG. ALDEN:

I think it's on 12.

D.P.O. VILORIA-FISHER:

It's in Parks.

P.O. LINDSAY:

Page 12?

LEG. ALDEN:

I think it's on 12. 2007 is the number on Page 12. So, I'd make a motion to take it out of order, if that's permissible.

P.O. LINDSAY:

Sure.

LEG. NOWICK:

I'll second it.

P.O. LINDSAY:

Okay. Legislator Alden makes a motion to take I.R. 2007 out of order, seconded by Legislator Nowick. All in favor of taking it out of order? Opposed? Abstentions?

LEG. MYSTAL:

What resolution is that?

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

All right.

LEG. ALDEN:

On Page 12, Elie.

P.O. LINDSAY:

2007 is before us - *Confirming Commissioner of County Department of Parks, Recreation and Conservation, John W. Pavacic*, right? Did I pronounce your name right?

MR. PAVACIC:

You got it right.

P.O. LINDSAY:

Thank you.

MR. PAVACIC:

Thank you very much.

P.O. LINDSAY:

Thank you very much. Does anyone have any questions for Mr. Pavacic?

LEG. ALDEN:

We should make a motion first, right?

P.O. LINDSAY:

Okay. You want to make a motion by Legislator --

LEG. KENNEDY:

I'll make the motion, as Mr. Pavacic is my constituent. And as a matter of fact, I'd be happy and pleased to make that motion.

P.O. LINDSAY:

Unfortunate. He's a nice man.

LEG. NOWICK:

And I'll second that, because he's in Smithtown.

LEG. KENNEDY:

It is. I'm going to wear him right out, aren't I? I'm going to wear him right out.

P.O. LINDSAY:

Motion by Legislator Kennedy to approve 2007, and seconded by Legislator Nowick. Okay. Does anybody have any questions for Mr. Pavacic? We have --

D.P.O. VILORIA-FISHER:

No. He just talked to everybody.

P.O. LINDSAY:

We have none. And I just want to compliment you on your due diligence of coming around and introducing yourself to every Legislator. It really helps a lot when we can have a chat and find out where you're coming from and your intentions, and everything.

MR. PAVACIC:

It was my great pleasure. Thank you very much --

P.O. LINDSAY:

You're welcome.

MR. PAVACIC:

-- for welcoming me into your services, I really appreciate that.

P.O. LINDSAY:

Okay. With that in mind, all in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

Welcome, Mr. Commissioner.

(Applause)

MR. PAVACIC:

Thank you so much. I'm truly grateful. Thank you.

P.O. LINDSAY:

Okay. Going back to Page 6 -- 5, 5. I'll accept a motion on the Consent Calendar. Motion by Legislator Caracappa, seconded by Legislator Barraga. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

RESOLUTIONS TABLED TO NOVEMBER 20, 2007

P.O. LINDSAY:

Page 7, Resolutions Tabled to November 20th. ***2022-05 - Making a SEQRA determination in connection with the proposed Francis S. Gabreski Airport redevelopment of Long Island Jet Center East, Incorporated, Town of Southampton.***

LEG. SCHNEIDERMAN:

Motion to table.

LEG. COOPER:

Second.

P.O. LINDSAY:

Motion to table --

LEG. COOPER:

Second.

P.O. LINDSAY:

-- by Legislator Schneiderman, seconded by Legislator Cooper. All in favor? Opposed?
Abstentions?

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

1894 - 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.

MR. MONTANO:

Motion to table.

P.O. LINDSAY:

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

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

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

LEG. COOPER:

Motion to table.

P.O. LINDSAY:

Motion to table by Legislator Cooper.

LEG. STERN:

Second.

P.O. LINDSAY:

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

MR. LAUBE:

Eighteen.

LEG. SCHNEIDERMAN:

Mr. Clerk, please list me as recusing myself.

MR. LAUBE:

Seventeen.

P.O. LINDSAY:

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

LEG. BROWNING:

Motion to table.

P.O. LINDSAY:

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

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

1120 - Amending the Adopted 2007 Operating Budget and transferring funds in connection with the provision of Mercury-Free vaccines.

LEG. STERN:

Motion to table.

P.O. LINDSAY:

Motion to table by Legislator Stern.

LEG. MYSTAL:

Second.

P.O. LINDSAY:

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

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

1166 - Authorizing planning steps for acquisition under Suffolk County Multifaceted Land Preservation Program, the Zoumas property, Town of Riverhead.

LEG. ROMAINE:

Motion to table.

P.O. LINDSAY:

Motion to table by Legislator Romaine.

LEG. COOPER:

Second.

P.O. LINDSAY:

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

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

J.R. 1359 - Amending the 2007 Capital Budget and Program and appropriating funds in connection with the stormwater system discharge remediation and stream water silt removal and remediation at the Nissequogue Tributary headwaters north from CR 76, Townline Road to Miller's Pond, Smithtown, Lake Ronkonkoma, Old Nichols Road Corridor, and surrounding areas.

LEG. KENNEDY:

I'll make a motion to table, Mr. Chair. I've been working with the Town Engineer's Office. We should have a final price tag by next week.

P.O. LINDSAY:

Okay.

LEG. ALDEN:

Second.

LEG. KENNEDY:

Thank you.

P.O. LINDSAY:

Second -- motion by Legislator Kennedy, second by Legislator Alden. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

Which makes 1359A moot. *1699 - A Local Law to enact Consumer Protection in connection with musical concerts and performances a Truth in Music Bill.*

LEG. ALDEN:

I'd actually like at this point to make a motion to approve, because we haven't heard back from the Attorney General's Office --

LEG. ROMAINE:

Second.

LEG. ALDEN:

-- how they're going to enforce this, and at least it would give some enforcement. If they tell us it's satisfactory, then we could either repeal this or not enforce it, but, at this point, they're not telling us -- they haven't responded.

P.O. LINDSAY:

We don't need Lenny back?

LEG. ALDEN:

If you want, Lenny would like to come back, actually, but --

D.P.O. VILORIA-FISHER:

Hey, it's an audience.

LEG. ALDEN:

I know.

P.O. LINDSAY:

Okay. We have a motion to approve by Legislator Alden, and a second by Legislator Romaine. Anybody on the subject? Seeing none, I don't hear a note in the audience. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

LEG. ALDEN:

Thank you.

P.O. LINDSAY:

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

LEG. MYSTAL:

Motion to table.

LEG. LOSQUADRO:

Motion to table.

LEG. COOPER:

At this point, motion to table.

P.O. LINDSAY:

Motion to table by Legislator Cooper.

LEG. LOSQUADRO:

Second.

P.O. LINDSAY:

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

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

1742 - Authorizing certain technical corrections to the 2007 Adopted Operating Budget for the contracted agency John T. Mather Memorial Hospital.

LEG. LOSQUADRO:

Motion to table.

P.O. LINDSAY:

Okay. Motion by Legislator Losquadro to table.

LEG. LOSQUADRO:

You want to second it?

LEG. COOPER:

Second.

P.O. LINDSAY:

I'll second it for purposes of discussion.

LEG. LOSQUADRO:

Mr. Chairman, this bill should be withdrawn, because the contract has -- the County Attorney's Office was able -- if I just can get

Ms. Bizzarro to nod her head yes. The contract has been done administratively. The changes have been done administratively through the County Attorney's Office.

P.O. LINDSAY:

Okay. I'm the sponsor, so I will instruct Counsel if he could withdraw 1742. I'll sign the documents. So, for now, motion to table and a second. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

1748 - Establishing an Affordable Housing Task Force for Land Trusts.

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 - Amending the Suffolk County Classification and Salary Plan in connection with a new position title in the Department of Economic Development and Workforce Housing, Airport Business Manager.

LEG. BROWNING:

Motion to approve.

P.O. LINDSAY:

Motion to approve by Legislator Browning. I'll second the motion.

LEG. ALDEN:

On the motion.

P.O. LINDSAY:

On the motion, Legislator Alden.

LEG. ALDEN:

How did we treat this in the '08 Budget?

P.O. LINDSAY:

I think --

LEG. SCHNEIDERMAN:

I think we put the money back in.

P.O. LINDSAY:

Lance.

MR. REINHEIMER:

We included the money for this position.

LEG. ALDEN:

And how do we look on '07? If we fill this position, there's still what, a month-and-a-half left in '07?

Do we have money to do this?

MR. REINHEIMER:

Well, there's funds provided in '08 for the position. I don't think the intent is to fill this position in '07.

LEG. ALDEN:

So why would --

P.O. LINDSAY:

Do we need --

LEG. ALDEN:

Yeah, why would we put this in, then?

MR. REINHEIMER:

Well, this is amending the Salary and Classification Plan to create the title.

LEG. ALDEN:

We didn't create it in the '08 Operating Budget?

MR. REINHEIMER:

No, because this resolution was already introduced, was tabled --

LEG. ALDEN:

Okay.

MR. REINHEIMER:

-- and was being considered.

LEG. ALDEN:

But this doesn't fill the position, so this --

MR. REINHEIMER:

No, this just creates the position.

LEG. ALDEN:

This creates the position, then we'll fill it in '08.

MR. REINHEIMER:

Right, and this is consistent with the adopted budget.

LEG. ALDEN:

Good.

P.O. LINDSAY:

Okay. Legislator Romaine.

LEG. ROMAINE:

Yes, a quick question. Who currently is in charge of running the Airport in Westhampton?

LEG. SCHNEIDERMAN:

I'll answer. The Airport Manager is a man named Anthony Ceglie.

LEG. ROMAINE:

Does he hold the position of Airport Manager?

LEG. SCHNEIDERMAN:

Yes, he does.

LEG. ROMAINE:

And how -- is this position different, or is this a duplication?

LEG. SCHNEIDERMAN:

This is like cross-examination. Go ahead.

MR. REINHEIMER:

This is --

LEG. LOSQUADRO:

Where were you on the night of --

LEG. HORSLEY:

Raise your right hand.

LEG. SCHNEIDERMAN:

I can't remember. I take the Fifth. I take the Fifth.

P.O. LINDSAY:

Wait a second. The two of you are confusing me now.

MR. REINHEIMER:

This is for a Business Manager, somebody to administer, oversee the lease part -- leasing of space and buildings on the airport property and expansion.

LEG. ROMAINE:

Okay. This person would -- this new position, the job description would give them the ability to oversee the leasing of the 51 acres in the new proposed industrial park that they're going to develop; is that correct?

MR. REINHEIMER:

Yes, and also the Airport development --

LEG. ROMAINE:

The Airport --

MR. REINHEIMER:

-- of leasing areas for the Airport also.

LEG. ROMAINE:

Tie-downs, things of that nature?

MR. REINHEIMER:

And the T-hangars.

LEG. ROMAINE:

And the T-hangars, right, okay. This Airport Business Manager would have that responsibility, and that responsibility is different than Airport Manager?

MR. REINHEIMER:

Well, he would be working under the Airport Manager, but it's -- right, that would be his area of responsibility.

LEG. ROMAINE:

And how much do we derive in revenue from these leases that require a Business Manager to review?

MR. REINHEIMER:

I think this is in part development of the Airport leases, the T-hangars. Those hangars are being constructed and planned, so there's expansion. So, right now, the lease revenue, off the top of my head, I'm not sure of, but it's not substantial, but, you know, the plan is to have that increase, and to have somebody review, monitor the leases, so that we get fair market value for the leases, because that has been the problem in the past; there was question as to whether the County was getting fair market value.

LEG. ROMAINE:

For the leases?

MR. REINHEIMER:

For the leases.

LEG. ROMAINE:

Correct me if I'm wrong, but would that not be more appropriate to the Division of Real Estate, or the Department of Real Estate, or whatever it's called?

MR. REINHEIMER:

I think they work in conjunction with them, is my understanding.

LEG. ROMAINE:

It's my understanding that the Department of Real Estate would be in charge of all County -- leasing of all County properties.

MR. REINHEIMER:

Yeah, I think they work together; they'll work together on that.

LEG. ROMAINE:

Okay.

LEG. KENNEDY:

Mr. Chair.

D.P.O. VILORIA-FISHER:

Jay is --

P.O. LINDSAY:

Yes.

LEG. KENNEDY:

Mr. Chair.

P.O. LINDSAY:

Yes.

LEG. SCHNEIDERMAN:

I'm not objecting --

P.O. LINDSAY:

I'm going to recognize Legislator Schneiderman, because I think he's going to answer some of

Legislator Romaine's questions.

LEG. SCHNEIDERMAN:

Yeah, maybe. Where was I on the night of? Who knows. I'm not objecting to the -- I'm not objecting to the position being created, but the last comment, in terms of -- it's being created so we get fair market value for the leases. And we've had a guy in there, Neil Toomb, for quite sometime, and he was put into a position where he has been working exactly on that for a number of years, and Carolyn Fahey. Everything that's been going on at Gabreski Airport has been at fair market. So, I'm assuming that Neil's position won't be there, that is being changed into this new title, which maybe has a little bit more pay. Is that what's going on here, or are we going to have two people doing the same thing?

P.O. LINDSAY:

Well, rather than Lance, I'm going to recognize Mr. Beedenbender.

MR. REINHEIMER:

Let me clarify in the fair market.

P.O. LINDSAY:

Okay.

MR. REINHEIMER:

Years ago, years ago I'm going back, the leases --

LEG. SCHNEIDERMAN:

Right, we've already fixed that problem.

MR. REINHEIMER:

Right. We started to look at that, review leases as they come up. So, you're correct, that, currently, the procedure now --

LEG. SCHNEIDERMAN:

Yeah, you pertain it as if now we're going to start doing that?

MR. REINHEIMER:

Yes, we have been doing that, that it is correct, yes.

LEG. SCHNEIDERMAN:

All right. Maybe Brian can answer the question.

MR. BEEDENBENDER:

Well, I was just going to say, if you'd like to pass over this, we'll get somebody from Economic Development to come here and answer your questions directly, if you'd like.

LEG. SCHNEIDERMAN:

That would be fine.

P.O. LINDSAY:

You want to do that?

LEG. KENNEDY:

But, Mr. Chair, can I also add to that?

P.O. LINDSAY:

Legislator Kennedy.

LEG. KENNEDY:

No. I'd also like -- we have Division of Real Estate questions as well, so, when Economic Development shows up, I'm interested to hear the actual implementation side with the County Attorney's Office and Division of Real Estate. It's great to have somebody negotiate at the ground level, but every lease goes through the Division of Real Estate and the County Attorney's Office as well. So, we might as well hear from them what their view is.

P.O. LINDSAY:

Just when I thought we'd have an early day.

LEG. SCHNEIDERMAN:

One other thing, Mr. Presiding Officer, that if we're creating this -- if the main reason for it is this industrial development area at Gabreski, that's not likely to come on line in '08, it's going to probably be several years before we actually are up and collecting rents there. So, I think there's more to this position than that, so I think it would be a good idea to hear from Economic Development.

P.O. LINDSAY:

How are we going to get those jumbo jets flying to Europe landing over there if we don't have this --

LEG. SCHNEIDERMAN:

I think they're coming out of MacArthur.

LEG. BROWNING:

Bill.

P.O. LINDSAY:

Touche.

LEG. BROWNING:

Bill.

P.O. LINDSAY:

Legislator Browning.

LEG. BROWNING:

Chris Kent is here, and I know he can respond to some of those Real Estate answers.

P.O. LINDSAY:

Oh, okay. I didn't see you there, Chris. So, maybe we don't have to postpone it, maybe Chris can enlighten us. Legislator Romaine.

LEG. ROMAINE:

Just one other basic question. One, is this going to be a competitive situation in terms of the job title, someone taking a test, or is this appointed? And what, if it's -- regardless of which, what are the minimum qualifications for this job? And I'd like to know both. Is this going to be a Civil Service position that someone has to take a test for, or is this an appointed position?

P.O. LINDSAY:

Mr. Kent, do you know the answers to that?

LEG. SCHNEIDERMAN:

It's a Grade B patronage position.

LEG. ROMAINE:

It's a Grade B patronage --

MR. KENT:

I'm not sure. I think Economic Development is -- will be necessary to respond to the --

P.O. LINDSAY:

Oh, okay.

MR. KENT:

-- specific questions about the position. But, as far as leases being approved by the Division of Real Estate, that's not the case. Leases go before the Space Management Committee. I do sit on the Space Management Committee. The Space Management Committee is run by the Department of Public Works, and the recommendations of that committee are approved by the Legislature.

P.O. LINDSAY:

Okay.

MR. KENT:

So, really, the Legislature approves leases, not the Division of Real Estate.

P.O. LINDSAY:

See, it's our fault, we did it. Yes, Legislator Losquadro.

LEG. LOSQUADRO:

I apologize, I had to ask Mr. Zwirn a question. I don't know if it was brought up, but I know that those familiar with the Airport were saying that some of these improvements probably will not be taking place until 2009 at the earliest, so that in next year's budget, why would we have the need for the additional staff if these people aren't going to have any work to do? If someone could comment on that.

P.O. LINDSAY:

Mr. Zwirn, do you want to --

MR. ZWIRN:

There are -- the leases are being -- there are people who want to negotiate leases now. Neil Toomb was doing this work previously, but he has been moved in the office. He's now working out of the management part of the County Exec's Office, so we'd like to get somebody. Jim Morgo felt it was important to have somebody doing just this part, because it's a revenue-producing position. The leases will always come back to the Legislature for final approval.

LEG. SCHNEIDERMAN:

Is Neil Toomb still doing the leases, or he's doing something completely different?

MR. ZWIRN:

I don't know if Neil's doing them now, but I know he's doing other -- he has other duties as well right now.

LEG. SCHNEIDERMAN:

Because you don't need two people doing this.

MR. ZWIRN:

No. Well, I think Neil is -- Neil has moved into Management, taking Connie Corso's spot as she moved up. So, we need -- Jim Morgo felt -- we'll have somebody from Economic Development come over and explain why. I know it is budgeted for next year, which is -- we're grateful for that.

P.O. LINDSAY:

Are we trying to build the case that the Executive has too many people?

LEG. ROMAINE:
Absolutely.

LEG. SCHNEIDERMAN:
Perhaps.

LEG. ROMAINE:
Cut out the fat.

LEG. SCHNEIDERMAN:
Believe it or not.

MR. ZWIRN:
I know Mr. Romaine thinks there's at least one too many people.

P.O. LINDSAY:
Legislator Kennedy.

LEG. ROMAINE:
No, Ben, I like you, actually.

LEG. SCHNEIDERMAN:
The roles reverse, right?

LEG. KENNEDY:
Ben, obviously, you want somebody out there who's familiar with the property, who can negotiate terms and conditions with a tenant, or at least preliminarily talk about them. But, ultimately, aren't these leases -- if they're not through the Division of Real Estate, then they're into the County Attorney's Office for the purpose of actual legal review and then execution. So, to what extent do you have like a front person either marketing the property or negotiating what's out there and then it comes into the County Attorney's Office? That's not being bypassed, is it?

MR. ZWIRN:
No. You know, it's interesting. Some of the arguments that you made are arguments that the County Executive made with Jim Morgo, because, as you know, you know, Steve's position on these things, getting somebody -- for him to approve a new position is almost impossible.

LEG. KENNEDY:
Akin to what?

MR. ZWIRN:
Yes, exactly. So, if we have Jim or Carolyn Fahey come down here, they'll give you the arguments, how persuasive they were with the County Executive, because he raised some of the issues that you did, like can Real Estate do it, and Jim Morgo was able to convince him that this was that important, and let him have the opportunity to convince you as well.

LEG. KENNEDY:
Okay.

P.O. LINDSAY:
Okay. Does anybody have any other questions? We have a motion to approve and a second.

LEG. SCHNEIDERMAN:
I thought we were passing over this.

LEG. BROWNING:

No, we were going to pass over it.

P.O. LINDSAY:

Oh, you want to pass over it, yet?

LEG. SCHNEIDERMAN:

Until Economic Development comes over.

LEG. BROWNING:

Until Economic Development gets here.

P.O. LINDSAY:

I thought we had the answers, but we want someone from Economic Development. Okay, so we'll pass over it. Then why did we answer -- ask all these other questions if we're going to pass? Okay.

D.P.O. VILORIA-FISHER:

Mr. Chair.

LEG. SCHNEIDERMAN:

We can't help ourselves.

P.O. LINDSAY:

Yeah, I recognize Legislator Viloría-Fisher.

D.P.O. VILORIA-FISHER:

Mr. White has been here waiting for awhile, and I would like to request that we take I.R. 1924 out of order. That's the second I.R. in the Environment Committee.

P.O. LINDSAY:

What page? Do you have a page?

D.P.O. VILORIA-FISHER:

I'm trying to get to it. Page 8.

LEG. LOSQUADRO:

Second that motion.

P.O. LINDSAY:

Okay.

D.P.O. VILORIA-FISHER:

Seconded by Dan.

P.O. LINDSAY:

Page 8, to take -- it's *1924 (Amending Resolution No. 636-2005)*.

D.P.O. VILORIA-FISHER:

1924.

LEG. LOSQUADRO:

Yeah.

P.O. LINDSAY:

Okay. Amending resolution, okay. And seconded by Legislator Losquadro to take 1924 out of order.

All in favor? Opposed? Abstention in taking --

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

-- 1924 out of order.

D.P.O. VILORIA-FISHER:

Actually, Mr. Chair, this is an amending resolution, which is defining the criteria by which a Director qualifies for the position. There had been very --

LEG. LOSQUADRO:

And the Deputy.

D.P.O. VILORIA-FISHER:

I'm sorry.

LEG. LOSQUADRO:

And the Deputy.

D.P.O. VILORIA-FISHER:

And the Deputy, correct. Thank you. And there had been very broad criteria. And Legislator Losquadro and I spoke with Mr. White extensively. The language was rewritten, so as to make it a very more clearly defined set of criteria and years of experience and education. Mr. White was very helpful in doing that, and there was an amended copy filed by the County Executive's Office listing those criteria.

D.P.O. VILORIA-FISHER:

We can ask Ben to come.

P.O. LINDSAY:

I'm still waiting for a motion on this.

D.P.O. VILORIA-FISHER:

Oh.

LEG. LOSQUADRO:

Motion to approve.

D.P.O. VILORIA-FISHER:

And I'll second that.

P.O. LINDSAY:

Motion to approve by Losquadro, seconded by Legislator Viloría-Fisher.

D.P.O. VILORIA-FISHER:

Did we vote on a motion to take it out of order.

P.O. LINDSAY:

Yes, we did.

D.P.O. VILORIA-FISHER:

Okay, sorry.

P.O. LINDSAY:

It passed out of order. It's before us. We have a motion and a second to approve. Now, is there any questions about 1924? Yes, Legislator Losquadro.

LEG. LOSQUADRO:

No. I was just going to say that, after several years of work, those who have been here awhile remember when we passed our version of this bill and then Nassau failed to do so. We're finally seeing something come to fruition.

P.O. LINDSAY:

So, if we pass this now, Nassau is going to go along with it?

LEG. LOSQUADRO:

Nassau has a substantively similar bill already that they did finally pass with a new body now. It's a slightly different makeup from when they first considered this bill a couple of years ago. So, they have a substantively similar bill. We pass this and we can actually move forward with reinvigorating the Suffolk County Planning Council.

P.O. LINDSAY:

Any questions? Okay. Take the vote. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

LEG. COOPER:

Mr. Chair.

P.O. LINDSAY:

Yes. Thank you, Mr. White, for your patience, and being with us in case we needed or had any questions on the issue.

MR. WHITE:

Thank you to the whole body, particularly the work, continuing work of the Legislators, working with Legislator Fisher and Legislator Losquadro. And it is true, we have substantially similar legislation in Nassau, so we're ready to -- ready to roll. Thank you.

P.O. LINDSAY:

Thank you. Legislator Cooper.

LEG. COOPER:

I'd like to make a motion to take I.R. 2080 out of order. We have a number of representatives of our County Employee Unions.

LEG. MYSTAL:

What page?

LEG. COOPER:

Page 11, under Labor, Workforce, Affordable Housing.

P.O. LINDSAY:

Okay. I have a motion to take ***2080 (Approving an agreement to extend and modify health insurance benefits for active and retired County Employees)*** out of order by Legislator Cooper. Do I have a second?

LEG. EDDINGTON:

Second.

P.O. LINDSAY:

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

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

2080 is now before us. Any questions on 2080? I'm not going to ask you, Cheryl, to explain the drug plan.

MS. FELICE:

I will, if you need me to.

P.O. LINDSAY:

In five words or less. All in favor?

MR. LAUBE:

Wait.

LEG. COOPER:

Motion to approve.

MR. LAUBE:

You need a motion.

LEG. COOPER:

Motion to approve.

P.O. LINDSAY:

A motion? Okay. Motion to approve by Legislator Cooper.

D.P.O. VILORIA-FISHER:

Second.

P.O. LINDSAY:

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

MR. LAUBE:

Eighteen.

(Applause)

LEG. ALDEN:

Thank you.

P.O. LINDSAY:

That should get rid of a few more people here.

LEG. MYSTAL:

Maybe the room will get cooler.

P.O. LINDSAY:

I.R. -- we're back on Page 7. I.R. -- under Tabled Resolutions, I.R. 1820, I think. Oh, we did that. Oh, we're skipping that. Okay.

1930 - Amending the 2007 Operating Budget and transferring funds for CAST, Huntington

Freedom Center and the Huntington Station Business Improvement District.

LEG. COOPER:

Motion to approve.

P.O. LINDSAY:

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

LEG. D'AMARO:

Second.

P.O. LINDSAY:

Second by Legislator D'Amaro.

LEG. ALDEN:

On the motion.

P.O. LINDSAY:

On the question, Legislator Alden.

LEG. ALDEN:

To the sponsor. Jon, this is amended, right, where you took the police component out of it?

LEG. COOPER:

Yeah, I took the police out. I reallocated the funding to three other nonprofits and it's all using my omnibus money.

LEG. ALDEN:

Great. Thanks.

P.O. LINDSAY:

Okay. All in favor? Opposed? Abstentions? I'm sorry. Legislator Romaine, before you call the vote.

LEG. ROMAINE:

Right. Quick question to Legislator Cooper. This is your omnibus money that had been previously allocated to the Police Department?

LEG. COOPER:

No. It had been -- it was originally allocated to the Huntington Station Enrichment Center, which -- and the Boys and Girls Club, which basically doesn't exist anymore.

LEG. ROMAINE:

So, what --

LEG. COOPER:

Originally, the funding was reallocated, 10,000/10,000/10,000/10,000 to four groups, including the Second Precinct for increased foot and bike patrols, but because of concerns expressed by some of my colleagues, as well as the County Exec's Office, I reallocated the \$10,000 that was going to go to the Second Precinct and gave an additional \$5,000 to two other nonprofit organizations in Huntington Station.

LEG. ROMAINE:

But, essentially, the amount of money allocated to you in the omnibus hasn't changed, it's just that you allocated it to the police, and, on second thought, it was thought better that you use it for community groups; am I getting this straight?

LEG. COOPER:

Correct. There was \$40,000 in omnibus money that was available, because the nonprofit that received the funding is no longer in existence. So I had to reallocate \$40,000 of that; 10,000 originally was going to go to the Second Precinct. Now I have shifted that, they're getting nothing. I'm giving an extra 10,000 to the two other nonprofits.

LEG. ROMAINE:

And was this general omnibus money, or omnibus money specifically for the 18th District?

LEG. COOPER:

It was all for the 18th District.

LEG. ROMAINE:

It was specifically allocated for the 18th District.

LEG. COOPER:

Yes, it was for the Huntington Station Enrichment Center, which serves the 18th District.

LEG. ROMAINE:

Okay.

P.O. LINDSAY:

Okay. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

Okay. ***1942 - Authorizing the sales of certain tax liens sold at the August 15th, 2007 auction, as per Exhibit "A"***. This was the Brownfield auction, if you recall. I'll make a motion to approve. Do I have a second?

LEG. ROMAINE:

No, no, I'm not making a motion to approve. I have a question.

P.O. LINDSAY:

All right. Let me see if I can get a motion and a second on this.

LEG. COOPER:

I'll make a motion to approve.

P.O. LINDSAY:

Okay. A second, then. I made a motion to approve.

LEG. COOPER:

Second.

P.O. LINDSAY:

Okay. We have a motion to approve and a second. It's before us. Legislator Romaine.

LEG. ROMAINE:

Yes. I have a question for, I believe it's the Real Estate Director concerning one of the properties. There's two properties in question here. One of them happens to be in Riverhead at the -- I believe it's the southwest corner of Griffing Avenue and Pulaski, which is directly across the street from the Pulaski Street School. My office received a call. Apparently, the School District is unaware that this

property is going up for auction, sale. And while I realize the Town of Riverhead does not have -- has no interest in pursuing a municipal transfer, the School District now has raised a question concerning this property. And were they notified at all about this property? Because, as you know, Mr. Kent, as former Deputy Supervisor of Riverhead, many school district functions and employees will use that empty lot now for parking. Did --

MR. KENT:

Were they notified? No. Other than the general notification that we provided to the Town and publication, and, no, they weren't specifically notified.

LEG. ROMAINE:

Because I was reaching out, as I had explained to you, to some of the officials in the Town of Riverhead yesterday, but I was unaware of a letter that was sent after the Executive Session with the Town Board, which you provided to me today, which I appreciate. But, apparently, the School District, because we reached out to them, called back and had no knowledge of this sale, and might -- I don't have if they have an interest or not, because they just heard about it from my office yesterday; might have an interested in this property, because it is used by the, as you know, exclusively. When there's any type of event, people park there all the time.

MR. KENT:

Well, I don't know if it's used by the school district. I believe it's used probably by parents --

LEG. ROMAINE:

Parents, right.

MR. KENT:

-- who are coming to meetings and --

LEG. ROMAINE:

Right.

MR. KENT:

-- other things that are occurring at the Pulaski Street School.

LEG. ROMAINE:

But they would not --

MR. KENT:

I wouldn't say the School District is using it, but --

LEG. ROMAINE:

Yeah, right.

MR. KENT:

-- it is being utilized by people who visit the Pulaski Street School.

LEG. ROMAINE:

Okay. Thank you.

P.O. LINDSAY:

Legislator Alden.

LEG. ALDEN:

Were we ever in title on this property?

MR. KENT:

No. There was a decision made by the County and by this Legislative body to go forward with the sale of tax liens, rather than to go into title on properties that are identified as brownfield. They're identified as brownfield usually because of contamination.

LEG. ALDEN:

I remember that. But, through the Chair, Ed, would we have a fast decision from Riverhead --

LEG. ROMAINE:

I'd like to --

LEG. ALDEN:

-- if we tabled this for one cycle?

LEG. ROMAINE:

I'd like to make a motion to table this for one session, just to allow Riverhead School District the opportunity to determine whether they want to explore municipal transfer or not.

LEG. ALDEN:

But they realize that even a municipality, if they take it in title, they're responsible for all the cleanup?

LEG. ROMAINE:

Yes, that's correct, and that's why I'm sure that they would -- I would caution them to speak with the Regional Director of the DEC before they move forward. But I would like one session to -- so the School District has an opportunity to at least examine the potential of acquisition.

P.O. LINDSAY:

Okay. So you're making a motion to table?

LEG. ROMAINE:

Yes.

P.O. LINDSAY:

And do you have a second to the --

LEG. ALDEN:

Second.

P.O. LINDSAY:

Seconded, because I have some questions now. How would we -- I mean, we already had the auction and we have an apparent high bidder on this property. What will we do, throw out the results of the auction and have a new auction?

LEG. ROMAINE:

No, I'm not suggesting that, Mr. Presiding Officer. What I'm suggesting is that this be tabled for one session. We're going to be back here in two weeks.

P.O. LINDSAY:

I know that.

LEG. ROMAINE:

And what I would also suggest is if the Riverhead School District did express an interest, and I'd give them a very short time period to do so, then, at that point, we would consult with the County Attorney as to our options regarding this. This was not an absolute auction, this was an auction that

requires approval, if there is a greater public good. That would be up to the members of this body --

P.O. LINDSAY:

Okay.

LEG. ROMAINE:

-- to determine if the --

P.O. LINDSAY:

So, you might look at a 72-h, or something like that --

LEG. ROMAINE:

That's correct.

P.O. LINDSAY:

-- to the School District?

LEG. ROMAINE:

That's correct.

P.O. LINDSAY:

Okay.

MR. KENT:

For us to do a 72-h, though, I would believe the County would have to go into title. We can't 72-h a tax lien, just to --

P.O. LINDSAY:

Okay.

LEG. ALDEN:

Our rights and interest, we couldn't?

MR. KENT:

I don't believe we could 72-h a tax lien.

LEG. ALDEN:

We have to look at that.

MR. KENT:

We'll examine that issue. I don't believe we can.

P.O. LINDSAY:

Okay. So, we have a motion to table and a second. Mr. Kent, do you see any huge problem by tabling this for two more weeks?

MR. KENT:

Do I see a huge problem?

P.O. LINDSAY:

No.

MR. KENT:

No. I believe this money was listed in the 2007 budget. The proceeds from the sale of these liens --

P.O. LINDSAY:

Okay.

MR. KENT:

-- was included in the 2007 budget. I think we will be impacted. We won't probably be able to close upon the sale until 2008 if we table it another two weeks.

P.O. LINDSAY:

Okay. Does anybody have any other comments? We have a tabling motion and a second, and we also have an approval motion and a second. Tabling goes first. All in favor of tabling this?

LEG. ALDEN:

Yes.

P.O. LINDSAY:

Opposed? Opposed, one, two, three (Opposed: Legs. D'Amaro, Stern and Mystal). Abstentions?

MR. LAUBE:

Fifteen.

P.O. LINDSAY:

Okay. Okay, so it's tabled, it stands tabled.

MR. KENT:

I'll let the -- I'll contact the School District and see if they're interested. I'll bring it to their School Board.

LEG. MYSTAL:

They can't.

P.O. LINDSAY:

Thank you, Mr. Kent. Okay. We're up to PM 10.

D.P.O. VILORIA-FISHER:

Elie wanted to say something.

P.O. LINDSAY:

Oh, I'm sorry. Did you want to say something? Legislator Mystal, did you want to be recognized?

LEG. MYSTAL:

No, it's just frustration. The frustration is I don't know why we keep going around this subject over and over. One, it's a very simple idea to grasp. One, we cannot transfer any land, because we don't have title. Two, we don't want to take title, because we don't want to clean it up. Three, let's sell them and get the money. That is a simple thing. And we keep going around and around with it. We cannot give it to a school or to a town, because we don't have title. We don't want to take title, because we don't want to clean it up. So, therefore, sell it. We get some money and somebody else clean it up, end of story.

P.O. LINDSAY:

Next, *PM 10 - Procedural Resolution to retain a consultant for the purpose of reducing --*

D.P.O. VILORIA-FISHER:

Motion to table.

P.O. LINDSAY:

Pollution, traffic congestion and financial impact of current solid waste disposal practices

in Suffolk County.

D.P.O. VILORIA-FISHER:

Motion to table.

P.O. LINDSAY:

Motion to table by Legislator Viloría-Fisher.

LEG. COOPER:

Second.

P.O. LINDSAY:

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

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

Page 8. *1944 - Amending the 2007 Operating Budget and transferring funds for St. Catherine of Siena Hospital.*

LEG. KENNEDY:

I'll make a motion to approve, Mr. Chair.

P.O. LINDSAY:

A motion by Legislator Kennedy to approve.

LEG. COOPER:

Motion to table.

P.O. LINDSAY:

Second by -- for approval by Legislator Montano?

MR. MONTANO:

Yes.

P.O. LINDSAY:

Yeah. And a motion to table by Legislator Cooper. Do I have a second to the tabling?

LEG. D'AMARO:

I'll second.

P.O. LINDSAY:

The second by Legislator D'Amaro. On the question.

LEG. KENNEDY:

Mr. Chair, this is a motion to go ahead and to move funding to St. Catherine's for support of their Cardiac Catheterization Unit. We discussed this in the Budget and Finance Committee at length, and it actually represents movement of something that was started some two years ago. Due to change in the administration at Saint Catherine's, the application process was never perfected. Nevertheless, they went ahead, acquired equipment. And they are one of only three, I think, hospitals on the Island at this point that are certified in emergency cardiac catheterization. So their application is region-wide and broad.

In addition, this reflects movement of funding that I did not do with some of my specific community funding. For a variety of reasons, I didn't have the opportunity to move my CSI funding this

summer, I was otherwise preoccupied.

So, I request that the body support this, and, actually, I think we're to the good by the tune of about 14 grand, since this is only 21,000.

D.P.O. VILORIA-FISHER:

Can I just ask Ben about the --

P.O. LINDSAY:

Legislator Mystal. I don't want to overlook him again.

LEG. MYSTAL:

Through the Chair, Jack, what's the offset?

LEG. KENNEDY:

The offset, as a matter of fact, I'm going to have to defer over to BRO, but I believe it's power, light and rent, or power, light and heat.

MS. VIZZINI:

Yes, it's DPW rent, the rental account. The omnibus included some additional enhanced monies in the DPW rent.

LEG. MYSTAL:

Through the Chair, Commissioner for BRO, whatever happened to Jack's CSI money, where did it go?

P.O. LINDSAY:

He didn't file the paperwork.

LEG. MYSTAL:

He didn't file the paperwork.

LEG. KENNEDY:

It evaporated into the ether. How do you like that?

LEG. MYSTAL:

Well, boo-hoo for you, tough. Tough cookie.

LEG. KENNEDY:

You know, what can I tell you? It was a tough summer.

P.O. LINDSAY:

Mr. Zwirn, did you want to weigh in on this? Did you want to --

MR. ZWIRN:

I think the County Attorney's Office would like to weigh in as well, but we were concerned for two reasons. One, we believe that this offset has already been oversubscribed for the year. And secondly, we were concerned about the actual use. You know, we would have thought that if he were going to do it for member items, it would be -- you know, maybe you could make that argument, but we would still have the second argument from the legal point of view. But, from the financial point of view, we don't think the money is in that line to be able to be used for this purpose.

LEG. ALDEN:

On the motion.

P.O. LINDSAY:
Legislator Alden.

LEG. ALDEN:
Ben, we had asked at Budget Committee if you would ask if it would be possible to have a CN for this, changing the offset from rent to the CSI money. Is that possible today?

MR. ZWIRN:
I'll check on whether a CN is possible. I don't think you're in that kind of -- you still have meetings left before the end of year where this could be done. But I would want to check -- I would want to check to make sure where we're taking the offset from.

LEG. ALDEN:
Well, then, my next question would be to Legislative Counsel. Do we have enough time for Legislator Kennedy to amend this to use the CSI money as an offset, his CSI allocation?

MR. NOLAN:
Well, obviously, it can't be amended for this meeting. It could be amended and considered at the next committee meeting and approved at the next General Meeting. Whether the group can expend the money in time, that's -- can you get a contract and can you expend the money is a different question.

LEG. ALDEN:
Well, this is before us today, though, so it wouldn't have to go through the committee. He could, if he amends --

MR. NOLAN:
If he amends it, we cannot vote on it until the next meeting.

LEG. ALDEN:
Until the next meeting.

LEG. KENNEDY:
But, Mr. Chair, and I appreciate my -- efforts of my colleagues, but, obviously, I'm going to disagree with Mr. Zwirn as to the first assertion, because I do have some faith as in what BRO tells me and --

LEG. HORSLEY:
Some, some.

LEG. KENNEDY:
Well, no, actually more faith than what I hear from across the street. And they're representing to me that, basically, that there is adequate funding there in order to go ahead and support this, that we're not overspent in this category, unless I'm misunderstanding.

MS. VIZZINI:
That's correct, we would not have crafted the resolution. We do track the monies. There's 15.5 million dollars in the '07 adopted budget for this particular line item, and in the '08 budget, when we estimate what we're going to spend, we're only going to spend 14.5 million. So, the offset I don't think is the problem.

P.O. LINDSAY:
That was faith you just heard from.

LEG. HORSLEY:
It's more than some.

LEG. MYSTAL:

More than some.

P.O. LINDSAY:

But we're talking about '07 money now, right.

LEG. KENNEDY:

Yeah.

P.O. LINDSAY:

So, the '07 DPW rental account is not oversubscribed.

MS. VIZZINI:

No.

P.O. LINDSAY:

No, okay. Ms. Bizzarro, did you want to weigh in on this?

MS. BIZZARRO:

Thank you, Presiding Officer Lindsay. Notwithstanding your offset argument, I have a problem with the bill, just from a legal perspective, in that I found no statutory authorization to allow for contributions to be made to a hospital for equipment. There are Comptroller opinions on this subject, and, basically, it has been found that it's illegal to actually buy emergency equipment for a hospital. So, I have just general legal problems with the bill.

LEG. KENNEDY:

Again, Mr. Chair, I guess through you, this is -- this is not an issue that came up in Budget and Finance. I mean, I don't want to prolong this. I would be willing to go ahead and table it for a cycle to discuss the objections with the County Attorney's Office as to the legality. However, I'll point to the fact that no more than about 20 minutes ago, we just spoke about a resolution to move funding to Mather Hospital. This is not necessarily to purchase a particular piece of equipment. This is to support the implementation and continuation of the Emergency Cardiac Catheterization Program, which has a region-wide application. This is not to buy one specific, or to offset the purchase of one specific piece of equipment.

MS. BIZZARRO:

Yeah, I'm just going by what the resolution states. It says, "Purchase cardiac catheter equipment."
So --

LEG. KENNEDY:

And, along with that, the support and the training that go along with it.

MS. BIZZARRO:

Okay.

LEG. KENNEDY:

Again, I -- yeah, I find some of this that's being raised at this point to be somewhat confusing, because I believe we've had analogous support. Let me go to Legislative Counsel.

MS. BIZZARRO:

Well, if I could just state, I did speak to your Aide sometime ago and explained to him the problem with the -- you know, with the bill. I spoke to Kevin on October 4th.

LEG. KENNEDY:

Okay.

MS. BIZZARRO:

So, I did reach out to your office.

LEG. KENNEDY:

Thank you. Let's hear from -- what do you say, George?

MR. NOLAN:

I say you're good to go on the purpose --

MS. BIZZARRO:

George.

LEG. KENNEDY:

And therein lies --

MS. BIZZARRO:

George.

LEG. KENNEDY:

Therein lies the dilemma, isn't it? All right. Look, you know, the hour is getting late. I mean, we've still got another cycle to go. I'll acquiesce to the motion to table.

D.P.O. VILORIA-FISHER:

We don't have another cycle to go. They can't spend the money.

LEG. KENNEDY:

Oh. Well, then I want to move it. All right, I'll move it.

P.O. LINDSAY:

Okay we have a tabling motion and an approval motion before us. Tabling goes first.

LEG. COOPER:

I just want to say, you know, I wish that we could find another offset, and I'm a little concerned about the legal issues, but I will withdraw the tabling motion.

P.O. LINDSAY:

Okay.

LEG. KENNEDY:

Thank you, appreciate it.

P.O. LINDSAY:

The tabling is withdrawn.

LEG. KENNEDY:

Okay.

P.O. LINDSAY:

What did the former Presiding Officer -- I could feel the love. All in favor? Opposed? Abstentions?

LEG. KENNEDY:

Thank you.

MR. LAUBE:

Seventeen. (Not Present: Leg. Caracappa)

LEG. KENNEDY:

Thank you.

P.O. LINDSAY:

There are more ways to get that equipment, I'll tell you that. **1868** --

LEG. HORSLEY:

Motion to approve.

P.O. LINDSAY:

-- *a Local Law to establish an At-Store Recycling Program for plastic bags*. Motion by Legislator Horsley, seconded by Legislator Viloría-Fisher. Is anybody -- nobody? Do you wanted to speak, Legislator Barraga?

LEG. BARRAGA:

I'd like an explanation of this bill.

LEG. HORSLEY:

Okay. What this does, it is a jointly proposed bill involving not only labor, as well as retail stores, the industry, and as well as the environmentalists, to present cans out in front of recycling bins, out in front of stores of over 10,000 square foot, so that when -- at the end of the day, when you've used your plastic bags, when you go to the grocery stores, what you do is you collect them up and you bring them back to the grocery stores, and the grocery stores, as well as other stores, will recycle them.

LEG. BARRAGA:

Say the bill goes through and becomes law, these stores that do not comply, are they fined if they don't comply?

LEG. HORSLEY:

There is a method of fining, but there's, first, a warning system.

LEG. BARRAGA:

Okay. On the bill, you know, I think this particular piece of legislation, on the face of it, it looks very, very good, but it's like "Big Brother" dictating again. I mean, what kind of an industry would come before, and I attended one of the meetings, advocating something like this, where they're willing to fine their own members for not conforming? It seems to me that from a competitive standpoint, from a customer perspective, that industry should be going out to their own members and encouraging them to do this on their own, as opposed to coming in here and putting a piece of legislation like this through that mandates that they do this, and if they don't do it, they're fined.

Now, there are some chains who are doing it voluntarily, because they want additional customers. They want customers to shop at their locations. Stop and Shop already does this. If you go to a Stop an Shop, they sell those green bags, they have bins set up for the plastic bags. This bill is heavy-handedness at least. It is not necessary. I don't care if their own industry representatives, which I find amazing that they would contract with someone who would come down here representing them, wanting to fine them as if their own members would not comply voluntarily predicated on customer need and customer opportunity. This bill is not needed and I'll be voting against it.

P.O. LINDSAY:

Anyone else? Yes? Legislator Nowick.

LEG. NOWICK:

I think it's a good theory to think that people will volunteer, but if they would, the grocery stores I'm going to are not volunteering yet, so, unfortunately -- my feeling is how could this hurt? How could

it hurt to do something good for the environment.

P.O. LINDSAY:

Legislator -- I think Legislator Barraga would like to answer that.

LEG. BARRAGA:

One of the major chains is voluntarily doing it. Stop and Shop is doing it. And if Stop and Shop, a major chain on Long Island is doing it, it won't be long before others look at what they're doing, other competitors, and they'll do the same.

If you had total, complete resistance from the owners of these shopping centers and these shopping stores to something like this, I could see maybe mandating it, but that's not the case. It's already being done. Sometimes it takes a little while for a process to evolve, but they are doing it. And if Stop and Shop is doing it, I think other chains will also do it without passing a bill that says, "If you don't, we're going to fine you." "Big Government" is stepping in one more time, which is not necessary at this point. It may be six months, twelve months down the road, but not right now.

LEG. LINDSAY:

Legislator Losquadro.

LEG. LOSQUADRO:

I just want to point out that I actually have seen a greater degree of willingness to do this. In fact, the three major chains in my catchment area all have recycling bins out already for the bags. So I think this is something that's widely becoming the industry standard, and I don't think it's going to be onerous for anyone to comply with it, because I think it's something they're already doing, and it's something that they want to be able to offer their customers to show them that they're progressive.

LEG. LINDSAY:

Legislator Romaine, did you want to comment? Did I see you raise your hand? No?

LEG. ROMAINE:

No, but I've listened to both my colleagues, and I understand Legislator Barraga's arguments completely. I mean, when should you use governmental powers? How much powers should the government exercise in this? And I'm very attuned to that argument, except I think the balance tips in favor of this bill, because of the environmental impact that plastic bags have, to the extent that we want to be able to recycle plastic, because plastic doesn't break down, it's not biodegradable.

This is an argument very similar to one that we had over 20 years ago in this Legislature about the McDonald's clam shells. And that was an argument that Legislator Englebright, at that time, brought forward.

And it's a difficult thing to know.

And I listened to Legislator Barraga with a great deal of respect and admiration, because he's try to protect us from overarching government powers. But, in this case, I think the greater need is served by trying to protect the environment. Thank you.

LEG. SCHNEIDERMAN:

Bill.

LEG. LINDSAY:

Legislator Viloría-Fisher.

LEG. SCHNEIDERMAN:

Oh.

D.P.O. VILORIA-FISHER:

Thank you, Mr. Chair. I agree with Legislator Barraga regarding the voluntary trends that we're seeing. I own a couple of those bags that I bought at Waldbaums and Stop and Shop and recycle the plastic bags. However, as a member of the Solid Waste Commission, as we deliberate, we are trying to codify and establish a plan for dealing with solid waste of all forms and recycling of all different types of materials. And so a law like this, being put in place, helps to codify the plan of action, so that we know that we have uniform conformance, rather than depending on unique and individual voluntary compliance.

And so this is why I'm a cosponsor on this and see this as a necessary part of an overall plan. And so, rather than see it as a Draconian measure of imposing "Big Brother" authoritarianism, I believe that we should see it as an overall plan of dealing with a very, very serious issue, which is solid waste in our environment.

MR. MONTANO:

Bill, I had a question.

LEG. LINDSAY:

Legislator Montano.

LEG. MONTANO:

Yeah, just a question to the sponsor. When Legislator Barraga mentioned the issue of the fine, you said that there was a warning process, a warning mechanism in place? I don't see that in the bill, though.

LEG. HORSLEY:

Yeah, it may not be in the bill, but that's the Legislative intent, is -- this is -- just let me argue to the point that, you know, this is not a ban of bags, this is an industry, business, labor, environmentally friendly bill, working with all respective parties. And, most importantly, when we talk about the store end of this world, what about the people end, that we are offering our citizens the opportunity to place -- to bring their bags when they're done a place or a location for them to make -- to help them become green and assist them in becoming green by putting these cans in front of the stores that they shop at and place them in it. Also, it's a value-added customer service to our customers, our citizens, as well as to the store end of the world. This is anything but a heavy-handed anything, but a ban-like tradition that we have done here. This is working with everybody to help our environment. And I'm just shocked at that kind of attitude, because this is really -- we're working with the people, and with industry, and with business in this instance.

LEG. MYSTAL:

Can we vote?

LEG. LINDSAY:

Legislator Stern? No, I have a couple of more people on the list.

LEG. STERN:

Yeah. Thank you, Mr. Presiding Officer. And I appreciate the comments of Legislator Barraga, but I think that Legislator Horsley, in this case, has shown exactly how it should be done, and he went way out of his way to ensure that he had ongoing conversations and input from industry. This was carefully considered, and this is the final result of those efforts. So, I think that rather than shooting from the hip and putting an unwarranted burden on industry, Legislator Horsley, through this legislation, has done the exact opposite and has really set it up as an example. And, in addition, not only do we have the, you know, very important potential impacts of this policy on business and industry, and the responsibility that I believe that they have and need to have going forward, it's also an important message for our community. And any opportunity that we have to continue to send that message, the importance of recycling and protecting our environment will certainly have my support.

P.O. LINDSAY:

Legislator Schneiderman.

LEG. MYSTAL:

Oh, no.

LEG. SCHNEIDERMAN:

Legislator Horsley has said this bill is not heavy-handed. Actually, that's my one criticism of the bill is that it does not go far enough. Global warming is a major crisis that government needs to respond to. This bill, it's okay, I'm going to support, I'll even ask to cosponsor it, but we need to do more. And I understand what Legislator Barraga is saying, and, you know, government, in general, should not jump in and interfere where it doesn't belong, but we do need to respond to this crisis for ourselves, for our children, and for their children. So, I'm going to support --

P.O. LINDSAY:

And I agree with you, that we need to do more, like open the doors and cool it down in here a little bit. Okay.

LEG. MYSTAL:

Let's vote.

P.O. LINDSAY:

Legislator D'Amaro.

LEG. D'AMARO:

Yeah, just very quickly. I tend to agree with Legislator Schneiderman, this bill should go even further, and perhaps even impose more substantial fines.

Legislator Barraga makes a very valid point. Government has to be very mindful of when it's going to use its authority to impose any kind of requirement on any industry. But, you know, they said the same thing about the automobile industry, and, but for the governmental requirements, you would not have cleaner air today. And it's the same thing that can be said for the bottle industry: But for the bottle bills, you would have these bottles still on our roadsides. So, I'm going to support this bill strongly. And I think that it's very important that the people of this County express their environmental concerns through a bill like this.

P.O. LINDSAY:

Legislator Losquadro.

LEG. LOSQUADRO:

Thank you. I just did want to clarify one point, Legislator Horsley. As far as compliance goes, obviously, the recycling aspect of it is something very easy to see. But the -- could you just explain the portion of the bill -- is there an actual requirement that the stores offer for sale the reusable bags?

LEG. HORSLEY:

Yes, any bill -- any store that is over 20,000 square foot; that is what we agreed with the industry itself. So it -- 10,000 square foot, they have to have a bin outside for collections purposes; 20,000 square foot, to also have the bin, and also offer the sale of canvas bags or recyclable-using bags.

LEG. LOSQUADRO:

And, again, in conjunction with the recycling program, this is something that is widely becoming the industry standard.

LEG. HORSLEY:

Yep, absolutely.

LEG. LOSQUADRO:

And stores are offering to their customers, again, to show that they are moving in the right direction.

LEG. HORSLEY:

Correct.

LEG. LOSQUADRO:

Okay. Thank you.

P.O. LINDSAY:

This is one of those issues. Legislator Alden.

LEG. CARACAPPA:

Come on, it's in the bag.

LEG. ALDEN:

Just direct this to -- what did he say?

LEG. LOSQUADRO:

It's in the bag.

MR. MONTANO:

It's in the bag.

LEG. SCHNEIDERMAN:

Put it in the bag, bag it?

LEG. ALDEN:

Thank you, Joe, that's good. Legislator Horsley, was the issue brought up, when you discussed it, that most commercial enterprises do not recycle? So, in other words, they're going to have to look to a private -- some kind of private contract to actually recycle these; is that part of your discovery of information?

LEG. HORSLEY:

There is a -- any collection of bags, at some point in time, becomes recycled, because even if it --

LEG. ALDEN:

And how does that happen, because, a house, if you live in --

LEG. HORSLEY:

Even if it's incinerated, it becomes recycled, because it becomes energy. But that's -- you're worried about your local bodegas, or something like that?

LEG. ALDEN:

Well, anybody. For instance, you know, Stop and Shop, if they decide to collect them in a bag --

LEG. HORSLEY:

They recycle.

LEG. ALDEN:

Well, maybe they do, but how about the next store? Are they just going to throw it in a bin and then we end up with the same problem, it going to a landfill, or was that brought up?

LEG. HORSLEY:

There are no landfills, but --

LEG. ALDEN:

What?

LEG. HORSLEY:

There are no landfills.

LEG. ALDEN:

No. All right. I stand corrected. Thank you. I appreciate it. So, what happens, though, to -- in Islip, for instance, residential --

LEG. HORSLEY:

If they end up in -- if they end up in the trash, is that what you're saying? And they are --

LEG. ALDEN:

Is there any provision, or was it looked at?

LEG. HORSLEY:

They'd become -- they'd be formed into another form of energy through your burn plant. That's what would happen if they were brought --

LEG. ALDEN:

Well, that's what happens now, but was that discussed?

LEG. HORSLEY:

Except they're collected. This is to get them out of our trees, as well as out of our environment. Hopefully, we are opening up the marketplace for more and greater recycles. When you have more bags in a centralized location and there's a marketplace, you're going to find more avenues to recycle and to make them into other products. It does become more valuable by bulk.

LEG. ALDEN:

That doesn't answer the question, but that's all right.

LEG. MYSTAL:

Please, let's vote, get it over with it.

LEG. ALDEN:

No. That's why I put my microphone down, Elie, because I feel bad for you.

P.O. LINDSAY:

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

LEG. BARRAGA:

Opposed.

MR. LAUBE:

Seventeen.

LEG. MYSTAL:

Mr. Presiding Officer, Mr. Morgo is here.

P.O. LINDSAY:

I know, I see him here. We're going to go back a page. He ran right over here when he knew that

we needed his expertise, and the bag bill went on so long, he fell asleep in the corner.

Let's go back to **1820**, which is on Page 7, and it's this whole issue of the Airport Business Manager is going to schedule these jumbo jets to Europe? No.

COMMISSIONER MORGO:

That's going to happen, yes.

LEG. LOSQUADRO:

Your mike's not on.

LEG. ALDEN:

And then we could bus them over to Islip for Southwest to distribute them.

COMMISSIONER MORGO:

Good morning. I heard some of the discussion, and one thing I want to clarify, the position will not be filled until '08, that was correct, but you're putting on the title now. But, more to the point, I think you have to look at this in context. I think most of you know, I certainly was informed when I came to the County in September of 2004, that the history of leases at the Airport were sordid at best. There were many, many irregularities. Leases weren't being extended, rents weren't being collected, property was being used inappropriately. And one of the first things that County Executive Steve Levy did was to reform the way the business practices were conducted. And, that's right, Neil Toomb was recruited to go to the Airport and he became the point person on leases. However, as some of you I think know, Neil hasn't been at the Airport since May.

What was also done, and it was one of the first things, almost my first or second day in the County, I was asked to do something about the Airport, an enterprise fund, continually finishing in the red, losing money. And there was also the situation where you had the neighbors of the Airport apprehensive about an airport expansion, particularly aviation expansion, and downright hostile to the Airport management. And if you know anything about the past management, you understand why they were hostile.

One of the first things that Steve Levy did was form the Community Advisory Board. And I know, Legislator Schneiderman, you know most of this, or you should know most of this. The Community Advisory Board brought the community into the decision-making process at the Airport. And one of the -- one of the things the CAB, the Community Advisory Board did, was recommend the termination of the Airport Lease Screening Committee, which you folks did and you followed, and in its place was the formation of ACAP, the Airport Conservation Assessment Panel, which is working now, and is finally, after a long lull, moving forward leases in the Aviation portion.

You know, you should also get a picture of the Airport. There are aviation-related leases, there's nonaviation-related leases, and then there's the Industrial Park, which is 58 acres. ACAP is a citizens group, Jay sits on ACAP, that has, for the first time in years, actually recommended leases to you. And, by the way, as you know, you're the ones who ultimately approve or disapprove leases, and there's a process. The process -- and, in fact, you have two resolutions before you now, 1981 and 1984, that are finally moving forward leases.

There were no leases coming to the Airport. You still needed the collections of rents, you still needed everything else, but, finally, we have six leases that are moving forward in the process. What happens? ACAP makes a recommendation, they go to CEQ. That's what you have before you, the CEQ recommendations for the scaled-down LI Jet fixed-based operator, and AMCO, a new hangar going forward on aviation land. After CEQ makes its recommendation, you accept it or reject it, and then we go to the Economic Development Committee, and then the leases come to you.

One of the -- one of the things that you should also know is that through the Community Advisory Board, the property where we could actually have aviation-related leases, because of the community

and because of the Pine Barrens Act, the amount of acres for aviation leases, in response to the community, has been reduced by 70%. The Hampton Business and Technology Park, which some of you asked about, the RFP is going out. The Airport Business Manager will negotiate leases, work with the County Attorney to set terms, and this person will be required in 2008, and we will see an increase in revenues at the Airport.

LEG. ALDEN:

Bill.

P.O. LINDSAY:

Legislator Schneiderman, and then Alden, and then Romaine.

LEG. ALDEN:

Jay, you might want to yield to me for just one second.

LEG. SCHNEIDERMAN:

I don't, really.

LEG. ALDEN:

You might want to, just for one second.

LEG. SCHNEIDERMAN:

All right, Cameron, go ahead.

LEG. ALDEN:

I agree with a lot of what you said, but the restoration of honesty and integrity actually started way before Mr. Levy got in there. It got with the election of -- it started with the election of Mr. Schneiderman. So, just to correct the record on that point.

COMMISSIONER MORGO:

Well, I think Jay will agree with that.

LEG. SCHNEIDERMAN:

Thanks. Jim, good morning.

COMMISSIONER MORGO:

Good morning.

LEG. SCHNEIDERMAN:

It's always good to see you. And I don't want to take away from --

P.O. LINDSAY:

Do you agree with that, Jay?

LEG. LOSQUADRO:

He did already.

LEG. SCHNEIDERMAN:

Thank you.

LEG. SCHNEIDERMAN:

I don't want to take away from any of the good work that you've done, Jim. You really have moved things in a positive direction at the Airport. However, I do want to correct the record in a couple of respects. First, Neil Toomb came in. He was here before I got elected --

COMMISSIONER MORGO:

No, I know that, you're right.

LEG. SCHNEIDERMAN:

-- and before Steve Levy was. So Steve didn't move him out there, Bob Gaffney actually did.

COMMISSIONER MORGO:

Point well taken, that's right.

LEG. SCHNEIDERMAN:

And things were well on the way in terms of correcting those leases and bringing it up to fair market. Carolyn Fahey was here also before Steve came back. So, they were moving things in the right direction, but things have gone even further.

Also, you know, you speak a lot of the Community Advisory Board, and I fought really hard to create a Community Advisory Board. In fact, this Legislature passed a Community Advisory Board, only to have it vetoed, and we weren't able to override it, but we tried several times. Finally, by Executive Order, the County Executive, who had vetoed it, decided to create it. Anyway, water under the bridge. We have --

COMMISSIONER MORGO:

It was different, but it's not about credit, is it, Jay?

LEG. SCHNEIDERMAN:

We have a board, it's working. We're getting some good things done.

COMMISSIONER MORGO:

Right.

LEG. SCHNEIDERMAN:

But I feel that's important, at least to correct the record in that respect.

COMMISSIONER MORGO:

Well, Cameron did, too.

LEG. SCHNEIDERMAN:

Now, we're talking about creating a new position. And Neil is not there anymore. But we're not filling Neil's position, we're creating something new. I imagine it's a little bit more money. It's a similar position; is that right?

COMMISSIONER MORGO:

It's a different position. Neil was, when he was over there, an Intergovernment Analyst. And I just want to underline what you said. You were absolutely right, it's -- and, as I said, it's not about credit. The previous administration, the previous Commissioner of Economic Development, did recruit Neil, and he went over in the Intergovernment Analyst slot and he was there, and the process had begun. But, as you know -- and there were differences between your bill and the CAB as it exists now. But the point of fact is --

LEG. SCHNEIDERMAN:

Well, I'm not going to say which is better and which is worse.

COMMISSIONER MORGO:

Yeah.

LEG. SCHNEIDERMAN:

And --

COMMISSIONER MORGO:

Let me finish. The point of fact is the CAB looked at the Airport Lease Screening Committee, wanted more community involvement, had ideas about airport land use, and this administration worked with them, and that's how we have ACAP, which you have a seat on.

LEG. SCHNEIDERMAN:

Right. And your stewardship of that committee is excellent, and you have really been able to build a relationship between the neighbors and the Airport users, and I applaud you for that.

COMMISSIONER MORGO:

Okay. That's --

LEG. SCHNEIDERMAN:

And taking credit, look, there's plenty of things that Steve has done that he can take credit for, but don't take credit for something that Bob Gaffney did, and that's --

COMMISSIONER MORGO:

Well, I corrected that.

LEG. SCHNEIDERMAN:

Okay. So, getting back now to this new position and how it differs from the position that Neil Toomb had, and, also, the fact that the Economic Development Zone, the Enterprise Zone, is not going to be up and running in 2008. I think that's clear. Maybe there'll be some leases negotiated for future use, but nothing is going to be finished and usable in 2008, at least I can't imagine.

COMMISSIONER MORGO:

Well the Empire Zone is 48 acres. The entire Hampton --

LEG. SCHNEIDERMAN:

Forty-eight acres, yes. What did I say, 50 acres?

COMMISSIONER MORGO:

Hamptons Business and Technology is 58 acres, just at the boundaries for the Empire Zone. The RFP is ready to go. We've had a lot of -- as you know, Jay, from local people, we've had a lot of interest. And just setting the terms of the leases, that's going to be important in 2008. And I would like to see -- I would not be surprised, in fact, if we are -- actually did see some construction within the Empire Zone in 2008.

As far as the other leases, I think you know this, Brookwood, the -- and, you know, the LI Jet, which was very controversial, and the way the community worked with them to bring it down, you know, that's going forward, {AMCO}. All of those leases outside of the Industrial Park, they are all going to proceed in 2008.

LEG. SCHNEIDERMAN:

How is this position different? I see Mr. Toomb is here. How is this different than what Mr. Toomb has been doing? Because that's really what he's been doing, he's been negotiating these leases.

COMMISSIONER MORGO:

Well, he hasn't been doing it since May, but --

LEG. SCHNEIDERMAN:

Right. But is it different, or it's just a different salary?

COMMISSIONER MORGO:

I don't know if the salary is different. It's essentially --

LEG. SCHNEIDERMAN:

Why aren't we filling the position that Neil had? I guess that's my question.

COMMISSIONER MORGO:

Because Neil came over to the County --

LEG. SCHNEIDERMAN:

Right.

COMMISSIONER MORGO:

-- came over to the Budget Office when there was a lull and leases were not going forward. We want the new person to not only have business experience, and it's in the qualifications, but also airport experience. The --

LEG. SCHNEIDERMAN:

So just -- I'm sorry to cut this short, but -- so you think this is a better title that more accurately describes the job? If maybe BRO could tell me, is there a salary difference?

MR. REINHEIMER:

Previous title was a Grade 21. The new title is a Grade 24. Starting salary for a Grade 24 in 2008 is 51,562.

LEG. SCHNEIDERMAN:

What was the old salary?

MR. REINHEIMER:

Okay. Starting salary, if you were to have a starting salary, Grade 21, that would be 45,719.

LEG. SCHNEIDERMAN:

Okay. So, about five-thousand-something dollar difference.

MR. REINHEIMER:

That's correct.

LEG. SCHNEIDERMAN:

Is Neil coming back?

COMMISSIONER MORGO:

I don't think Neil is interested in coming back. He's here, you can ask him.

LEG. SCHNEIDERMAN:

Yeah.

COMMISSIONER MORGO:

But he also just whispered to me, salary wasn't important to him when he took the position.

LEG. SCHNEIDERMAN:

I know that.

COMMISSIONER MORGO:

And you know the circumstances, too.

LEG. SCHNEIDERMAN:

No. And he did it -- Neil, and he's here, did a terrific job over there. Thank you.

MR. TOOMB:

Thank you.

COMMISSIONER MORGO:

The point of fact is, though, we have the qualifications through Civil Service where we do have the requirement for business experience, but also a knowledge of airport operations. Neil gained that while he was at the Airport.

LEG. SCHNEIDERMAN:

Thanks, Jim. I have no further questions.

P.O. LINDSAY:

Anybody else?

LEG. ROMAINE:

I think I'm on the list. Mr. Presiding Officer.

P.O. LINDSAY:

Yes, Legislator Romaine.

LEG. ROMAINE:

Let's go back to this position. This is Airport Business Manager. Are we also going to retain in the budget the position of Airport Manager.

COMMISSIONER MORGO:

Well, of course. The Airport Manager -- the Airport Manager is responsible for the aviation-related side of running the Airport. There's not, though, there's not a clear dichotomy. They work together, obviously, but they are all aviation related needs, so, yeah.

LEG. ROMAINE:

Well, I would simply encourage you to have clear lines of authority, so people know what they're supposed to do and what they're not supposed to do.

COMMISSIONER MORGO:

The Business Manager answers to the Airport Manager.

LEG. ROMAINE:

He does. The Airport Manager is Grade what, a Grade --

COMMISSIONER MORGO:

I think 32, if I'm not mistaken; is that right, do you know? It's somewhere around there.

LEG. ROMAINE:

Right. And the Business Manager is a --

COMMISSIONER MORGO:

Twenty-four.

MR. REINHEIMER:

Twenty-four.

LEG. ROMAINE:

Twenty-four, which the starting salary is about 45.

MR. REINHEIMER:

Fifty-one.

LEG. ROMAINE:

Fifty-one, okay. And for 51,000, you can get someone with airport and business experience?

COMMISSIONER MORGO:

Well, we hope so.

LEG. ROMAINE:

Okay.

COMMISSIONER MORGO:

You know, we --

LEG. ROMAINE:

Now, let's move on from that.

COMMISSIONER MORGO:

-- put out the advertisement.

LEG. ROMAINE:

You hope so, okay. Is this a competitive position?

COMMISSIONER MORGO:

Yes.

LEG. ROMAINE:

And is this a position that someone will be required to take a civil service test for?

COMMISSIONER MORGO:

Yes.

LEG. ROMAINE:

Okay. And that test will be forthcoming shortly, once the position is established? It will take six months to a year, usually.

COMMISSIONER MORGO:

I was thinking six months, yeah.

LEG. ROMAINE:

Yeah, six months to a year to establish it. Okay. And this will not be a duplication? And you believe this position is going to be needed in January of 2008?

COMMISSIONER MORGO:

It's actually, now that ACAP, that I explained, is moving -- we have the leases coming forward. You'll be seeing leases before you, as you do today --

LEG. ROMAINE:

Right.

COMMISSIONER MORGO:

-- the process that you haven't seen in a year.

LEG. ROMAINE:

Well, you've answered all my questions. And, actually, you've turned my thoughts around on this resolution. Thank you.

COMMISSIONER MORGO:

Thank you.

LEG. KENNEDY:

Mr. Chair.

P.O. LINDSAY:

Yes, Legislator Kennedy.

LEG. KENNEDY:

Right. I'll try to make it quick. Jim, just tell me, then, how this individual is going to function, since most times, when we're dealing with lease assets or lease properties, we're working off of basically boiler plate, I think, that's drawn by the County Attorney's Office in the first instance. Are these properties different or unique?

COMMISSIONER MORGO:

Yeah. In fact, the Airport Business Manager will be giving the County Attorney a draft lease. These are different from other leases. For example, they don't go to the Space Committee, they go through -- I'm not going to go over the process again, I already did, but -- and because they're both aviation, we have hangars out there where folks store their airplanes. We have fixed-based operators. One of the things that's different is the collecting of landing fees. That's something that the Airport Business Manager will oversee. You have nonaviation, and you have continuation of leases, and you have the CPI, the Consumer Price Index increases that Airport Manager will be doing. Yeah, so they are -- they're unique in the sense, John, that you have aviation, nonaviation, and then you're going to have the ones in the Industrial Park.

LEG. KENNEDY:

To what extent will this individual work with the County Attorney's Office, then, because, ultimately, they've got to approve to form; correct?

COMMISSIONER MORGO:

Right. They work in concert with the County Attorney.

LEG. KENNEDY:

Okay. But this individual, in other words, will do the front work, the County Attorney assigned to this matter will do the back end legal work, and, ultimately, you'll have execution.

COMMISSIONER MORGO:

That's right.

LEG. KENNEDY:

Okay, fine.

P.O. LINDSAY:

Anybody else? Being no one, we have a motion, Mr. Clerk?

MR. LAUBE:

Yes, you do.

P.O. LINDSAY:

And a second.

MR. LAUBE:

Correct.

P.O. LINDSAY:

For approval. All in favor? Opposed? Abstentions?

LEG. MYSTAL:

I'm here. What are we on.

MR. LAUBE:

Eighteen.

LEG. ALDEN:

This is to approve 1820.

P.O. LINDSAY:

Let's go back to Page 8.

MR. LAUBE:

Check that. Change that to 17, please. (Not Present: Leg. Romaine)

P.O. LINDSAY:

We are up to ***1980 - Authorizing the County of Suffolk to deduct from a credit fund established for the benefit of the Suffolk County Water Authority, the authority's share of the cost of the purchase of aerial images under the New York State Statewide Digital Orthoimagery Program (the "DOP").***

D.P.O. VILORIA-FISHER:

Motion to approve.

P.O. LINDSAY:

Motion to approve by Legislator Viloría-Fisher, second by Legislator Losquadro. Any discussion? All in favor? Opposed? Abstention?

MR. LAUBE:

Seventeen. (Not Present: Leg. Romaine)

P.O. LINDSAY:

2006 - Authorizing planning steps for the acquisition of the Suffolk County Multifaceted Land Preservation Program, Union Cemetery property. I want to make the motion.

D.P.O. VILORIA-FISHER:

Second.

P.O. LINDSAY:

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

LEG. ROMAINE:

Tim.

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

2030 - Appropriating funds in connection with the Suffolk County Multifaceted Land Preservation Program, and authorizing acquisition of Farmland Development Rights under the Suffolk County Multifaceted Land Preservation Program for the Yakaboski, as a contract vendee of the P.R. & E. Associates, Incorporated, property, Town of Brookhaven. Do I have a motion?

LEG. BROWNING:

Motion.

P.O. LINDSAY:

Motion by Legislator Viloría-Fisher.

D.P.O. VILORIA-FISHER:

Browning made a second.

P.O. LINDSAY:

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

LEG. MYSTAL:

Bond.

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

Okay. On the accompanying bond, same motion, same second. Roll call.

(Roll Called by Mr. Laube, Clerk)

D.P.O. VILORIA-FISHER:

Yes.

LEG. BROWNING:

Yes.

LEG. ROMAINE:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. CARACAPPA:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. EDDINGTON:

Yes.

LEG. MONTANO:

Yes.

LEG. ALDEN:

Yes.

LEG. BARRAGA:

Yes.

LEG. KENNEDY:

Yes.

LEG. NOWICK:

Yes.

LEG. HORSLEY:

Yes.

LEG. MYSTAL:

Yes.

LEG. STERN:

Yes.

LEG. D'AMARO:

Yes.

LEG. COOPER:

Yes.

P.O. LINDSAY:

Yes.

MR. LAUBE:

Eighteen.

LEG. ALDEN:

Mr. Presiding Officer.

P.O. LINDSAY:

Okay. I recognize Legislator Alden.

LEG. ALDEN:

Could I make motion, or I'd like to make a motion to override the County Executive's veto of I.R. 1906. And I think everybody has a copy of that in their packet.

D.P.O. VILORIA-FISHER:

And it's a separate veto, it wasn't with the budget. It's separate.

LEG. ALDEN:

This is a --

LEG. MYSTAL:

A stand-alone?

P.O. LINDSAY:

This is '07. This is '07 omnibus money that you guys were so kind as to restore for me earlier in the year, and it just got vetoed again, so --

LEG. MYSTAL:

Oh, whoa, whoa, whoa, whoa, whoa.

LEG. ALDEN:

So, I'd ask that you override the veto of this.

LEG. ROMAINE:

Second.

P.O. LINDSAY:

We have a motion and a second to take the veto out of order.

LEG. ALDEN:

Oh, sorry, okay.

P.O. LINDSAY:

All right?

LEG. HORSLEY:

Has this been vetoed twice?

P.O. LINDSAY:

No, it's only been vetoed once. Does everybody -- did everybody find the veto message?

LEG. MYSTAL:

No, I haven't found it, no.

D.P.O. VILORIA-FISHER:

It's in your packet. It's 979 of '07.

P.O. LINDSAY:

It's Resolution 979 of 2007, I.R. 1906. Does everybody got it now? Okay. The motion to take it out of order is in front of us and a second. All in favor of taking it out of order? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

Okay. It's before us.

LEG. MYSTAL:

Presiding Officer.

P.O. LINDSAY:

Yes. Let me see if --

LEG. MYSTAL:

On the question.

P.O. LINDSAY:

Let me see if I can get a motion first.

LEG. ALDEN:

Motion to override the veto of I.R. 1906, Resolution Number 979.

P.O. LINDSAY:

We have a motion --

LEG. ROMAINE:

Second.

LEG. CARACAPPA:

Second.

P.O. LINDSAY:

We have a motion to override by Legislator Alden, second by Legislator Caracappa. On the question.

LEG. MYSTAL:

On the question, to the sponsor, to Cameron. Is that the bill that you sent us in a tizzy when it wasn't funded, and now you're defunding them; is that the one?

LEG. ALDEN:

No.

LEG. MYSTAL:

I know, you know, in 2006, you went on a rampage, because we didn't fund this particular sports program and --

LEG. ALDEN:

This has nothing to do with a sports program. As a matter of fact, the Superintendent of Schools came down earlier. The money that's going to the Islip Schools is used for drug, tobacco and alcohol educational programs and deterrent programs that would normally not be done by the school. These are enhancements, and they came out of a Task Force of civic leaders, Chamber of Commerce, PTA --

LEG. MYSTAL:

I understand that.

LEG. ALDEN:

-- that kind of thing.

LEG. MYSTAL:

But you're taking the money from what?

LEG. ALDEN:

This was my omnibus money.

LEG. MYSTAL:

I know, but where was the money before?

LEG. ALDEN:

Okay. This is money, basically, that before --

LEG. MYSTAL:

I just want you to say it.

LEG. ALDEN:

I will say it, okay.

LEG. MYSTAL:

Where was the money before?

LEG. ALDEN:

I will say it. This is the money that was for other civic associations and a couple of fire departments. After the money was restored, they felt that they were being insulted by having to jump through hoops and having the money taken away from them originally, so they told me that they would not

avail themselves of these funds this year. So, that's where --

LEG. MYSTAL:

You have my vote. I just want to make sure that you explain to us that you made us go through hoops to fund those things and then --

P.O. LINDSAY:

Is there any other questions? No? All right. We have a motion and a second to override the veto. All in favor? Opposed? Abstentions?

LEG. CARACAPPA:

Mr. Chairman.

MR. LAUBE:

Eighteen.

LEG. ALDEN:

Thank you.

P.O. LINDSAY:

Okay.

LEG. CARACAPPA:

Mr. Chairman.

P.O. LINDSAY:

Yes. I recognize Legislator Caracappa.

LEG. CARACAPPA:

Yeah. I apologize to ask for a few things to be taken out of order, but I might be back a little late later, and I have two bills on today. And I'd like to just -- they're not controversial. I'd just like to get them out of the way now, if you wouldn't mind. First one is in this committee. It's on -- it's on Page 11, it's 2115. It's the acquisition of Grace Presbyterian Church property.

MR. MONTANO:

2115?

LEG. CARACAPPA:

2115.

P.O. LINDSAY:

All right. Let's just do them one at a time; all right? Legislator Caracappa is making a motion to take 2115 on Page 11 out of order.

D.P.O. VILORIA-FISHER:

Second.

LEG. LOSQUADRO:

Second.

P.O. LINDSAY:

Seconded by Legislator Losquadro. All in favor of taking it out of order? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

All right. It's before us. *2115 - Authorizing the acquisition of land under the Suffolk County Save Open Space (SOS) Farmland Preservation, and Hamlet Parks Fund - Hamlet Parks component - for the Grace Presbyterian Church property - Town of Brookhaven*). Motion by Legislator Caracappa to approve, seconded by Legislator Losquadro. On the question? Any questions?

D.P.O. VILORIA-FISHER:

No.

P.O. LINDSAY:

Okay. All in favor? Opposed? Abstentions?

LEG. CARACAPPA:

Thank you.

MR. LAUBE:

Eighteen.

LEG. CARACAPPA:

The second one is in Public Works, it's at the top of Page 13, *2026, to authorize installation of signs along County Road 97 at the Pearl Harbor Memorial Bridge*.

LEG. ALDEN:

What page?

P.O. LINDSAY:

Thirteen.

LEG. CARACAPPA:

It's Page 13, top resolution, 2026.

P.O. LINDSAY:

Thirteen, 2026. You have a -- you're making a motion to --

LEG. CARACAPPA:

A motion to take out of order.

P.O. LINDSAY:

-- take 2026 out of order.

LEG. LOSQUADRO:

Second.

P.O. LINDSAY:

Second by Legislator Losquadro to take it out of order. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

All right. It's now before us, 2026.

LEG. CARACAPPA:

Motion to approve.

P.O. LINDSAY:

Motion to approve, seconded by Legislator Losquadro. Any questions on the resolution? Okay. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

LEG. CARACAPPA:

Thank you for your indulgence.

P.O. LINDSAY:

Okay. Let's go back to *2031 - Authorizing the acquisition of Farmland Development Rights under the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks fund - farmland component - and appropriating funds in connection with the Suffolk County Multifaceted Land Preservation Program, and authorizing the acquisition of Farmland Development Rights under the Multifaceted Land Preservation Program for the Raine property, Town of Riverhead.* Do I have a motion?

LEG. ROMAINE:

Motion.

D.P.O. VILORIA-FISHER:

Second.

P.O. LINDSAY:

Motion by Legislator Romaine, seconded by Legislator Vilorio-Fisher. On the question? All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

LEG. ROMAINE:

Cosponsor, please.

LEG. SCHNEIDERMAN:

Okay. Cosponsor me, too.

MR. LAUBE:

Yes, sir.

P.O. LINDSAY:

Okay. Counsel is telling me that we need a bond with that, and we do have the bond, but it was inadvertently not put on the agenda. So, I am going to accept same motion, same second?

LEG. ROMAINE:

Same, yes.

P.O. LINDSAY:

Roll call.

(Roll Called by Mr. Laube, Clerk)

LEG. ROMAINE:

Yes.

D.P.O. VILORIA-FISHER:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. BROWNING:

Yes.

LEG. CARACAPPA:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. EDDINGTON:

Yes.

LEG. MONTANO:

Yes.

LEG. ALDEN:

Yes.

LEG. BARRAGA:

Yes.

LEG. KENNEDY:

Yes.

LEG. NOWICK:

Yes.

LEG. HORSLEY:

Yes.

LEG. MYSTAL:

Yes.

LEG. STERN:

Yes.

LEG. D'AMARO:

Yes.

LEG. COOPER:

Yes.

P.O. LINDSAY:

Yes.

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

Okay. *2035 - Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program - open space component - for the Hiliab Corporation property -*

Mastic/Shirley Conservation Area II - Town of Brookhaven.

LEG. BROWNING:

I make a motion.

P.O. LINDSAY:

Motion by Legislator Browning.

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:

2036 - Authorizing the acquisition of land under the Old Suffolk County Drinking Water Protection Program for the William H. Leverich Family Trust property - Penataquit Stream Corridor, Town of Islip. Do I have a motion by --

LEG. ALDEN:

Motion.

P.O. LINDSAY:

Motion by Legislator Alden.

LEG. MONTANO:

Second.

P.O. LINDSAY:

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

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

2037 - Authorizing acquisition of land under the Old Suffolk County Drinking Water Protection Program for the Nixon Property, Carlls River Watershed addition - Town of Babylon.

LEG. MYSTAL:

Motion.

P.O. LINDSAY:

Motion by Legislator Mystal.

LEG. D'AMARO:

Second.

P.O. LINDSAY:

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

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

2038 - Authorizing acquisition of land under the Old Suffolk County Drinking Water Protection Program for the Soliman property, Carlls River Watershed addition, Town of Babylon. Do I have a motion over there?

LEG. D'AMARO:

Motion.

LEG. MYSTAL:

Motion.

P.O. LINDSAY:

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

MR. LAUBE:

Eighteen.

LEG. HORSLEY:

Tim, can I cosponsor two of the -- those last two?

MS. ORTIZ:

Thirty-seven and 38.

LEG. MYSTAL:

Thirty-seven and 38.

P.O. LINDSAY:

2039 - Authorizing acquisition of land under the Suffolk County Save Open Space, Farmland Preservation, and Hamlet Parks Fund - open space component - for the Golden Properties Construction Corp. Property - Patchogue River Wetland addition - Town of Brookhaven. Motion by Legislator Eddington.

LEG. BROWNING:

Second.

P.O. LINDSAY:

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

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

2040 - Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program - open space component - for the Gerrato property - Mastic/Shirley Conservation Area - Town of Brookhaven.

LEG. BROWNING:

Motion.

P.O. LINDSAY:

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

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

2041 - Amending the 2007 Capital Budget and Program by accepting and appropriating up to 75% grant funds in the amount of \$1,089,428 from the New York State Department of Agriculture and Markets Grant (C80064) to the Suffolk County Farmland Preservation Program for the acquisition of Agricultural Development Rights.

LEG. ROMAINE:

Motion.

P.O. LINDSAY:

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

LEG. MYSTAL:

Cosponsor.

MR. LAUBE:

Eighteen.

LEG. ROMAINE:

Could the Clerk, please, list me as a cosponsor?

MR. LAUBE:

Yes, sir.

LEG. MYSTAL:

Of course, we knew that.

P.O. LINDSAY:

J.R. 2042 - Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program - open space component - for the Rodrigue-Karras property - Southaven County Park addition - Town of Brookhaven.

LEG. BROWNING:

I'll make a motion.

P.O. LINDSAY:

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

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

2043 - Authorizing acquisition of land under the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund - open space component - for the Patanjo property - Patchogue River Wetland addition - Town of Brookhaven. Motion by Legislator Eddington.

LEG. BROWNING:

Second.

P.O. LINDSAY:

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

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

2044 - Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program - open space component - for the Campo Brothers property - St. Germaine Of Alaska Preserve - Town of Brookhaven.

LEG. BROWNING:

Motion.

P.O. LINDSAY:

Motion by Legislator Browning, second by Legislator Eddington. All in favor? Opposed? Abstentions? I didn't know Brookhaven --

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

-- went all the way to Alaska.

D.P.O. VILORIA-FISHER:

Yep, we're big.

P.O. LINDSAY:

Wow. *2045 - Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program - open space component - for the Karras property - Southaven County Park addition, Town of Brookhaven.*

LEG. BROWNING:

Motion.

P.O. LINDSAY:

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

MR. LAUBE:

Eighteen.

LEG. MYSTAL:

Mr. Presiding Officer.

P.O. LINDSAY:

Yes.

LEG. MYSTAL:

A question for Counsel. Does he have to read all this? Can't he just put the number in? Can he just say "2045"? We've got two pages of this. Can he just say the number?

LEG. SCHNEIDERMAN:

Maybe the number and the town, the tax map or something?

MR. NOLAN:

That's up to the Presiding Officer what he wants to do. He says the I.R. number and whatever he

wants.

LEG. MYSTAL:

Yeah, Bill, just say the I.R. number.

P.O. LINDSAY:

I want to read it all.

LEG. MYSTAL:

Oh, come on.

P.O. LINDSAY:

I.R. 2046 (*Authorizing acquisition of land under the Suffolk County Save Open Space (SOS), Farmland Preservation and Hamlet Parks Fund - open space component - for the F. Doob J. Doob & Piccininni Property - Wading River Wetlands - Town of Riverhead.* Do he have we have a motion?

LEG. ROMAINE:

Motion.

LEG. MYSTAL:

Motion.

P.O. LINDSAY:

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

MR. LAUBE:

Eighteen.

LEG. MYSTAL:

All right.

LEG. ROMAINE:

Could the Clerk, please, list me as a cosponsor?

LEG. LOSQUADRO:

And, Tim, myself as well on that.

P.O. LINDSAY:

2047 (Authorizing acquisition of land under the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund - open space component - for the Colbert property - Mastic/Shirley Conservation Area II - Town of Brookhaven). Do we have a motion?

LEG. BROWNING:

Motion.

D.P.O. VILORIA-FISHER:

Second.

P.O. LINDSAY:

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

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

I'm only going to do this for the land preservation.

LEG. SCHNEIDERMAN:

Yeah, yeah.

P.O. LINDSAY:

We get to the other bills, I think for the audience --

LEG. MYSTAL:

No problem.

P.O. LINDSAY:

-- although they're meager, they have a right to know what we're voting on.

MR. LAUBE:

Presiding Officer.

LEG. MYSTAL:

We have a handout that they can read.

MR. LAUBE:

The stenographer types in the complete title of the bill into the minutes as well, so there is a record.

P.O. LINDSAY:

No, but I'm concerned about the people that took the time to come here and sit and listen to us so intently, that they know what --

LEG. SCHNEIDERMAN:

Does any of you care?

P.O. LINDSAY:

As well as our huge audience that's listening to this via a voice streaming, you know.

LEG. ROMAINE:

Soon to be on T.V.

LEG. SCHNEIDERMAN:

We're taking up bandwidth, so.

LEG. MYSTAL:

Zabby is not here, don't worry about it.

P.O. LINDSAY:

J.R. 2048 (Authorizing acquisition of land under the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund - open space component - for the Miller (F/K/A Weinberger & Leichter property) - Forge River addition - Town of Brookhaven). Do I have a motion?

LEG. BROWNING:

Motion.

D.P.O. VILORIA-FISHER:

Second.

P.O. LINDSAY:

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

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

Okay. And Legislator Viloría-Fisher would like me to read this one. I.R. --

D.P.O. VILORIA-FISHER:

Because it's your favorite.

P.O. LINDSAY:

2049- Authorizing acquisition of land under the Suffolk County Environmental Legacy Fund - for open space preservation - for the Moeller & TMJ Realty, that's a dental firm --

LEG. SCHNEIDERMAN:

Motion.

LEG. ROMAINE:

Motion.

P.O. LINDSAY:

-- Incorporated, property, Peconic Dunes - Bittner Preserve, Town of Southold. Motion by Legislator Romaine, and seconded by Legislator Schneiderman. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

LEG. ROMAINE:

Clerk, please list me as a cosponsor.

P.O. LINDSAY:

Same motion, same second on the accompanying bond. Roll call.

(Roll Called by Mr. Laube, Clerk)

LEG. ROMAINE:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. BROWNING:

Yes.

LEG. CARACAPPA:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. EDDINGTON:

Yes.

LEG. MONTANO:

Yes.

LEG. ALDEN:

Yes.

LEG. BARRAGA:

Yes.

LEG. KENNEDY:

Yes.

LEG. NOWICK:

Yes.

LEG. HORSLEY:

Yes.

LEG. MYSTAL:

Yes.

LEG. STERN:

Yes.

LEG. D'AMARO:

Yes.

LEG. COOPER:

Yes.

D.P.O. VILORIA-FISHER:

Yes.

P.O. LINDSAY:

Yes.

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

Let's see if we can get through a few more. ***1.R. 2050 (Appropriating funds in connection with the Suffolk County Multifaceted Land Preservation Program and authorizing acquisition under the Suffolk County Multifaceted Land Preservation Program - open space preservation - for the Sapiane and Bilski Estate property - Aspatuck Creek - Town of Southampton.)*** Do I have a motion?

LEG. SCHNEIDERMAN:

Motion.

D.P.O. VILORIA-FISHER:

Second.

P.O. LINDSAY:

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

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

Counsel has just made me aware that 2050 also has a bond that is not on your agenda.

LEG. SCHNEIDERMAN:

Motion.

P.O. LINDSAY:

2050A, same motion, same second. Roll call.

(Roll Called by Mr. Laube, Clerk)

LEG. SCHNEIDERMAN:

Yes.

D.P.O. VILORIA-FISHER:

Yes.

LEG. ROMAINE:

Yes.

LEG. BROWNING:

Yes.

LEG. CARACAPPA:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. EDDINGTON:

Yes.

LEG. MONTANO:

Yes.

LEG. ALDEN:

Yes.

LEG. BARRAGA:

Yes.

LEG. KENNEDY:

Yes.

LEG. NOWICK:

Yes.

LEG. HORSLEY:

Yes.

LEG. MYSTAL:

Yes.

LEG. STERN:

Yes.

LEG. D'AMARO:

Yes.

LEG. COOPER:

Yes.

P.O. LINDSAY:

Yes.

MR. LAUBE:

Eighteen.

P.O. LINDSAY:

Okay. Counsel has just informed me that the next resolution, 2051, also needs a bond and we don't have the bond yet. So, at this point, I am going to recess for lunch.

*(*The following was taken & transcribed
By Alison Mahoney - Court Stenographer*)*

*(*THE MEETING WAS RECESSED AT 12:35 P.M. AND RECONVENED AT 2:48 P.M. *)*

P.O. LINDSAY:

Mr. Clerk, would you call the roll, please. Will Legislators come to the horseshoe?

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

LEG. ROMAINE:

(Not present).

LEG. SCHNEIDERMAN:

(Not present).

LEG. BROWNING:

(Not present).

LEG. CARACAPPA:

(Not present).

LEG. LOSQUADRO:

(Not present).

LEG. ALDEN:

You might want to wait a minute until we --

P.O. LINDSAY:

No, keep going, keep going.

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

LEG. EDDINGTON:

Here.

LEG. MONTANO:

Here.

LEG. ALDEN:

Here.

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.

LEG. BROWNING:

Tim.

MR. LAUBE:

You have ten.

LEG. ALDEN:

You should have eleven.

MR. LAUBE:

Eleven (Not Present: Legislators Romaine, Schneiderman, Caracappa, Losquadro, Barraga, Kennedy & Cooper).

P.O. LINDSAY:

Okay, we're in to the Public Hearings. Mr. Clerk, were the Public Hearings properly advertised?

MR. LAUBE:

Yes, they were.

LEG. ALDEN:

Tim, if you need any help over there, I'll help, I'm ready.
I'll ride shotgun for you.

P.O. LINDSAY:

All right, the first *Public Hearing is IR No. 1945-07 - A Local Law to require uniform drinking water distribution system standards in Suffolk County (Losquadro)*. I do not 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. D'AMARO:

Second.

P.O. LINDSAY:

Second, okay. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eleven (Not Present: Legislators Romaine, Schneiderman, Caracappa, Losquadro, Barraga, Kennedy & Cooper).

P.O. LINDSAY:

Public Hearing on IR No. 1973-07 - Considering the proposed extension of Sewer District No. 18 - Hauppauge Industrial, CP 8126 (County Executive). We have one card, Mr. Jack Kulka.

MR. KULKA:

Good afternoon, Ladies and Gentlemen. My name is Jack Kulka.

LEG. MYSTAL:

The mike.

P.O. LINDSAY:

I don't think you're on, Jack. The button is on top, right on top of the mike.

MR. KULKA:

My apologies. Good afternoon, Ladies and Gentlemen. My name is Jack Kulka, I am Chairman of the Governmental Relations Committee and the Utilities and Infrastructure Committee of the Hauppauge Industrial Association. Prior to that, I was one of the founders of the Hauppauge Industrial Association over 24 years ago and have been its past President.

This sewer district is very important to the Hauppauge Industrial Park, from both an economic and from an environmental reason. It is a no-brainer. It will actually take antiquated sewer facilities and totally rebuild them into a new sewer facility, the cost of which at the end on a per gallon of usage basis will be less to the users of the Hauppauge Industrial Park. At the same time, it will solve numerous pre-existing environmental problems because it will allow the portions of the industrial park to hook into the sewer district that is presently not served by a sewer district. So this is basically a no-brainer.

We've had numerous public hearings on this, but as a result of a decision by the Comptroller of the State of New York, this required another public hearing. At the previous public hearings, all of the members of the industrial park -- and you may not see too many of them here today because

they've been down a few times in the past -- have been in favor of this issue, there is no opposition to this issue. We in the industrial association have worked very closely with the Suffolk County DPW and we're very appreciative of their efforts. We've also worked together, between them and the Town of Smithtown, to secure land in the form of a recharge basin to be used in building this new sewage treatment facility. It will, one, be of environmental benefit; two, it will be of economic benefit.

The areas of the park that are now not tied in to the sewer district will be able to expand their facilities, many of them overcrowded, by virtue of the fact that there will be additional gallonage capacity to them and that they will not be restricted over the percentage of FAR area lot coverage that is necessary now because they're not tied into a sewer district. If there are any questions, I will gladly answer them.

P.O. LINDSAY:

Does anyone have any questions for Mr. Kulka? No. Thank you very much for coming down.

MR. KULKA:

Thank you.

P.O. LINDSAY:

That's the only card I have on this subject. Is there anyone in the audience that would like to give testimony on 1973? Seeing none, I'll recognize a motion to close.

LEG. MYSTAL:

Motion to close.

P.O. LINDSAY:

Close by Legislator Mystal. Seconded by?

LEG. BROWNING:

Second.

P.O. LINDSAY:

By Legislator Browning. All in favor? Opposed? Abstentions?

MR. LAUBE:

Twelve (Not Present: Legislators Romaine, Schneiderman, Caracappa, Losquadro, Kennedy & Cooper).

P.O. LINDSAY:

Public Hearing on IR No. 1974-07 - Amending Resolution No. 598-2005, considering the proposed increase and improvements of facilities -- no, that's the one we just did. No, this is different -- Sewer District No. 18, Hauppauge Industrial Park, CP 8126 (County Executive). I have two different resolutions. Okay, Irwin Landow; I have one card on this subject. Irwin?

MR. LANDOW:

Good afternoon. I'm Irwin Landow, Vice-President of Lanco Corporation. In the last ten years, Lanco grew from 30 employees to over 300 today. We presently need to expand that building at 350 Wireless Boulevard, Hauppauge, in order to continue our growth.

With the advent of the sewers, okay, we can expand that facility to 42% or 31,000 square feet. Although we get attractive offers from other areas, okay, we are loyal to this area, this is where we want to grow. And in order not to relocate and to expand, we need those sewers and we really need them now and we could start to hire more people and continue to grow. We probably could start hiring another hundred people because business has been that good, but we need the building and we can't operate in so many different buildings like we did before. Are there any questions?

P.O. LINDSAY:

Does anyone have any questions for Mr. Landow? Seeing none, I thank you very much, Mr. Landow, for coming down. That's the only card I have on 1974. Is there anyone in the audience that would like to speak on 1974? Seeing none, I'll accept a motion to close by Legislator Eddington, seconded by Legislator Alden. All in favor? Opposed? Abstentions?

MR. LAUBE:

Twelve (Not Present: Legislators Romaine, Schneiderman, Caracappa, Losquadro, Kennedy & Cooper).

P.O. LINDSAY:

Public Hearing on IR No. 1977-07 - A Local Law to prevent sex offenders from being housed at general population emergency shelters (Browning). I have no cards on this subject. Is there anyone in the audience that would like to address us on 1977? Seeing none, Legislator Browning?

LEG. BROWNING:

I'll make a motion to close.

P.O. LINDSAY:

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

MR. LAUBE:

Twelve (Not Present: Legislators Romaine, Schneiderman, Caracappa, Losquadro, Kennedy & Cooper).

P.O. LINDSAY:

Public Hearing on IR No. 1979-07 - A Local Law to authorize conveyance of real property in St. Joseph's College (Eddington). And I have one card, a Chris Drewes.

MR. DREWES:

Thank you, Ladies and Gentlemen. My name is Chris Drewes, I'm a member of the Board of Trustees of St. Joseph's College. I'll be brief.

I would first like to thank Legislator Eddington for helping to hopefully bring resolution to a problem that began with an unfortunate series of miscommunications and mis-steps and has resulted in the County coming into ownership of property that it presumably never intended or wanted to own.

In 1988, St. Joseph's College bought a piece of property on Roe Boulevard adjacent to its Patchogue campus which it has used since that time as administrative offices and faculty offices for the college; at the time, it applied for tax exemption. For nearly five years after acquiring the property, the college never received a tax bill, never thought anything of this because it had applied for the exemption, assumed it had been granted as all the rest of the college campus is tax exempt. It turns out, however, that it wasn't for approximately three years until the 2001-02 tax year that the exemption was actually granted, so that during that three year period taxes had been been accruing; unbeknownst to the college, however, because the bills were still going to the prior owner who failed to forward them to the college. St. Joseph's never learned of this until the property was actually conveyed to Suffolk County for non-payment of taxes.

After learning of it, the college tried, through communications with various personnel at the town and at the County, to ascertain how much was due, why taxes continue to accrue, etcetera, and by the time that process concluded, the time within which the property could be redeemed as-of-right

had passed. Hence the need for this bill which, as I understand it, will convey the title back to the college in consideration for payment of the taxes that accrued during that time plus interest, and I ask you to consider it favorably. Does anyone have any questions?

P.O. LINDSAY:

Does anybody have any questions of Mr. Drewes? Not seeing any, thank you very much, Mr. Drewes.

MR. DREWES:

Thank you.

P.O. LINDSAY:

That's the only card I have on this subject. Is there anyone in the audience who would like to speak on 1979? Seeing none, motion to close by Legislator Eddington, second by Legislator Browning. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eleven (Not Present: Legislators Romaine, Schneiderman, Caracappa, Losquadro, Kennedy, Horsley & Cooper).

P.O. LINDSAY:

Public Hearing on IR No. 1997-07 - A Local Law to establish a Prompt Payment Policy (Viloria-Fisher). And I have two cards on this subject. Kathy Liguori.

MS. LIGUORI:

Good afternoon. For the record, my name is Kathy Liguori from Tutor Time. First, let me say congratulations to all of you that were re-elected; all of your efforts of hard work will continue and that is a very good thing for our County.

Of course, I'm here for IR 1997, Prompt Payment Law for child care. After carefully reading the County Executive's veto response from our last resolution, I was greatly disturbed. He mentioned the implementation of KinderAttend being rolled out to be a cure for prompter payment. However, our DSS training tells that it is an optional participation. KinderAttend will help in two things; it will shave off one day of delivery of my invoice and it will aid the Department of Social Services Accounting Unit from key-entering the attendance of the providers that choose to use this option. Again, it's a choice.

On another note, I was also told that in order to meet the demands of prompter payments, staff was borrowed from the Child Support Division. It makes more sense to me now why the single working mother of two who testified at a Health & Human Service meeting had not received three weeks of her child support payment from direct deposit; there was no one to follow-up on the DSS side with her bank.

Last Wednesday, November 14th, I attended a meeting hosted by Janet DeMarzo and Steve Levy, our County Executive. We agreed with the recognition toward the department and the recent efforts of efficiency and the implementation of KinderAttend and KinderTrack systems. They appear to be two separate software packages running independently that can integrate with each other from the DSS side. We, of course, discussed the benefits and enhancements that we felt could be made along with continued areas of improvement in the Child Care Services Department, and it seems the enthusiasm and attentative concern is directly expressed by DSS.

What was most disappointing to me was the dialogue with our County Executive. While we respectfully acknowledge his need to see the bigger picture, it appeared his reason for the lack of staffing was the sales tax extension. He expressed his pleasure to lift the hiring freeze of more DSS staff and the innovations of the Kinder systems will aid in the processing times of days. And with the Prompt Payment Law now behind us, we can move forward in a positive direction toward

speedier payments, and he said this with great pride. I only recall the sales tax issue to be an issue during the last five months or so, and the delayed payments to the child care providers are going on more than two years. And I have to admit, I'm disappointed that by after meeting with the County Executive, I felt like grease was being precisely applied to a squeaky wheel.

When asked, he acknowledged the veto statement of the Prompt Payment Law of the added cost of \$250,000, as stated by Paul Sabatino, by instituting more employees. He also acknowledged the 69% State subsidy of staff reimbursement, thus leaving a net cost of only \$72,000 as reported by the County Comptroller's audit. He defined the philosophy behind it but dodged the explanation when we informed him that the \$250,000 statement was misleading.

You have all heard the testimonies and the losses incurred. The bottom line is we have all been misled; the proof of this is in the County Comptroller's audit on the report of DSS. I'm grateful to have been selected in the first round of pilot providers for KinderAttend; I received my payment in 13 days. This will not last forever. When the number of providers who sign on to this new system increases, so will the number of days.

Again, I refer to the bottom line. How do we trust what is now perceived as anticipated political rhetoric that the policies of staffing will always remain intact? It takes tangible living proof for humankind to overcome a violation of trust. The child care providers need guarantees that they will be paid in 30 days. Our motive is not to collect the interest associated from the Prompt Payment Law.

The critical reason that sets us apart from all of the vendors that work with DSS -- and I will wrap up. Child care is mandated by the State to employ a certain number of people based on the number of children in our care. We must pay our employees and their taxes in that same month. Our motive is to ensure the proper staffing in DSS and we can be paid in 30 days. The County Comptroller's report was glaring and that is the bottom line. Please pass IR 1997 and override the veto when it comes. Happy Thanksgiving to all of you.

D.P.O. VILORIA-FISHER:

Thank you, Kathy.

P.O. LINDSAY:

Thank you. Reverend Katie Roche.

REVEREND ROCHE:

Hello, everyone. And thank you for this opportunity to keep you informed and updated about the critical child care need -- the child care providers have and still face regarding prompt payment of their DSS subsidized child care billing.

Let me begin by praising the recent efforts to fix the system internally, via the inclusion of all children on to a main roster and the recent introduction of the KinderTrack and KinderAttend software. Rainbow Chimes was blessed to be chosen as one of the pilot program centers to benefit from quicker bill processing in return for helping the DSS finance staff to troubleshoot any glitches that could be expected. I am delighted to tell you that this has been mutually beneficial and that we appreciate the care and consideration shown to us during this process.

We understand that the quicker payment time we had last month will again become delayed as other providers are added to the new system. But the hope is that the efficiency improvements will still lead to better payment time overall than what we have been enduring for two years. Unfortunately, despite these improvements and hopes, child care providers still have no assurance that reimbursements will ever get down to the 30 days or less payment cycles which were the norm for many years, even without efficiency software. Last week we were told that the previous horrific delays were substantially due to the State's withholding of sales tax monies which impacted Mr. Levy's willingness to hire the staff that was needed in DSS Finance. Now we are told adequate staff

has finally been hired and training will begin.

Despite this, Mr. Levy indicated that it is highly unlikely that child care providers will ever be paid within 30 days and he was decidedly unwilling to ensure that this will ever happen. His rationale is that the child care providers that have gone out of business or have their homes and nest eggs on the line are no more needy than the folks who struggle to keep the homeless shelters open. He dismisses the crucial reasons for paying child care providers on time as rhetoric and not compelling rationale. It is as if Mr. Levy refuses to acknowledge the vital role child care plays in priming the regional economy, more important than ever as the specter of recession moves. He indicated that child care providers must figure out how to live with late payments or get out of the business.

You good people have heard our pleas for well over a year. These pleas were not to get payments to us a bit quicker, but to pay us on time so that we could meet our obligations in order to stay in business. We are not contractors with float and other operating hedges. We get reimbursements more than two months after we've laid out monies, our agencies are in danger and the children are put in jeopardy as well. We came to you for legislation that will ensure prompt payment in 30 days or less, like it had been for many years. Without this legislation, not only must we still struggle month to month, but we dread the next time the County Executive will feel the circumstances warrant letting the payment cycle lag to an even greater number of days.

Since the County Executive is still unwilling to ensure prompt payment, you and you alone are the assurance that Suffolk County Child Care businesses will be able to thrive and contribute to the region's economic well-being. Please pass IR 1997 and override any veto to it. Thank you very much.

P.O. LINDSAY:

Thank you. I do not have any other cards on this subject. Is there anyone in the audience who would like to address us on 1997? Seeing none --

D.P.O. VILORIA-FISHER:

Motion to close.

P.O. LINDSAY:

Motion to close. Do I have --

LEG. LOSQUADRO:

Second.

P.O. LINDSAY:

A second by Legislator Losquadro. All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen (Not Present: Legislators Caracappa & Alden).

P.O. LINDSAY:

Public Hearing on IR No. 2005 - A Local Law to require cash deposits to be made in accounts at authorized banks or trust companies (County Executive). I don't have any cards on this subject. Is there anyone in the audience who would like to speak on this subject? Seeing none, I'll make a motion to close.

LEG. EDDINGTON:

Second.

P.O. LINDSAY:

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

MR. LAUBE:

Sixteen (Not Present: Legislators Caracappa & Alden).

P.O. LINDSAY:

Public Hearing on IR No. 2064 - A Charter Law to expand sex offender notification requirements to include public libraries (Browning). I have no cards on this subject. Is there anyone in the audience who would like to speak on this subject? Seeing none --

LEG. ROMAINE:

I'll make a motion to recess.

LEG. BROWNING:

I was getting ready to say that.

P.O. LINDSAY:

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

MR. LAUBE:

Sixteen (Not Present: Legislators Caracappa & Alden).

P.O. LINDSAY:

Public Hearing on IR No. 2065 - A Local Law in relation to disposition of auction properties (Browning). I have no cards on this subject. Is there anyone in the audience that would like to speak on this subject? Seeing none, what is your pleasure, Legislator Browning?

LEG. BROWNING:

I apologize. I need to make a motion to recess because there are some changes I want to make.

P.O. LINDSAY:

Motion to recess and I'll second that. All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen (Not Present: Legislators Caracappa & Alden).

P.O. LINDSAY:

Public Hearing on IR No. 2067 - A Local Law to offset the cost of maintaining surplus County property (Browning).

LEG. BROWNING:

I'll make a motion to close.

P.O. LINDSAY:

Wait, let's see if there's anybody --

LEG. BROWNING:

Oh, you have someone?

P.O. LINDSAY:

I don't have any cards. Anybody in the audience want to speak on 2067? Seeing none, I'll recognize Legislator Browning's motion to --

LEG. BROWNING:

To close.

P.O. LINDSAY:

Close or recess?

LEG. BROWNING:

Close.

P.O. LINDSAY:

Close. I'll second that. All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen (Not Present: Legislators Caracappa & Alden)

P.O. LINDSAY:

Public Hearing on IR No. 2069 - A Charter Law to streamline the process by which resolutions and Local Laws are introduced (Alden). I have no cards on this subject. Is there anyone in the audience that would like to speak on 2069? Seeing none, Legislator Alden; is he here? We'll skip over 2069 until the sponsor can come back in the room.

Public Hearing is IR No. 2097 - A Local Law to establish a Cold War Veterans Property Tax Exemption (Romaine). I have no cards on this subject. Would anyone in the audience like to speak on this subject? Seeing none, Legislator Romaine, what's your pleasure?

LEG. ROMAINE:

I'd like to recess this.

P.O. LINDSAY:

Recess, I'll second that. All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen (Not Present: Legislators Caracappa & Kennedy).

*****See Change In Vote Below*****

P.O. LINDSAY:

I'm going to move back up to 2069; there were no cards and nobody wanted to speak on it. What --

LEG. ALDEN:

Close it.

P.O. LINDSAY:

Close it.

LEG. ROMAINE:

Mr. Presiding Officer, could I close that instead as opposed to recess?

P.O. LINDSAY:

Yeah, I've got to reconsider. Let me just handle 2069 first. So motion to close on 2069. Do I have a second to 2069? Second by Legislator Vilorio-Fisher. All in favor? Opposed? Abstentions?

MR. LAUBE:

Sixteen (Not Present: Legislators Caracappa & Kennedy).

LEG. SCHNEIDERMAN:

I'll make a motion to reconsider 2097.

P.O. LINDSAY:

Motion to reconsider 2097. Do I have a second?

LEG. BARRAGA:

Second.

P.O. LINDSAY:

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

MR. LAUBE:

Sixteen (Not Present: Legislators Caracappa & Kennedy).

P.O. LINDSAY:

2097 is back before us for reconsideration.

LEG. ROMAINE:

Motion to close.

LEG. BARRAGA:

Second.

P.O. LINDSAY:

Motion to close by Legislator Romaine, second by Legislator Barraga. All in favor? Opposed? Abstentions?

MR. LAUBE:

*****New Vote on Public Hearing No. 2097-07*****

Sixteen (Not Present: Legislators Caracappa & Kennedy).

LEG. HORSLEY:

Tim, cosponsor on that.

P.O. LINDSAY:

Public Hearing on No. 2101 - A Local Law to amend Chapter 270 of the Suffolk County Code frequently known as the "DWI Seizure Law"

(County Executive). I don't have any cards on this subject. Is there anyone in the audience who would like to speak on this subject? Seeing none, I'll make a motion to close.

LEG. EDDINGTON:

Second.

P.O. LINDSAY:

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

MR. LAUBE:

Sixteen (Not Present: Legislators Caracappa & Kennedy).

P.O. LINDSAY:

Public Hearing on No. 2117 - A Local Law to reduce nitrogen pollution by reducing use of fertilizer in Suffolk County (County Executive). I have a number of cards. John Cole.

MR. COLE:

Good afternoon. My name is John Cole, I'm representing the Professional Certified Applicators of Long Island and we would like consideration for extending the Fall date to 12/1 and to move the Spring date of applications to 3/1, and this is based on best management practices that we self-regulate. And that's all I have to say on that. Thank you.

D.P.O. VILORIA-FISHER:

Mr. Cole, I just have a question.

MR. COLE:
I'm sorry.

D.P.O. VILORIA-FISHER:

Hi. I've worked with the Homestead Assist Task Force for a year talking about this and when the County Executive came to us with the idea for this legislation, the legislation talked about prohibiting application of fertilizers on frozen ground.

MR. COLE:
Correct.

D.P.O. VILORIA-FISHER:

And so there was a lot of conversation. As you know, Pat Voges is on -- was on our task force and we also had members of the Farm Bureau as well as the lawn care professionals. And there was a consensus among them with discussion and looking at the scientific data that taking it to the beginning of November was ample time to put down the fertilizer and, you know, any kind of seeding, grass being a winter crop. And so that was our recommendation to the County Executive, because trying to enforce, you know, whether or not the ground is frozen would be more problematic and not as clear. And Cornell Cooperative was also on board, you know, Marty {Petrovic} was on board with the dates that the County Executive did come up with in this legislation. Do you find that a lot of people in the profession are fertilizing in late November?

MR. COLE:

Not as far as lawns go, but I -- you know, perhaps trees and shrubs, though, you know, that you could do a refertilization during that period.

D.P.O. VILORIA-FISHER:
That injected fertilization --

MR. COLE:
Correct.

D.P.O. VILORIA-FISHER:
-- when you have the --

MR. COLE:
So that's a --

D.P.O. VILORIA-FISHER:

We didn't have an arborist on our task force, we had one on -- in the legislation but we never wound up getting an arborist as a full-time member of the task force. So I guess maybe that's something we could have on the record. Thank you.

MR. COLE:
Thank you very much.

D.P.O. VILORIA-FISHER:

Pat Voges. So you heard me say your name in vain there.

MS. VOGES:

I did, and he's actually up hunting, so. My name is Patricia Voges and I am the Executive Director of the Nassau-Suffolk Landscape Gardeners Association and I'm here today to represent our 1,500 members in place of Pat Voges, our Government Affairs Chairman who is a part of Vivian Fisher's task force on fertilizer use in Suffolk County. Pat's out of town and unable to attend this hearing,

hence the reason why I'm here and I hate this.

The task force met over a period of more than a year to come up with recommendations to educate homeowners in the best management practices of fertilizer in Suffolk. However, before the task force was able to provide a sensible plan, Mr. Levy decided he needed a law introduced to regulate fertilizer use by professional landscapers. In this proposed law, which we strongly object to having because every little town on Long Island will decide they need a fertilizer law, it states there is mandated education. This industry is presently required to obtain education on many levels to maintain a license to legally work in New York State. Although at a meeting with Commissioner Gallagher she agreed to make education the least possible burden to the industry as possible, it is still a redundant request considering all of the educational programs which the industry already attends; New York State DEC requirements, DOT seminars, voluntary Suffolk County organic certification and so on.

In Section II of this proposed law, Definition, it states under E, "Person shall mean any individual, firm, partnership, corporation, companies, society, association or any organized group of persons, whether incorporated or not." And under C, Establishment, states, "It shall mean a store or person located within Suffolk County that sells office fertilizer for sale." We feel their definition "persons selling fertilizer" under Section IV, Requirements, could easily be interpreted as a landscaper selling fertilizer to his customer and therefore at some point require record-keeping.

Under Section V, Education and Reporting Part B, we feel there is very broad interpretation whereby the Board of Health at any time could make a determination to eliminate fertilizer use entirely from any property in the County because they feel it is either not necessary or harmful. This section should definitely be rewritten.

The NSLGA feels if there is going to be mandatory education it should be directed to the garden center personnel who are hired to give recommendations to homeowners who are maintaining their own property. The person behind the counter should be well-informed of the best management practices in the use of fertilizer to preserve our water quality. If the person selling the fertilizer to the homeowner has no idea what are the recommended requirements, then the age-old practice by homeowners that a little is good, so a little more must be better will still be the policy. A legal landscaper is not going to use more product than is absolutely necessarily on a customer's property because the more he uses the more his overhead is going to be and the less money he's going to make, and being able to make a living on Long Island is the ultimate goal.

As far as the need for suppliers reporting sales to the County, there is a program in place whereby the manufacturers must report to Department of Ag by County. I'm sure it is possible for the County to receive these reports in a timely manner directly from the department and not add the expense of hiring people to track this information. We believe there is a valid concern for the regulation and quality of our groundwater, however we feel by targeting one industry for control is not the ultimate answer. There are many, many facets that are contributing to possible nitrogen contamination in the water in Suffolk County such as the sewer district, cesspools and so on. Yes, the landscaping industry is a very visible entity but it is not the ultimate answer to the problem of nitrogen in the groundwater.

D.P.O. VILORIA-FISHER:

Thank you, Pat. Is there anyone who has a question for Mrs. Voges? Okay. And I do want clarification, I guess I'll speak with you or Pat regarding the definition of -- I thought it was only retail establishments selling the products; you're saying that it's not clear, that it could also be an applicator?

MS. VOGES:

Yeah. When it says "person", we're thinking down the road it might, you know, be reinterpreted.

D.P.O. VILORIA-FISHER:

Okay, so -- yeah.

MS. VOGES:

It should actually say "retail" in there someplace.

D.P.O. VILORIA-FISHER:

Yeah, I thought it did, but thank you. I think there was the assumption there, but it's not the language. Thanks, Pat. Say hi to Pat for us.

MS. VOGES:

I will.

D.P.O. VILORIA-FISHER:

David McMaster.

MR. McMASTER:

Good afternoon. I represent Green Point of New York, a society of arborists, many of which live in Suffolk County. I'm here today to talk about the Suffolk County Resolution 2117, a law to amend -- excuse me, a Local Law to reduce nitrogen pollution by reducing the use of fertilizer in Suffolk County.

First of all, I would like to commend you on your efforts to improving water quality here in Suffolk County. We all realize that we all live on water, Long Island basically is a glacial aquifer and we recognize that. But we feel that as an industry, specifically arborculture, that we are very responsible with our application of elements that we put in to the Earth. Most of our applications are done only after a soil sample is taken and only the necessary elements are applied to the soil which the plant needs at that point in time.

Furthermore, the windows of time that you are giving us for application don't consider root development of trees which happens to go on a little bit longer than turf development. And any time that the ground is not frozen is a suitable time to apply fertilizer for trees and shrubs.

D.P.O. VILORIA-FISHER:

Are there any questions? Thank you very much,

MR. McMASTER:

Thank you very much.

D.P.O. VILORIA-FISHER:

Our next speaker is Bruce Herlich.

MR. HERLICH:

Good afternoon. My name is Bruce Herlich, I manage my family's landscape design and build company. I am disturbed by the intention to create a law to reduce nitrogen pollution by reducing the use of landscape fertilizer in Suffolk County. I would ask what percentage of the analyzed nitrogen pollution is attributable to horticultural fertilizers versus, say, cesspools. Also, of the landscape fertilizers sold into the County, what percentage is sold to homeowners versus professionals? I ask this because the education portion of the bill would seem to be missing a vital segment of homeowners who aren't included.

Further, in the event that you pass this resolution into law, who will provide the approved Department of Energy & Environment course and how will you pay them? Thank you.

D.P.O. VILORIA-FISHER:

Thank you, sir. Our next speaker is Chris Wible.

MS. SCHMENK:

Good afternoon. Thank you for allowing us to speak today. My name is Chris Schmenk with the Scotts Miracle-Gro Company. There's actually another Scotts person here today who is also named Chris Wible and he will speak after me.

As many of you know, we have spoken with some of you before, Scotts is a global lawn and garden company. We are the largest, the world's largest maker of lawn and garden products and we're headquartered in Marysville, Ohio. However, we have a large presence here in the State of New York. Our Chairman and CEO, Jim Hagador, resides on Long Island, his family has for many years, and his family business, the Miracle Gro Company, was founded in Port Washington and still has offices there today. We also have a large homeowner presence in the State of New York and we have a lawn care service company that is growing in the State of New York.

We share your concerns about water quality. We applaud you for the efforts in this bill. We have come and we have met with some of you previously and we have very much appreciated the opportunity to give input. And I think over all this is a good bill. It shows your intent to try to educate homeowners and that is also our goal, so we applaud you for that.

We do have a couple of concerns. First, I'd like to kind of give you some context as to how much lawn fertilizer is used by homeowners, that's something we always try to do because there are some misinformation that a lot of people hold. About half of the homeowners or lawn owners in the country do nothing to their lawn, so about half of them don't apply any lawn fertilizers, any lawn pest controls. Of those that do use products, they usually use between one and two applications per year, and when people apply it that way they're usually applying below the university recommendations. So the perception about overuse of fertilizer by homeowners is incorrect. However, there is misapplication and that's something that Scotts knows, that Scotts has discussed with some of you in the past and that we'd like to continue to work with. Sometimes products are misused and we applaud you for taking a balanced approach in this legislation to try to direct that or to try to address that.

When we looked at the legislation we really only had two concerns, and you've heard about them from previous speakers. We are concerned with the dates. If we try to educate homeowners on how to use fertilizer properly, the thing that we like to try to tell them is only use lawn fertilizer when the grass is actively growing and that can cover winter periods, definitely when the ground is frozen, it also can cover summer dormancy periods. In Ohio and probably here, too, the grass typically goes dormant in August and a homeowner shouldn't use fertilizer at that point, too. So if we had our wish granted as to how this bill would read, we would encourage you to -- instead of using dates to have the language say something like "fertilizer shall not be applied unless the grass is actively growing, as indicated by a need to mow," that's really the best way that homeowners can understand when to use the product.

If limitations need to be used, if you feel that you do need to give homeowners more definition, then we look to what universities in your area recommend. And I can leave with you today, I printed off from Cornell University's Lawn Care Library, I took a look at what they recommend and their advice is pretty similar to ours. They don't have definite dates in the Spring, they encourage fertilization if lawns are in need of repair in the Spring, but they heavily encourage lawn fertilization in the Fall. Again, they don't use firm dates, but what the advice says is that the ideal time is to fertilize between Halloween and Thanksgiving, about two weeks after the last mowing. So if Cornell's advice is followed then now is really the optimal time to fertilize, but if your law cuts homeowners off by November 1st, then they would not be able to follow that advice.

Again, our suggestion is not to have firm dates. We've talked about with I think several of you, we've talked about maybe trying to use holidays as something to put it in a homeowner's mind. For example, we thought about that March 17th, St. Patrick's Day, could be the Spring date and Thanksgiving could be the Fall cut-off. So that was our first concern.

Our second concern had to do with the imposition of record-keeping requirements on retail establishments. You've heard from others that big makers of fertilizers like ourself already provide that information to the State of New York for our tonage reports and we can work with you so that you can get the information you need from either the State of New York or we would be happy to furnish it directly to you. To put that burden on retail establishments I think would really put a damper on their ability to do business here in the state.

I will conclude my comments with that. Again, I applaud your efforts and my colleague Chris Wible would next like to speak. Thank you.

D.P.O. VILORIA-FISHER:

Thank you.

MR. WIBLE:

Good afternoon and thank you. I'd like to echo Chris Schmenk's comments that we applaud your efforts in making this a very collaborative dialogue with stakeholders and it's a very balanced piece of legislation.

I would like to continue on Chris' point about the record-keeping or reporting requirements for retailers. I think an important thing to keep in mind is what decision making are we going to make with that information and what's going to be the quality of the information we get from retailers versus what we're already getting at the State level. Retail establishments track the sales of their units of product, but they don't necessarily in their systems track what the nitrogen analysis of the product is, what the bag weight is or the coverage or what the intended use site is; is it a lawn product or a garden product. So without that level of detail we wouldn't get very good information to make decisions on.

We currently provide information at the County level, all the registrants that sell fertilizer into the State, we report tonage by the -- at the County level and for each specific product. So every product, NPK analysis, the weight of products sold into each specific County is currently reported, so we think that there's an opportunity to use the data that's already captured at the State level and use that for County specific decision making.

There may be some opportunities to add a couple of more pieces of information that fertilizer registrants already capture. Currently we only report the NPK and the weight of product sold, but we could easily add the product description or some other information to that as well because we already have that in our systems, unlike the retailers.

With that information, the intent is to track consumer behavior and are consumers using products that are appropriate for the lawn, or using products that are appropriate for the garden. So by tracking the information that's currently available, we're able to see what those purchase patterns look like and how those change over time as we do more education and outreach.

We support -- continue to communicate with consumers and what we found is the product label is really the best place to communicate. So we've been communicating not only best management practices, not applying product to hard surfaces, sweeping any product that lands on hard surfaces back on to the lawn, we have also included now cultural practices, best ways to maintain lawns to protect water quality. And those education and outreach initiatives can be successful, on label is one way to do it and then some of the initiatives from the task force to do some more in-store and public outreach would very much help in that regard. Thank you very much.

P.O. LINDSAY:

Thank you very much, Mr. Wible. Maureen Dolan-Murphy.

MS. DOLAN-MURPHY:

Good afternoon. My name is Maureen Dolan-Murphy, I'm with Citizens Campaign for the Environment. NCCE fully supports Resolution 2117 which would reduce nitrogen pollution by reducing use of fertilizer in Suffolk County.

Fertilizers are a main contributor to excessive nitrogen levels in our waters. Nitrogen pollution is harmful to our drinking water, our rivers, estuaries and bays. The South Shore Estuary Reserve Comprehensive Management Plan identifies the reduction of nitrogen or fertilizers, herbicides and pesticides as a key step to protecting and restoring the estuary. The CMP identifies that there are some areas of the reserve in which excessive levels of nitrogen cause an over-enrichment that results in excessive algae blooms. Algae blooms create a low-dissolved oxygen levels known as hypoxia which threaten the health and survival of finfish and shellfish. Algae blooms also shade out and destroy important seagrass beds which are essential habitats and nursery areas for juvenile finfish and shellfish and feeding areas for waterfowl.

The SSERCMP states, "To address excessive fertilizer, herbicide and pesticide use as part of the management of turf grass and public and private area, towns and counties in the reserve should educate citizens and owners and managers of private facilities on the importance of carrying out best management practices. By restricting the fertilizer use in Fall and Winter seasons, Suffolk County will be reducing the amount of nitrogen that enters our waters, and at the same time the County will be educating the residents of Suffolk County as to why excessive use of nitrogen is harmful."

The Long Island Sound Study recently released a public perception survey; several of the questions that were asked related to fertilizers and lawn maintenance practices. When asked how often Long Islanders living in the Long Island Sound watershed fertilize their lawns, 49% said several times a year; 74% of Long Islanders fertilize their lawns as often today as they did five years ago; 46% of residents did not know whether they used a slow-release fertilizer or a fast release fertilizer. When asked if Long Islanders thought a change in their every day behavior would improve the quality of Long Island Sound, 55% of them said no. The bottom line is many residents still do not understand the harmful effects of excessive fertilizers in our water. This survey highlights the importance of public education programs and policies that promote public education.

Resolution 2117 will reduce harmful nitrogen into our waters and will also educate residents as to why we need fertilizer. Thank you.

P.O. LINDSAY:

Thank you, Ms. Murphy.

MS. DOLAN-MURPHY:

And just to clarify, reasons as to why we need to reduce fertilizer. Thank you.

P.O. LINDSAY:

Deborah Green.

MS. GREEN:

Hi. I'm Deborah Green with Bartlett Tree Experts. I just wanted to say that we are already heavily legislated and heavily licensed in the industry and we have best management practices in place to cover a lot of these issues that you're talking about.

I do agree with homeowner education, I think that's critical. And unfortunately, I'm not sure that this is really addressing that as extensively as it is burdening the professional, once again, with more legislation and continued licensing. Thank you.

P.O. LINDSAY:

Hello.

D.P.O. VILORIA-FISHER:

I just -- can I just ask her something?

P.O. LINDSAY:

Hold on. Ms. Green, legislator Vilorina-Fisher has a question for you.

D.P.O. VILORIA-FISHER:

Hi. Actually, I just wanted to ask if you were aware of that part of the legislation actually that incorporated some of what the Homestead Assist Task Force did which was the education of the consumer, because that was our thrust, the education of the consumer. You know, it listed the information that we're going to be sending out to consumers in their Suffolk County Water Authority bill which will be posted in nurseries. So we hear what you're saying, it's important to educate the consumer.

MS. GREEN:

Yeah, it is important. I think that's a step in the right direction, however I think it needs to go further than that with the homeowner.

D.P.O. VILORIA-FISHER:

Okay.

MS. GREEN:

You know, and certainly with nurseries, selling fertilizers and educating them to better educate the public. As an industry, we are doing I think an excellent job in self-regulation by developing best management practices which have been accepted internationally, you know.

D.P.O. VILORIA-FISHER:

What are your suggestions in educating the consumer? That's an actual question, it's not rhetorical.

MS. GREEN:

That would be certainly providing maybe some form of licensing for them as well and making sure that they attend a certain class that shows them how to properly fertilize their lawn or whatever it is that they're fertilizing, beds.

D.P.O. VILORIA-FISHER:

I think the hope in having retail -- retailers who are trained and having the signage will help to train the consumer, I think that was the concept.

MS. GREEN:

Yeah, I don't know that that's going to get the information across.

D.P.O. VILORIA-FISHER:

Thank you for coming down.

MS. GREEN:

You're welcome.

P.O. LINDSAY:

Jenn Hartnagel.

MS. HARTNAGEL:

Hi, good afternoon. My name is Jenn Hartnagel, I'm here on behalf of Bob DeLuca, President of Group for the East End.

In brief, we support this Introductory Resolution. We feel that this proposal would function as an essential aid in the reduction of nitrogen loads in our County's various ecosystems.

Additionally, many of our initiatives over the last 20 years have focused on protecting the health and vitality of the Peconic Estuary. And so the reduction of nitrogen such as fertilizer is the key recommendation of the Peconic Estuary Comprehensive Plan, the Long Island Sound Study and the South Shore Estuary Reserve Management Plan. Given the findings of this Legislature and the findings of these previous reports, it is indisputable that fertilizer -- fertilizer, a component of well-documented nitrogen contamination of our surface and groundwaters. And as a result, the group finds this Introductory Resolution to be significant and tangible and that it will reduce the detrimental effects of nitrogen contamination in our County's water resources. It's a good measure, we need to start somewhere, so please support this measure and thank you for your time.

P.O. LINDSAY:

Thank you, Ms. Hartnagel. I don't have any other cards on this subject. Is there anyone else in the audience that would like to address us on 2117? Yes, sir, please come forward. You wanted to address us on 2117?

MR. {SINKY}:

Good afternoon. I'm Andrew {Sinky} with Lebanon Turf. And again, we just want to say we do agree with some of the things out there, some problems we do have with this, again, are the dates.

With Lebanon Turf, from my end, I deal with the professional end and you kind of set a point of November 1st, a lot of times a professional will be not putting down fertilizer until his last -- until the clean-ups are done, and at this time of the year we have been finding the leaves coming down later and later. Before the November 1st -- we do a fertilizing in October, late October, a lot of times they'll be laying on the leaves and you would be doing more damage because then if he goes to mow it or pick it up later on, you would end up bringing that into the landfill. Okay?

Another thing on the education, too, you know, with the retail. I grew up in retail, I handle professional right now, I work very closely with the NSLGA, but on the retail end I think that's where you really have to concentrate, letting the homeowner know and that should start within the establishment themselves, some kind of a certification. Again, you go in to any big box, and I think I stated this one time before, you know, one day he's in plumbing, the next day he's in gardening and he really has no clue, you know, he's just stuck there.

I also have just some best management practices that were provided by {RISE} to me that I just want to submit of different labels of different things that might be helpful.

P.O. LINDSAY:

Okay. Would one of you ladies please take that from him?

MS. ORTIZ:

Thank you.

P.O. LINDSAY:

Thank you very much. Is there anyone else that would like to address us on 2117? Please come forward.

MR. IANNACONE:

Good afternoon. My name is George Iannacone. I am an ISA Certified Arborist, I'm a turf grass manager. I have lived in Suffolk County my whole life and while I can applaud you for trying to do something with this, but honestly, it just seems like my profession is always getting picked on. You had some great ideas -- they're going to educate the consumers -- but like everything else, it's not going to work; you can try, but it's just -- I just don't see this happening. I just see it, you know, burdening my livelihood. I'm really just tired of it. I'm just like, you know, what did I do wrong in

life other than trying to protect the environment the best way that I can see?

But as far as this whole thing, why not just make the law you can't put fertilizer down when the ground is frozen, end of story? That would be the simplest thing. Consumer Affairs can enforce that; "Gee, it's 32 degrees or 31 degrees, there's the guy with the fertilizer going around, here's a ticket," instead of arbitrary dates which aren't going to work because there could be dates when it's 65 degrees in March. And November, like the past representative said, the leaves aren't down yet, the people want to put fertilizer down on the lawn, not on the leaves. And you know, look at this year, you know, it's just not going to happen.

So I just don't see where this is coming from other than just a burden to me and my family because it's affecting my livelihood. Thank you.

P.O. LINDSAY:

Thank you. Is there anyone else that wants to address us on 2117? Seeing none, I'm going to make a motion to recess. Do I have a second?

LEG. MONTANO:

Second.

P.O. LINDSAY:

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

MS. ORTIZ:

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

P.O. LINDSAY:

The last *Public Hearing is IR 2118-07 - A Local Law to refine procedures for Planning Commission*. I don't have any cards on this subject. Is there anyone in the audience that would like to address us on this subject? Seeing none, I will make a motion to close.

LEG. EDDINGTON:

Second.

P.O. LINDSAY:

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

MS. ORTIZ:

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

That concludes the Public Hearings for today. I want to set the date for the following Public Hearings for Tuesday, December 3rd, 2007 at 2:30 P.M. at the Rose Caracappa Auditorium, Hauppauge, New York; IR 2071, Consent to the acquisition of additional land at Mt. Pleasant Road, Town of Smithtown, County of Suffolk, State of New York by the Roman Catholic Church of St. Patrick at Smithtown for cemetery expansion purposes; IR 2203, a Charter Law to promote accountability and transparency in government by requiring --

MS. ORTIZ:

Presiding Officer Lindsay? That meeting is Monday, December 3rd.

P.O. LINDSAY:

Oh, I'm sorry, my notice has Tuesday; yeah, it's Monday, you're right. Thank you very much, Renee.

MS. ORTIZ:

Thank you.

P.O. LINDSAY:

IR 2203, a Charter Law to promote accountability and transparency in government by requiring an agency oversight report, and that's it.

I want to make a motion to discharge IR 2101 and let it age for an hour, this is the DWI Seizure Law. It is the wish of the County Executive's Office that this be discharged, he has to hold a Public Hearing and if it's expedited it could be in effect before the holiday season which could be helpful. So I made a motion to discharge; do I have a second?

LEG. EDDINGTON:

Second.

P.O. LINDSAY:

I have a second by Legislator Eddington. On the question, Legislator Schneiderman.

LEG. SCHNEIDERMAN:

Yeah, I guess the question really is for Mr. Nolan. I looked at this change in the Vehicle -- they were referencing two sections of Vehicle & Traffic Law which I couldn't find in the Penal Code what these two sections were, Section 2A and 4A.

MR. NOLAN:

Well, I think it's actually from the Vehicle & Traffic Law and it was just recently, very recently enacted, so you would have to get it off the Internet.

LEG. SCHNEIDERMAN:

I've tried to get it off the Internet, I have --

MR. NOLAN:

You couldn't, yeah, because I --

LEG. SCHNEIDERMAN:

I'd have to get it directly from somewhere.

MR. NOLAN:

I think it might --

LEG. SCHNEIDERMAN:

So what do those two sections do?

MR. NOLAN:

Basically, they're two sections of law. They created new crimes basically under driving while intoxicated; one is an aggravated driving while intoxicated, the other is driving while ability is impaired by the combined influence of drugs or alcohol. So what the law does is basically incorporates them into the DWI Law so that violations of those particular sections would allow the County to seize and forfeit.

LEG. SCHNEIDERMAN:

To seize, okay. All right, I'll support discharging.

P.O. LINDSAY:

Okay. We're going to add a third one, too; driving while intoxicated, drugged and operating a Blackberry.

LEG. SCHNEIDERMAN:

There you go. Text messaging. Thank you.

P.O. LINDSAY:

I knew you'd like that. Okay, we have a motion to let it age an hour and a second to discharge. All in favor? Opposed? Abstentions?

MS. ORTIZ:

Seventeen (Not Present: Legislator Caracappa).

P.O. LINDSAY:

Okay, going back to the agenda, we left off on page ten I think.

LEG. EDDINGTON:

Speed, speed.

P.O. LINDSAY:

Okay, the speed routine, right? Okay, ***IR 2051-07 - (Appropriating funds in connection with the Suffolk County Multifaceted Land Preservation Program and authorizing acquisition under the Suffolk County Multifaceted Land Preservation Program - parkland purposes - for the Boys & Girls Harbor, Inc. Property, Town of East Hampton (SCTM Nos. 0300-092.00-01.00-011.001, 0300-074.00-05.00-030.002) (County Executive)***. Do I have a motion?

D.P.O. VILORIA-FISHER:

Yes. Well, Jay might want to make that motion.

LEG. SCHNEIDERMAN:

Motion.

P.O. LINDSAY:

Motion by Legislator Schneiderman, seconded by Legislator Viloría-Fisher. Any comments? All in favor? Opposed? Abstentions?

LEG. SCHNEIDERMAN:

Is there a Bond on that one, too?

LEG. BROWNING:

Wasn't there a Bond for that?

MS. ORTIZ:

Seventeen (Not Present: Legislator Caracappa).

LEG. SCHNEIDERMAN:

Yeah, there's a Bond.

P.O. LINDSAY:

Okay, we got the bond. We were waiting for it before lunch, if you remember, it came in. So although it's not on the agenda, we need a bond with that, it would be 2051A; same motion, same second; roll call.

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

LEG. SCHNEIDERMAN:

Yes.

D.P.O. VILORIA-FISHER:

Yes.

LEG. ROMAINE:

Yes.

LEG. BROWNING:

Yes.

LEG. CARACAPPA:

(Not present).

LEG. LOSQUADRO:

Yes.

LEG. EDDINGTON:

Yes.

LEG. MONTANO:

Yes.

LEG. ALDEN:

Yes.

LEG. BARRAGA:

Yes.

LEG. KENNEDY:

Yes.

LEG. NOWICK:

Yes.

LEG. HORSLEY:

Yes.

LEG. MYSTAL:

Yes.

LEG. STERN:

Yes.

LEG. D'AMARO:

Yes.

LEG. COOPER:

Yes.

P.O. LINDSAY:

Yes.

MS. ORTIZ:

Seventeen (Not Present: Legislator Caracappa).

P.O. LINDSAY:

Okay, *IR 2052-07 - (Appropriating funds in connection with the Suffolk County Multifaceted Land Preservation Program and authorizing acquisition under the Suffolk County Multifaceted Land Preservation Program - Open Space Preservation Program - for the Milazzo Family, LLC Property, Town of Southold (SCTM No. 1000-053.00-01.00-009.000) (County Executive)*. Do I have a motion.

LEG. ROMAINE:

Motion.

P.O. LINDSAY:

Motion by Legislator Romaine.

LEG. LOSQUADRO:

Second.

P.O. LINDSAY:

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

MS. ORTIZ:

Seventeen (Not Present: Legislator Caracappa).

LEG. ROMAINE:

Would the Clerk please list me as a cosponsor.

MS. ORTIZ:

Yes.

P.O. LINDSAY:

We have a similar -- yet it's not listed, we have a Bonding Resolution that goes with that, 2052A; same motion, same second, roll call.

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

LEG. ROMAINE:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. BROWNING:

Yes.

LEG. CARACAPPA:

(Not present).

LEG. EDDINGTON:

Yes.

LEG. MONTANO:

Yes.

LEG. ALDEN:

Yes.

LEG. BARRAGA:

Yes.

LEG. KENNEDY:

Yes.

LEG. NOWICK:

Yes.

LEG. HORSLEY:

Yes.

LEG. MYSTAL:

Yes.

LEG. STERN:

Yes.

LEG. D'AMARO:

Yes.

LEG. COOPER:

Yes.

D.P.O. VILORIA-FISHER:

Yes.

P.O. LINDSAY:

Yes.

MS. ORTIZ:

Seventeen (Not Present: Legislator Caracappa).

P.O. LINDSAY:

Okay, *IR 2053-07 - (Authorizing acquisition of land under the Suffolk County Save Open Space (SOS), Farmland Preservation and Hamlet Parks Fund - Hamlet Parks component for the Aero World Corporation Property, Town of Islip (SCTM Nos. 0500-355.00-01.00-005.000 & 0500-355.00-01.00-001.000)(County Executive)*. Do I have a motion? I'll make the motion.

LEG. ALDEN:

I'll second it.

P.O. LINDSAY:

Seconded by Legislator Alden. All in favor? Opposed? Abstentions? Do we have a Bond? We don't have a Bond, okay.

MS. ORTIZ:

Seventeen (Not Present: Legislator Caracappa).

P.O. LINDSAY:

IR 2054-07 (Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program - open space component - for the Sebesta Property, Hallock Acres County Wetlands addition, Town of Smithtown (SCTM No. 0800-106.00-02.00-011.007) (County Executive).

Do I have a motion?

LEG. NOWICK:

Motion.

P.O. LINDSAY:

Motion by Legislator Nowick.

LEG. MYSTAL:

Second.

P.O. LINDSAY:

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

MS. ORTIZ:

Seventeen (Not Present: Legislator Caracappa).

P.O. LINDSAY:

2055-07, Authorizing -- oh, I forgot, I started reading again.

LEG. MYSTAL:

No reading.

P.O. LINDSAY:

2055-07 - (Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program - open space component - for the Mills Property, Mastic/Shirley Conservation Area II, Town of Brookhaven (SCTM No. 0200-983.40-07.00-008.000) (County Executive).

I need a motion.

LEG. BROWNING:

Motion.

D.P.O. VILORIA-FISHER:

Second.

P.O. LINDSAY:

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

MS. ORTIZ:

Seventeen (Not Present: Legislator Caracappa).

P.O. LINDSAY:

2056-07 - (Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program - open space component - for the Estate of Blazek Property - Mastic/Shirley Conservation Area II, Town of Brookhaven (SCTM No. 0200-983.40-03.00-021.000) (County Executive).

LEG. BROWNING:

Same motion.

P.O. LINDSAY:

Same motion.

D.P.O. VILORIA-FISHER:

Same second.

P.O. LINDSAY:

Same second. All in favor? Opposed? Abstentions?

MS. ORTIZ:

Seventeen (Not Present: Legislator Caracappa).

P.O. LINDSAY:

2057-07 - (Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program - open space component - for the Anything You Want LLC Property - Southaven County Park addition, Town of Brookhaven (SCTM Nos. 0200-707.00-02.00-001.000 & 0200-707.00-02.00-005.000) (County Executive).

LEG. BROWNING:

Same motion.

P.O. LINDSAY:

Same motion, same second, same vote all right with everybody?

LEG. BROWNING:

Yep.

LEG. MYSTAL:

Fine.

D.P.O. VILORIA-FISHER:

Same thing with the next one.

LEG. ROMAINE:

This is for anything you want?

MS. ORTIZ:

Seventeen (Not Present: Legislator Caracappa).

P.O. LINDSAY:

2058-07 - (Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program - open space component - for the Dittmer Estate Property - Mastic/Shirley Conservation Area II, Town of Brookhaven (SCTM No. 0200-984.60-01.00-026.000 (County Executive)). Same motion, same second, same vote all right?

LEG. NOWICK:

He's getting the hang of it.

MS. ORTIZ:

Seventeen (Not Present: Legislator Caracappa).

LEG. BROWNING:

Same all the way to 59.

P.O. LINDSAY:

I'm slow, I need to be retrained once in a while.

LEG. MYSTAL:

You're never too old to be retrained.

P.O. LINDSAY:

2059-07 - (Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program - open space component - for the Montgomery Estate Property - Mastic/Shirley Conservation Area II, Town of Brookhaven (SCTM No. 0200-984.60-03.00-035.000) (County Executive).

D.P.O. VILORIA-FISHER:

Same motion.

LEG. BROWNING:

Same motion.

P.O. LINDSAY:

Same motion, same second, same vote.

MS. ORTIZ:

Seventeen (Not Present: Legislator Caracappa).

P.O. LINDSAY:

2112-07 - (Authorizing the acquisition of Farmland Development Rights under the New Suffolk County Drinking Water Protection Program for the Zaweski Property - Town of Riverhead (SCTM No. 0600-048.00-01.00-003.009) (County Executive).

D.P.O. VILORIA-FISHER:

That's Romaine, Riverhead.

LEG. MYSTAL:

Romaine.

LEG. ROMAINE:

Yep, motion.

P.O. LINDSAY:

Motion by Legislator Romaine --

LEG. MYSTAL:

Schneiderman.

P.O. LINDSAY:

-- with a second by Legislator Viloría-Fisher.

LEG. MYSTAL:

Cosponsor for Romaine.

P.O. LINDSAY:

All in favor? Opposed? Abstentions?

MS. ORTIZ:

Seventeen (Not Present: Legislator Caracappa).

LEG. ROMAINE:

Would the Clerk please list me as a cosponsor?

MS. ORTIZ:

Yes, sir.

LEG. ALDEN:

I'll take a cosponsor for some of these, too.

P.O. LINDSAY:

2113-07 - (Authorizing the acquisition of Farmland Development Rights under the New Suffolk County Drinking Water Protection Program for the Warner-2669 Sound Avenue LLC Property - Town of Riverhead (SCTM No. 0600-041.00-02.00-002.004 p/o) (County Executive).

Do we do same motion, same second, same vote?

LEG. ROMAINE:

Yep, and same cosponsor.

MS. ORTIZ:

Seventeen (Not Present: Legislator Caracappa).

LEG. ROMAINE:

And the next one.

P.O. LINDSAY:

2114-07 - (Authorizing the acquisition of Farmland Development Rights under the New Suffolk County Drinking Water Protection Program for the Bell Property - Town of Riverhead (SCTM No. 0600-063.00-02.00-004.000 p/o) (County Executive). Same motion, same second, same vote; no objections? Okay.

LEG. ALDEN:

Cosponsor.

LEG. ROMAINE:

Cosponsor.

D.P.O. VILORIA-FISHER:

2115 we did.

P.O. LINDSAY:

2115 we did.

2116-07 - (Authorizing the acquisition of Farmland Development Rights under the Suffolk County Environmental Legacy Fund for the Topping Property - Town of Southampton (SCTM No. 0900-087.00-01.00-009.000) (County Executive). Do I have a motion from Legislator Schneiderman?

LEG. SCHNEIDERMAN:

Motion, yep.

P.O. LINDSAY:

Yeah. Second?

LEG. EDDINGTON:

Second.

P.O. LINDSAY:

By Legislator Eddington. All in favor? Opposed? Abstentions?

LEG. MYSTAL:

There's a Bond.

P.O. LINDSAY:

And the accompanying Bond Resolution, 2116A, same motion, same second, roll call.

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

LEG. SCHNEIDERMAN:

Yes.

LEG. EDDINGTON:

Yes.

LEG. ROMAINE:

Yes.

LEG. BROWNING:

Yes.

LEG. CARACAPPA:

(Not present).

LEG. LOSQUADRO:

Yes.

LEG. MONTANO:

Yes.

LEG. ALDEN:

Yes.

LEG. BARRAGA:

Yes.

LEG. KENNEDY:

Yes.

LEG. NOWICK:

Yes.

LEG. HORSLEY:

Yes.

LEG. MYSTAL:

Yes.

LEG. STERN:

Yes.

LEG. D'AMARO:

Yes.

LEG. COOPER:

Yes.

D.P.O. VILORIA-FISHER:

Yes.

P.O. LINDSAY:

Yes.

MS. ORTIZ:

Seventeen (Not Present: Legislator Caracappa).

P.O. LINDSAY:

Okay, I want to go back to 2041; we were remiss in that there is a Bond with that that we did not do.

So I have IR 2041A, the accompany Bonding Resolution to 2041.
I'll make a motion to approve.

D.P.O. VILORIA-FISHER:

Second.

LEG. ROMAINE:

Second.

LEG. LOSQUADRO:

Second that. Is this --

P.O. LINDSAY:

Second by Legislator Losquadro. You want to question it?

D.P.O. VILORIA-FISHER:

That's the money coming from the State, but we're bonding it in, George?

LEG. LOSQUADRO:

Right, to Counsel, I was just going to ask.

MR. NOLAN:

We have to front the money being reimbursed later, it's being bonded.

D.P.O. VILORIA-FISHER:

Okay.

P.O. LINDSAY:

Okay. So we have a motion and a second; am I correct, Ms. Ortiz?

MS. ORTIZ:

Yes.

P.O. LINDSAY:

Roll call.

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

P.O. LINDSAY:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. ROMAINE:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. BROWNING:

Yes.

LEG. CARACAPPA:

(Not present).

LEG. EDDINGTON:

Yes.

LEG. MONTANO:

Yes.

LEG. ALDEN:

Yes.

LEG. BARRAGA:

Yes.

LEG. KENNEDY:

Yes.

LEG. NOWICK:

Yes.

LEG. HORSLEY:

Yes.

LEG. MYSTAL:

Yes.

LEG. STERN:

Yes.

LEG. D'AMARO:

Yes.

LEG. COOPER:

Yes.

D.P.O. VILORIA-FISHER:

Yes.

MS. ORTIZ:

Seventeen (Not Present: Legislator Caracappa).

P.O. LINDSAY:

Health & Human Services:

IR 2034-07 - (Amending the 2007 Capital Budget & Program and appropriating funds in connection with the purchase of equipment for the John J. Foley Skilled Nursing Facility (CP 4041) (County Executive).

LEG. BROWNING:

Motion.

LEG. EDDINGTON:

Second.

P.O. LINDSAY:

Motion by Legislator Browning, second by Legislator Eddington.

All in favor? Opposed? Abstentions?

MS. ORTIZ:

Seventeen (Not Present: Legislator Caracappa).

P.O. LINDSAY:

Okay, there's an accompanying Bond Resolution. What is the price tag on this, Ms. Vizzini, how much is this?

MS. VIZZINI:

This resolution converts \$119,300 from General Fund transfers to Bonds, so we'll be bonding the hundred and nineteen three.

P.O. LINDSAY:

Same motion, same second, roll call all right? Roll call.

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

LEG. BROWNING:

Yes.

LEG. EDDINGTON:

Yes.

LEG. ROMAINE:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. CARACAPPA:

(Not present).

LEG. LOSQUADRO:

Yes.

LEG. MONTANO:

Yes.

LEG. ALDEN:

No.

LEG. BARRAGA:

Yes.

LEG. KENNEDY:

Yes.

LEG. NOWICK:

Yes.

LEG. HORSLEY:

Yes.

LEG. MYSTAL:

Yes.

LEG. STERN:

Yes.

LEG. D'AMARO:

Yes.

LEG. COOPER:

Yes.

D.P.O. VILORIA-FISHER:

Yes.

P.O. LINDSAY:

Yes.

MS. ORTIZ:

Sixteen (Opposed: Legislator Alden - Not Present: Legislator Caracappa).

P.O. LINDSAY:

IR 2078-07 - Appropriating funds in connection with the Water Quality Model - Phase V (CP 8237) (County Executive). Do I have a motion?

LEG. KENNEDY:

Motion.

D.P.O. VILORIA-FISHER:

Second.

P.O. LINDSAY:

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

MS. ORTIZ:

Seventeen (Not Present: Legislator Caracappa).

P.O. LINDSAY:

And the accompanying 2078A; same motion, same second. And what is the total number on this bond?

MR. NOLAN:

A hundred thousand.

P.O. LINDSAY:

A hundred thousand, okay. Roll call.

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

LEG. KENNEDY:

Yes.

D.P.O. VILORIA-FISHER:

Yes.

LEG. ROMAINE:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. BROWNING:

Yes.

LEG. CARACAPPA:

(Not present).

LEG. LOSQUADRO:

Yes.

LEG. EDDINGTON:

Yes.

LEG. MONTANO:

Yes.

LEG. ALDEN:

No.

LEG. BARRAGA:

Yes.

LEG. NOWICK:

Yes.

LEG. HORSLEY:

Yes.

LEG. MYSTAL:

Yes.

LEG. STERN:

Yes.

LEG. D'AMARO:

Yes.

LEG. COOPER:

Yes.

P.O. LINDSAY:

Yes.

MS. ORTIZ:

Sixteen (Opposed: Legislator Alden - Not Present: Legislator Caracappa).

P.O. LINDSAY:

Labor, Workforce & Affordable Housing:

1791-07 - Amending the Suffolk County Classification and Salary Plan in connection with a new position title in the Department of Environment & Energy (Environmental Toxicologist) (County Executive).

LEG. BROWNING:

Motion.

P.O. LINDSAY:

Motion by Legislator Browning. Do I have a second?

LEG. EDDINGTON:

Second.

P.O. LINDSAY:

Second by Legislator Eddington.

LEG. ALDEN:

On the motion?

P.O. LINDSAY:

On the motion, Legislator Alden.

LEG. ALDEN:

Gail, how did we treat this in the '08 budget?

MS. VIZZINI:

This was one of the positions for which there is an approved SCIN form, so this is still there.

P.O. LINDSAY:

Okay. All in favor? Opposed? Abstentions?

MS. ORTIZ:

Seventeen (Not Present: Legislator Caracappa).

P.O. LINDSAY:

1818-07 - Amending the Suffolk County Classification & Salary Plan in connection with a new position title in the County Clerk's Office (Special Services Coordinator) (County Executive). Do I have a motion? Motion by Legislator Browning, second by Legislator Romaine. All in favor?

LEG. ALDEN:
Same question.

P.O. LINDSAY:
Same question, Legislator Alden.

MS. VIZZINI:
The Omnibus didn't address this, so this will change an -- it takes an existing position and gives it a new title as determined by Civil Service.

LEG. ALDEN:
Like a desk audit.

MS. VIZZINI:
Right.

P.O. LINDSAY:
Ah, a cell phone violator.

LEG. NOWICK:
Cell phone seizure law.

P.O. LINDSAY:
Sounds good to me.

LEG. MYSTAL:
Give it to Cooper.

P.O. LINDSAY:
He's going to file it now.

Okay, 1818, we didn't take the vote on that, right?

MS. ORTIZ:
No.

P.O. LINDSAY:
We've got a motion and a second. We had a question, the question was answered. All in favor? Opposed? Abstentions?

MS. ORTIZ:
Seventeen (Not Present: Legislator Caracappa).

P.O. LINDSAY:
1965-07 - Authorizing the sale of County-owned real property pursuant to section 72-h of the General Municipal Law to the Town of Brookhaven for affordable housing purposes (SCTM No. 0200-357.00-01.00-007.000) (County Executive).

LEG. BROWNING:
Motion.

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

MS. ORTIZ:

Seventeen (Not Present: Legislator Caracappa).

LEG. EDDINGTON:

List me as a cosponsor, please.

MS. ORTIZ:

Yes, sir.

P.O. LINDSAY:

1969-07 - Authorizing the sale of County-owned real property pursuant to Section 72-h of the General Municipal Law to the Town of Southampton for affordable housing purposes (County Executive). Legislator Schneiderman, would you like to make a motion on this?

LEG. SCHNEIDERMAN:

Motion, yes.

P.O. LINDSAY:

Yes. No, I said I would only read the numbers for the Environment.

LEG. SCHNEIDERMAN:

Motion.

P.O. LINDSAY:

Motion by Legislator Schneiderman. Do I have a second?

LEG. LOSQUADRO:

I'll second.

P.O. LINDSAY:

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

MS. ORTIZ:

Sixteen (Not Present: Legislators Caracappa & Horsley).

P.O. LINDSAY:

IR 2032-07 - Authorizing the sale of County-owned real property pursuant to section 72-h of the General Municipal Law to the Town of Smithtown --

LEG. ALDEN:

This is unique.

P.O. LINDSAY:

-- for affordable housing purposes (SCTM No. 0800-062.00-03.00-049.000) (County Executive)?

D.P.O. VILORIA-FISHER:

There are no poor people in Smithtown.

LEG. MYSTAL:

Wow. Smithtown?

LEG. KENNEDY:

No, its your district, but I'll make the motion, you can second it.

LEG. MYSTAL:

Affordable housing in Smithtown?

LEG. NOWICK:

We do our part.

P.O. LINDSAY:

Ah.

LEG. KENNEDY:

Take note of that.

LEG. MYSTAL:

It's \$750,000 for the house, it's affordable.

P.O. LINDSAY:

We have a motion by Legislator Nowick, a second by Legislator Kennedy. All in favor? Opposed? Abstentions?

MS. ORTIZ:

Sixteen (Not Present: Legislators Caracappa & Horsley).

P.O. LINDSAY:

Parks & Recreation:

IR 1596-07 - Appointing Effie Gicas as a member of the Suffolk County Vanderbilt Museum Commission (Trustee No. 9) (Horsley).

D.P.O. VILORIA-FISHER:

I'll make the motion.

P.O. LINDSAY:

Motion by Legislator Viloría-Fisher.

LEG. MYSTAL:

Second.

P.O. LINDSAY:

Second by Legislator Elie Mystal. All in favor? Opposed? Abstentions?

MS. ORTIZ:

Sixteen (Not Present: Legislators Caracappa & Horsley).

P.O. LINDSAY:

IR 1817-07 - Requiring the screening of all applicants for seasonal employment in the Parks Department (Losquadro).

LEG. MYSTAL:

Motion.

P.O. LINDSAY:

Motion by Legislator -- No, I've got to let Legislator Losquadro make the motion.

LEG. BROWNING:

I'll second it.

P.O. LINDSAY:

This is going to check out all the ski enthusiasts? Motion by Legislator Losquadro, we have a second by Legislator Browning.
All in favor? Opposed? Abstentions?

MS. ORTIZ:

Sixteen (Not Present: Legislators Caracappa & Horsley).

P.O. LINDSAY:

*1966-07 - Reappoint member to the Suffolk County Board of Trustees of Parks, Recreation & Conservation (Alexander Glenn McKay)
(Presiding Officer Lindsay).*

LEG. COOPER:

Motion.

P.O. LINDSAY:

Motion by Legislator Cooper.

D.P.O. VILORIA-FISHER:

Second.

P.O. LINDSAY:

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

MS. ORTIZ:

Sixteen (Not Present: Legislators Caracappa & Horsley).

P.O. LINDSAY:

IR 1998-07 - Approving a license agreement for Jason Gerondel to reside at Farm Cottage, Unit 141 at Blydenburgh County Park, Smithtown (County Executive).

LEG. KENNEDY:

I'll make the motion.

D.P.O. VILORIA-FISHER:

Second.

P.O. LINDSAY:

Motion by Legislator Kennedy, second by Legislator Viloría-Fisher.

LEG. ALDEN:

On the motion?

P.O. LINDSAY:

On the motion.

LEG. ALDEN:

I'm not on Parks; were all these fully explored as far as market rent and market value rent, things of that nature?

LEG. NOWICK:

Yes.

LEG. ALDEN:

And these people came off the established list, a priority list?

D.P.O. VILORIA-FISHER:

Yeah, they're all off the list.

LEG. NOWICK:

Yeah, those questions were asked at the committee.

LEG. ALDEN:

Great. I assume nothing less from the Chairwoman of that committee.

LEG. NOWICK:

Thank you. I have a 72-h in my district.

P.O. LINDSAY:

We didn't call the vote on that, right?

MS. ORTIZ:

No.

P.O. LINDSAY:

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

MS. ORTIZ:

Sixteen (Not Present: Legislators Caracappa & Horsley).

P.O. LINDSAY:

1999-07 - Approving a license agreement for Derek Rogers to reside at Meadowcroft Cottage, Unit 101 at Meadowcroft County Park, Sayville (County Executive). I'll make the motion.

D.P.O. VILORIA-FISHER:

Second.

P.O. LINDSAY:

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

MS. ORTIZ:

Sixteen (Not Present: Legislators Caracappa & Horsley).

P.O. LINDSAY:

IR 2000-07 - Approving license agreement for Robert Fulton to reside at House No. 1, Unit 119A at Prosser Pines County Park, Middle Island (County Executive). Do I have a motion?

LEG. BROWNING:

Motion.

LEG. LOSQUADRO:

Second.

P.O. LINDSAY:

Motion by Legislator Browning, seconded by Legislator -- who made the motion? Legislator Losquadro. All in favor? Opposed? Abstentions?

MS. ORTIZ:

Sixteen (Not Present: Legislators Caracappa & Horsley).

P.O. LINDSAY:

2001-07 - Approving a license agreement for James Calder to reside at Caretaker's Cottage, Unit 131 at Timber Point County Park, Great River (County Executive). That don't sound too bad.

LEG. ALDEN:

I have to get my stuff out of there. Motion.

P.O. LINDSAY:

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

LEG. LOSQUADRO:

How many rounds does that cover, Cameron?

MS. ORTIZ:

Sixteen (Not Present: Legislators Caracappa & Horsley).

P.O. LINDSAY:

IR 2002-07 - Approving a license agreement for James Carleton to reside in the apartment in Black Duck Lodge, Unit 136 at Hubbard County Park, Flanders (County Executive).

D.P.O. VILORIA-FISHER:

Ed, you going to make it or not?

P.O. LINDSAY:

Do we have a motion?

LEG. SCHNEIDERMAN:

Motion.

P.O. LINDSAY:

Motion by Legislator Schneiderman.

D.P.O. VILORIA-FISHER:

Second.

P.O. LINDSAY:

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

MS. ORTIZ:

Sixteen (Not Present: Legislators Caracappa & Horsley).

P.O. LINDSAY:

2007 we already did.

2010-07 - Authorizing a license agreement with Windows on the Lake, Inc., for beautification of County parkland along Lake Shore Road, Lake Ronkonkoma (County Executive).

LEG. KENNEDY:

I'll make the motion.

P.O. LINDSAY:

Motion by Legislator Kennedy.

LEG. BARRAGA:

Second.

P.O. LINDSAY:

All in favor? Opposed? Abstentions?

MS. ORTIZ:

Sixteen (Not Present: Legislators Caracappa & Horsley).

P.O. LINDSAY:

2014-07 - Appropriating funds in connection with Energy Savings & Parks Compliance Plan (CP 7188) (County Executive). Do I have a motion?

LEG. COOPER:

Motion.

D.P.O. VILORIA-FISHER:

Second.

P.O. LINDSAY:

Motion by Legislator Cooper, second by Legislator Viloría-Fisher.
And I think we had a question?

LEG. ALDEN:

Just an explanation.

P.O. LINDSAY:

Just an explanation; George?

MR. NOLAN:

I'm sorry, which one are we on?

D.P.O. VILORIA-FISHER:

Energy Savings.

P.O. LINDSAY:

2014.

MR. NOLAN:

This is money, appropriating money that's already in the Capital Budget & Program, \$10,000 for planning, \$90,000 for construction. Other details as far as that goes, I don't have, only what's in the resolution. A hundred grand altogether.

P.O. LINDSAY:

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

MS. ORTIZ:

Sixteen (Not Present: Legislators Caracappa & Horsley).

P.O. LINDSAY:

The accompanying Bond Resolution, 2014A; same motion, same second, roll call.

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

LEG. COOPER:

Yes.

D.P.O. VILORIA-FISHER:

Yes.

LEG. ROMAINE:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. BROWNING:

Yes.

LEG. CARACAPPA:

(Not present).

LEG. LOSQUADRO:

Yes.

LEG. EDDINGTON:

Yes.

LEG. MONTANO:

Yes.

LEG. ALDEN:

Yes.

LEG. BARRAGA:

Yes.

LEG. KENNEDY:

Yes.

LEG. NOWICK:

Yes.

LEG. HORSLEY:

(Not present).

LEG. MYSTAL:

Yes.

LEG. STERN:

Yes.

LEG. D'AMARO:

Yes.

P.O. LINDSAY:

Yes.

MS. ORTIZ:

Sixteen (Not Present: Legislators Caracappa & Horsley).

P.O. LINDSAY:

Okay, *Public Works & Transportation:*

1970-07 - Authorizing transfer of one (1) surplus County computer to St. John the Evangelist RC Church (Browning).

LEG. BROWNING:

Motion.

LEG. ROMAINE:

Second.

P.O. LINDSAY:

Motion by Legislator Browning, second by Legislator Romaine.

All in favor? Opposed? Abstentions?

MS. ORTIZ:

16 (Not Present: Legislators Caracappa & Horsley).

P.O. LINDSAY:

IR 2003-07 - Amending the 2007 Capital Budget & Program and appropriating funds in connection with safety improvements at various intersections (CP 3301)(County Executive). Do I have a motion?

P.O. LINDSAY:

Motion by Legislator Eddington. Do I have a second?

LEG. MONTANO:

Second.

D.P.O. VILORIA-FISHER:

Second.

P.O. LINDSAY:

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

LEG. LOSQUADRO:

I'm still here.

MS. ORTIZ:

Sixteen (Not Present: Legislators Caracappa & Horsley).

P.O. LINDSAY:

The accompanying Bond Resolution of 2003A, I'm going to same motion, same second, roll call.

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

LEG. EDDINGTON:

Yes.

D.P.O. VILORIA-FISHER:

Yes.

LEG. ROMAINE:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. BROWNING:

Yes.

LEG. CARACAPPA:

(Not present).

LEG. LOSQUADRO:

Yes.

LEG. MONTANO:

Yes.

LEG. ALDEN:

Yes.

LEG. BARRAGA:

Yes.

LEG. KENNEDY:

Yes.

LEG. NOWICK:

Yes.

LEG. HORSLEY:

(Not present).

LEG. MYSTAL:

Yes.

LEG. STERN:

Yes.

LEG. D'AMARO:

Yes.

LEG. COOPER:

Yes.

P.O. LINDSAY:

Yes.

MS. ORTIZ:

Sixteen.

LEG. HORSLEY:

Seventeen.

MS. ORTIZ:

Seventeen (Not Present: Legislator Caracappa).

P.O. LINDSAY:

IR 2015-07 - Appropriating funds in connection with replacing the existing well supplying water for firefighter training at the Fire Academy, Yaphank (CP 3405) (County Executive).

LEG. KENNEDY:

I'll make a motion.

LEG. EDDINGTON:

Second.

P.O. LINDSAY:

Motion by Legislator Kennedy, seconded by Legislator Eddington.

LEG. KENNEDY:

Just a question on the motion.

P.O. LINDSAY:

Go right ahead. Use the mike.

LEG. KENNEDY:

I ask the Chair of Public Works, this is self-evident; in other words, the existing well has gone bad and they're just installing a new one for the purposes of fire training?

LEG. SCHNEIDERMAN:

This is replacing the existing well, so I'm not -- I can't really speak to the exact condition. Commissioner Anderson is here, I don't know if he wants to speak to that. Commissioner Anderson, if you could come forward for one second. Commissioner Anderson?

P.O. LINDSAY:

Commissioner Anderson, the question is about the replacement of the well at the Fire Training Center.

COMMISSIONER ANDERSON:

Yes, sir.

P.O. LINDSAY:

Did the -- the question was is the well that's there, did it run dry that we need to drill a new one?

COMMISSIONER ANDERSON:

It's 50 something years old, it just needs to be -- it's time to be replaced.

LEG. KENNEDY:

And so installing a similar -- is it surface water that's being drawn? Obviously we don't go down into the aquifer or anything like that, this is just for purposes of fire testing and so you're taking it from surface.

COMMISSIONER ANDERSON:

Correct.

LEG. KENNEDY:

Okay. Thank you.

P.O. LINDSAY:

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

MS. ORTIZ:

Seventeen (Not Present: Legislator Caracappa).

P.O. LINDSAY:

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

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

LEG. KENNEDY:

Yes.

LEG. EDDINGTON:

Yes.

LEG. ROMAINE:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. BROWNING:

Yes.

LEG. CARACAPPA:

(Not present).

LEG. LOSQUADRO:

Yes.

LEG. MONTANO:

Yes.

LEG. ALDEN:

Yes.

LEG. BARRAGA:

Yes.

LEG. NOWICK:

Yes.

LEG. HORSLEY:

Yes.

LEG. MYSTAL:

Yes.

LEG. STERN:

Yes.

LEG. D'AMARO:

(Not present).

LEG. COOPER:

Yes.

D.P.O. VILORIA-FISHER:

Yes.

P.O. LINDSAY:

Yes.

MS. ORTIZ:

Sixteen (Not Present: Legislators Caracappa & D'Amaro).

P.O. LINDSAY:

2018-07 - Amending the 2007 Capital Budget & Program and appropriating funds in connection with the County share for participation in the bridge replacement of CR 67, Motor Parkway over the Long Island Expressway (LIE), Town of Islip (CP 5172)(County Executive).

LEG. KENNEDY:

I'll make the motion.

P.O. LINDSAY:

Motion by Legislator --

LEG. MONTANO:

Kennedy, I'll second it.

P.O. LINDSAY:

-- Kennedy, second by Legislator Montano. All in favor? Opposed? Abstentions?

MS. ORTIZ:

Seventeen (Not Present: Legislator Caracappa).

P.O. LINDSAY:

Same motion, same second; roll call on the bond.

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

LEG. KENNEDY:

Yes.

LEG. MONTANO:

Yes.

LEG. ROMAINE:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. BROWNING:

Yes.

LEG. CARACAPPA:

(Not present).

LEG. LOSQUADRO:

Yes.

LEG. EDDINGTON:

Yes.

LEG. ALDEN:

Yes.

LEG. BARRAGA:

Yes.

LEG. NOWICK:

Yes.

LEG. HORSLEY:

Yes.

LEG. MYSTAL:

Yes.

LEG. STERN:

Yes.

LEG. D'AMARO:

Yes.

LEG. COOPER:

Yes.

D.P.O. VILORIA-FISHER:

Yes.

P.O. LINDSAY:

Yes.

MS. ORTIZ:

Seventeen (Not Present: Legislator Caracappa).

P.O. LINDSAY:

Okay. 2026 we did already.

2033-07 - Amending the 2007 Adopted Operating Budget, amending the 2007 Adopted Capital Budget and Program and accepting and appropriating funds in connection with the Sewer District No. 3 Southwest - Fans Project - Deer Lake (CP 8110) (County Executive).

Do I have a motion?

LEG. STERN:

Motion to approve.

P.O. LINDSAY:

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

MS. ORTIZ:

Seventeen (Not Present: Legislator Caracappa).

P.O. LINDSAY:

2060-07 - Amending the 2007 Capital Budget & Program and appropriating funds in connection with dredging of County waters (CP 5200) (County Executive).

LEG. COOPER:

Motion.

P.O. LINDSAY:

Motion by Legislator Cooper.

LEG. EDDINGTON:

Second.

LEG. BROWNING:

Second.

P.O. LINDSAY:

Second by Legislator Losquadro.

LEG. LOSQUADRO:

Yeah, on the -- just on the motion. I'll second it.

P.O. LINDSAY:

On the motion, Legislator Losquadro.

LEG. LOSQUADRO:

There were some questions by myself and on the part of others as to the offset, being that it was an intersection improvement project on a very busy road, Patchogue-Mt. Sinai Road up in my district. But I have gotten confirmation from the Commissioner of Public Works that unfortunately, not only was this project not ready to go this year, but the design -- it's only about 20% or so into the design phase, so it's not going to be ready to go for '08 either. So we will be looking to put this -- you know, the beginning of next summer we'll put this into the '09 budget and it should be ready to move because this is right by the wedge park which is land that the County purchased and is seeing a very high volume of traffic, so these intersection improvements are absolutely necessary. But I have no objection to using this as an offset this year because it's just not ready to go.

P.O. LINDSAY:

Yeah, Legislator Schneiderman.

LEG. SCHNEIDERMAN:

I'm going to support this as well, but I think this is the wrong direction for the future. What this bill does is basically puts half a million dollars into consulting services to have somebody do the environmental assessment reviews for the County that the Federal government is now making us do these habitat assessments of kind of the underwater areas. And I just think we ought to be bringing in the environmental analysts and the capacity width into the County staff to do these things in the future if we're going to be having to fill out these permit applications. For now, because I don't want to see us fall any further behind, let's go ahead and approve this, but I think down the road we ought to be doing this in-house. It's a lot of money.

P.O. LINDSAY:

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

MS. ORTIZ:

Seventeen (Not Present: Legislator Caracappa).

P.O. LINDSAY:

Same motion, same second on the accompanying Bond Resolution, 2060A; roll call.
*(*Roll Called by Ms. Ortiz - Chief Deputy Clerk*)*

LEG. COOPER:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. ROMAINE:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. BROWNING:

Yeah.

LEG. CARACAPPA:

(Not present).

LEG. EDDINGTON:

Yes.

LEG. MONTANO:

Yes.

LEG. ALDEN:

Yes.

LEG. BARRAGA:

Yes.

LEG. KENNEDY:

Yes.

LEG. NOWICK:

Yes.

LEG. HORSLEY:

Yes.

LEG. MYSTAL:

Yes.

LEG. STERN:

Yes.

LEG. D'AMARO:

Yes.

D.P.O. VILORIA-FISHER:

Yes.

P.O. LINDSAY:

Yes.

MS. ORTIZ:

Seventeen (Not Present: Legislator Caracappa).

P.O. LINDSAY:

IR 2061-07 - Transferring Assessment Stabilization Reserve Funds to the Capital Fund and appropriating funds for the abandonment of sanitary facilities in Suffolk County Sewer District No. 8 - Strathmore Ridge (CP 8152) (County Executive). Do I have a motion?

D.P.O. VILORIA-FISHER:

Motion.

P.O. LINDSAY:

Motion by Legislator Vioria-Fisher, second by Legislator Schneiderman.

LEG. ALDEN:

On the motion.

P.O. LINDSAY:

On the motion, Legislator Alden.

LEG. ALDEN:

Can we have an explanation? Well, here's the question. We're transferring money to the Capital Fund to be appropriated for the abandonment; is that decommissioning costs and how much is that?

P.O. LINDSAY:

Commissioner Anderson I think will answer that question for you.

COMMISSIONER ANDERSON:

That's \$50,000 for the final dismantling of the plant.

LEG. ALDEN:

Who did this service?

COMMISSIONER ANDERSON:

I believe it was the Strathmore Sewer District.

LEG. ALDEN:

Was it a private development at one time?

COMMISSIONER ANDERSON:

I believe it was a County sewer district.

LEG. ALDEN:

Okay. If the County constructed it then we wouldn't put reserve funds in there, but if it was a private development that we took over, there should have been some reserve funds that actually would have gone to either improvements or, in this instance the decommissioning of that sewer district.

COMMISSIONER ANDERSON:

Yeah, I believe this is for the additional money that's needed to complete that decommissioning that was done, you know, under a consent order.

LEG. ALDEN:

Okay. So what happens to the property? We own it, it's dismantled completely or --

COMMISSIONER ANDERSON:

I don't know that; I can certainly find out, though.

LEG. ALDEN:

It's not going to create an environmental problem for us in the future because it handled waste?

COMMISSIONER ANDERSON:

No.

LEG. ALDEN:

Okay, thank you.

P.O. LINDSAY:

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

MS. ORTIZ:

Seventeen (Not Present: Legislator Caracappa).

P.O. LINDSAY:

2062-07 - Amending the 2007 Adopted Operating Budget, amending the 2007 Capital Budget and Program and accepting and appropriating funds in connection with the Sewer District No. 3 - Southwest Sludge Management Plan (CP 8180) (County Executive). Do I have a motion? Motion by Legislator Schneiderman. Do I have a second?

LEG. MYSTAL:

Second.

P.O. LINDSAY:

Second by Legislator Mystal.

LEG. SCHNEIDERMAN:

He wants his second sludge.

P.O. LINDSAY:

Any questions? All in favor? Opposed? Abstentions?

MS. ORTIZ:

Seventeen (Not Present: Legislator Caracappa).

P.O. LINDSAY:

2063-07 - Appropriating funds in connection with improvements to Suffolk County Sewer District No. 3 - Southwest (CP 8170) (County Executive). Motion by Legislator Schneiderman?

LEG. SCHNEIDERMAN:

Sure.

P.O. LINDSAY:

Second by Legislator Mystal.

LEG. ALDEN:

On the motion.

P.O. LINDSAY:

On the motion.

LEG. ALDEN:

Are these funds that came from the reserve?

P.O. LINDSAY:

Ms. Vizzini, can you answer that?

LEG. ALDEN:

And also how much?

MS. VIZZINI:

We're on 2062?

LEG. ALDEN:

2063.

LEG. MYSTAL:

It's a bond, 8.4 million.

P.O. LINDSAY:

No, there isn't -- there is an accompanying Bonding Resolution that we haven't --

LEG. ALDEN:

Oh, there is?

P.O. LINDSAY:

Yeah, it wasn't listed.

LEG. MYSTAL:

Yeah, there's a bond for that, 8.4 million.

MS. VIZZINI:

This is -- it's bonding \$8.4 million for Southwest.

LEG. ALDEN:

We're going outside the Sewer Stabilization Fund?

MS. VIZZINI:

No, these are Sewer District Bonds.

LEG. ALDEN:

Okay.

P.O. LINDSAY:

Okay?

LEG. ALDEN:

We didn't take the money out of the Reserve Fund?

MS. VIZZINI:

No, we're bonding, when we take money out of the reserve it's cash.

LEG. ALDEN:

Why did we bond as opposed to not paying cash?

MS. VIZZINI:

Well, the sewer district will incur the debt service. If we needed to augment this in some way with additional cash we could do a transfer, but the way this is structured, it's a bond for \$8.4 million.

LEG. ALDEN:

But still, that's the most expensive way of doing it rather than do it for cash.

P.O. LINDSAY:

I would think, though, \$8 million, maybe they didn't want to deplete the Reserve Fund that much?

LEG. ALDEN:

Well, seeing how there's going to be no money going into it from now on, maybe that was -- maybe that was reasoning but I don't know. It's still the most expensive way to do it.

MS. VIZZINI:

Well, it's a policy decision. And as you know, the debt service in Southwest will be going down, I think it's 2009, where there's a considerable reduction in terms of the --

LEG. ALDEN:

Actually, that won't be true anymore because of the new Quarter Cent Program, that kicks in December 1st of '07. And actually, part of that extension, the Quarter Cent extension was to increase the 3% contribution from every one of the people in the Southwest Sewer District through 2031, so the debt service is going to remain either as high as it is or possibly the fees are going to go up in the sewer district. All right, you answered the question. Thank you.

P.O. LINDSAY:

Okay. We have a motion on 2063 and a second. All in favor? Opposed? Abstentions?

MS. ORTIZ:

Seventeen (Not Present: Legislator Caracappa).

P.O. LINDSAY:

Same motion, same second on the accompanying Bonding Resolution, 2063A; roll call.

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

LEG. SCHNEIDERMAN:

Yes.

LEG. MYSTAL:

Yes.

LEG. ROMAINE:

Yes.

LEG. BROWNING:

Yes.

LEG. CARACAPPA:

(Not present).

LEG. LOSQUADRO:

Yes.

LEG. EDDINGTON:

Yes.

LEG. MONTANO:

Yes.

LEG. ALDEN:

Yes.

LEG. BARRAGA:

Yes.

LEG. KENNEDY:

Yes.

LEG. NOWICK:

Yes.

LEG. HORSLEY:

Yes.

LEG. STERN:

Yes.

LEG. D'AMARO:

Yes.

LEG. COOPER:

Yes.

D.P.O. VILORIA-FISHER:

Yes.

P.O. LINDSAY:

Yes.

MS. ORTIZ:

Seventeen (Not Present: Legislator Caracappa).

P.O. LINDSAY:

Okay, Ways & Means:

IR 1946-07 - Adopting Local Law No. 2007, A Charter Law amending the requirements for appraisers who perform services in connection with the acquisition or disposition of real property (County Executive).

LEG. MYSTAL:

Motion to approve.

P.O. LINDSAY:

Motion to approve by Legislator Mystal.

LEG. D'AMARO:

Second.

P.O. LINDSAY:

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

MS. ORTIZ:

Seventeen (Not Present: Legislator Caracappa).

P.O. LINDSAY:

IR 2076-07 - Sale of County-owned real estate pursuant to Local Law 13-1976 Denise Martinez (SCTM No. 0100-133.00-04.00-111.000) (County Executive).

LEG. D'AMARO:

Motion.

P.O. LINDSAY:

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

MS. ORTIZ:

Seventeen (Not Present: Legislator Caracappa).

P.O. LINDSAY:

IR 2077-07 - Authorizing a lease for temporary use of county facilities at Police Headquarters in Yaphank by New York State Division of Criminal Justice Services (County Executive).

LEG. D'AMARO:

Motion.

LEG. MYSTAL:

Motion.

P.O. LINDSAY:

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

MS. ORTIZ:

Seventeen (Not Present: Legislator Caracappa).

P.O. LINDSAY:

IR 2120-07 - Approving the appointment of a relative of a County Legislator to the Suffolk County Legislature (Kennedy).

LEG. D'AMARO:

Motion.

LEG. COOPER:

Second.

P.O. LINDSAY:

Motion by Legislator D'Amaro, second by Legislator Cooper.

LEG. KENNEDY:

On the motion, Mr. Chair.

P.O. LINDSAY:

Do you have to?

LEG. KENNEDY:

No, I just recuse myself. I abstain and I absent myself from the discussion on the advice of Counsel. Thank you.

P.O. LINDSAY:

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

MS. ORTIZ:

Sixteen (Abstain - Legislator Kennedy - Not Present: Legislator Caracappa).

LEG. EDDINGTON:

No backsies.

LEG. KENNEDY:

Thank you.

P.O. LINDSAY:

Yeah? *Memorializing Resolutions:*

MR 57-2007 - Memorializing Resolution in support of exempting the imposition of sales tax on the purchase of military service flags, prisoner of war flags and blue ribbon flags (Romaine).

LEG. BROWNING:

That's your bill.

LEG. ROMAINE:

Motion.

P.O. LINDSAY:

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

LEG. COOPER:

Abstention.

LEG. D'AMARO:

Abstain.

LEG. MONTANO:

(Not present).

LEG. LOSQUADRO:

Renee, cosponsor, please.

MS. ORTIZ:

Fourteen (Abstention: Legislators D'Amaro & Cooper - Not Present: Legislators Caracappa & Montano).

P.O. LINDSAY:

Okay. Did our bill age enough?

MR. NOLAN:

Not yet; let's do the other stuff.

P.O. LINDSAY:

Okay. You have some odds and ends there, before we get to the CN's. We have a ***Procedural Resolution to set a Public Hearing for the renewal and modification of Agricultural District No. 3 in the Towns of Huntington, Smithtown, Islip and Brookhaven.***

D.P.O. VILORIA-FISHER:

Motion.

P.O. LINDSAY:

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

MS. ORTIZ:

Seventeen -- sixteen (Not Present: Legislators Caracappa & Montano).

P.O. LINDSAY:

Okay, we've got to go to the Levies which is in your -- another tan folder. Come on, let's pay attention, we'll get through these quickly.

Introductory Tax Resolutions for the November 20th, 2007 General Meeting of the Suffolk County Legislature:

2205-07 - Levying unpaid sewer rents and charges in Suffolk County Sewer District No. 3 - Southwest in the Towns of Babylon, Huntington and Islip.

LEG. MYSTAL:

Motion.

P.O. LINDSAY:

Motion by Legislator Mystal. I'll second it. All in favor? Opposed? Abstentions?

MS. ORTIZ:

Sixteen (Not Present: Legislators Caracappa & Montano).

P.O. LINDSAY:

2206-07 - Levying unpaid sewer rents and charges in Suffolk County Sewer District No. 13 (Wind Watch), Suffolk County Sewer District No. 14 (Parkland) and Suffolk County Sewer District No. 15 (Nob Hill) in the Town of Islip.

LEG. KENNEDY:

I'll make the motion.

P.O. LINDSAY:

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

MS. ORTIZ:

Sixteen (Not Present: Legislators Caracappa & Montano).

P.O. LINDSAY:

2207-07 - Levying unpaid sewer rents and charges in Suffolk County Sewer District No. 1 (Port Jefferson), Suffolk County Sewer District No. 7 (Medford), Suffolk County Sewer District No. 10 (Stony Brook), Suffolk County Sewer District No. 11 (Selden), Suffolk County Sewer District No. 14 (Birchwood/Holbrook), Suffolk County Sewer District No. 19 (Haven Hills), Suffolk County Sewer District No. 20 (William Floyd), Suffolk County Sewer District No. 23 (Coventry Manor) in the Town of Brookhaven.

D.P.O. VILORIA-FISHER:

I'll make a motion.

P.O. LINDSAY:

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

MS. ORTIZ:

Sixteen (Not Present: Legislators Caracappa & Schneiderman).

P.O. LINDSAY:

2208-07 - Levying unpaid sewer rents and charges in Suffolk County Sewer District No. 6 (Kings Park), Suffolk County Sewer District No. 13 (Wind Watch), Suffolk County Sewer District No. 15 (Nob Hill), Suffolk County Sewer District No. 18 (Hauppauge Industrial), Suffolk County Sewer District No. 22 (Hauppauge Municipal) and Suffolk County Sewer District No. 28 (Fairfield at St. James) in the Town of Smithtown.

D.P.O. VILORIA-FISHER:

Are we doing this twice, George?

P.O. LINDSAY:

Let me get a motion first and then we'll ask questions.

D.P.O. VILORIA-FISHER:

I'll make a motion.

P.O. LINDSAY:

Motion by Legislator Viloría-Fisher, I'll second it. And I recognize Legislator Viloría-Fisher for the purpose of a question.

D.P.O. VILORIA-FISHER:

I was just asking Counsel why Nob Hill is listed in 2206 and in 2208; is that a mistake or is it two separate --

MR. NOLAN:

I'm taking a guess because 2206 applies to the Town of Islip, the other Town of Smithtown. Perhaps --

D.P.O. VILORIA-FISHER:

Oh, it's split. Is Nob Hill split, John, between Islip and Smithtown?

LEG. KENNEDY:

No, all of Nob Hill is actually in the Town of Islip. But 13 maybe, some of 13 may go up into Smithtown.

D.P.O. VILORIA-FISHER:

Oh, okay.

P.O. LINDSAY:

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

MS. ORTIZ:

Sixteen (Not Present: Legislators Caracappa & Schneiderman).

P.O. LINDSAY:

Is it in the packet?

MR. NOLAN:

It was passed out.

P.O. LINDSAY:

Yes, okay. Okay, the next one is *IR 2209-07 - Approving the return of the fund balance of the General Fund, Police District Fund and District Court District Fund to the taxpayers of the Towns of Suffolk County*. I've been informed that there is a revised 2209 --

LEG. MYSTAL:

We got it.

P.O. LINDSAY:

-- that you should have, it's been circulated. All in -- I need a motion.

LEG. STERN:

Motion.

P.O. LINDSAY:

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

MS. ORTIZ:

Sixteen (Not Present: Legislators Caracappa & Schneiderman).

P.O. LINDSAY:

2210-07 - Determining equalized real property valuations for the assessment rolls of the ten towns.

D.P.O. VILORIA-FISHER:

Motion.

P.O. LINDSAY:

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

MS. ORTIZ:

Sixteen (Not Present: Legislators Caracappa & Schneiderman).

P.O. LINDSAY:

2211-07 - Approving the tabulations of town charges and fixing the tax levies and charges --

MR. LAUBE:

Legislator Lindsay?

P.O. LINDSAY:

Yes.

MR. LAUBE:

You have a revised copy coming out of that right now, we just had a last second correction.

MR. NOLAN:

Is this the second revised, Tim?

MR. LAUBE:

Yes, second revised.

P.O. LINDSAY:

-- and charges to the towns under the County budget for Fiscal Year 2008. And as we speak, the revised revised 2211 is being dropped in front of you. I need a motion.

LEG. MYSTAL:

Motion.

P.O. LINDSAY:

Motion by Legislator Mystal. A second?

LEG. EDDINGTON:

Second.

P.O. LINDSAY:

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

MS. ORTIZ:

Sixteen (Not Present: Legislators Caracappa & Schneiderman).

LEG. MYSTAL:

Done deal.

P.O. LINDSAY:

2212-07 - Approving and directing the levy of taxes and assessments for Sewer Districts of Suffolk County under the County budget for Fiscal Year 2008.

LEG. MYSTAL:

Motion by Legislator Mystal, second by Legislator Eddington. All in --

LEG. ALDEN:

On the motion?

P.O. LINDSAY:

On the motion, Legislator Alden.

LEG. ALDEN:

Does this take into consideration the new Quarter Cent Sales Tax? Because that changes a little bit of something. Yes?

MR. LIPP:

These resolutions set the property taxes --

LEG. ALDEN:

And assessments.

MR. LIPP:

Yes, and the Quarter Cent Sales Tax extension, which starts December 1st, relates to Fund 477, not these particular funds.

LEG. ALDEN:

No, but it also calls for an increase in the sewer rates and assessments. So was that taken into consideration? If not, I have to vote against it; if it was, I'll vote for it.

MR. LIPP:

The impact on the sewers is through the Assessment Stabilization Reserve Fund which does not

impact the current years and upcoming year's budget directly, only indirectly in the future.

LEG. ALDEN:

No, but there is -- there's a direct requirement to raise rates in the Sewer District to assess or -- yeah, if you're going to take any money out of the stabilization, you have to raise the rates; does that take this into consideration, or does this take that into consideration?

MR. LIPP:

That version, to my knowledge, continues, it's just that there's less -- there will be less money flowing into the fund here on out starting December 1st.

P.O. LINDSAY:

Does that answer it? Okay, we have a motion and a second on 2212. All in favor? Opposed? Abstentions?

MS. ORTIZ:

Sixteen (Not Present: Legislators Caracappa & Schneiderman).

P.O. LINDSAY:

2213-07 - Affirming, confirming and adopting the assessment roll for Suffolk County Sewer District No. 3 - Southwest and directing the levy of assessment and charges within the Towns of Babylon, Huntington and Islip for the Southwest Sewer District in the County of Suffolk for Fiscal Year 2008. Do I have a motion?

D.P.O. VILORIA-FISHER:

Motion.

P.O. LINDSAY:

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

LEG. STERN:

Second.

P.O. LINDSAY:

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

MS. ORTIZ:

Sixteen (Not Present: Legislators Caracappa & Schneiderman).

P.O. LINDSAY:

Where's my gavel? Here it is. Let's get back together. Let's get back together so we can get out of here. I would have banged this earlier but I lost it.

2214-07 - Extending the time for the annexation of the warrant to the tax rolls.

LEG. MYSTAL:

Whatever that means.

P.O. LINDSAY:

Let's get a motion.

LEG. MONTANO:

Motion.

P.O. LINDSAY:

Motion by Legislator --

D.P.O. VILORIA-FISHER:

Second.

P.O. LINDSAY:

-- Montano, second by Legislator Fisher. Question?

D.P.O. VILORIA-FISHER:

Why do we need to extend the time?

MR. NOLAN:

I believe this is something we do almost every year.

MR. LAUBE:

We do it every year.

MR. NOLAN:

The Suffolk County Tax Act talks about a December 1st deadline, we always extend it beyond that date.

D.P.O. VILORIA-FISHER:

Oh, so it's pro forma?

MR. NOLAN:

Yes, it is.

P.O. LINDSAY:

Okay.

D.P.O. VILORIA-FISHER:

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

MS. ORTIZ:

Sixteen (Not Present: Legislators Caracappa & Schneiderman).

P.O. LINDSAY:

Okay, that finishes the --

LEG. MYSTAL:

We've got one CN.

D.P.O. VILORIA-FISHER:

Only one.

P.O. LINDSAY:

All right, if you go to the red folder, we have one CN:

2230-07 - Extending existing One-Quarter of One Percent (1%) Sales and Compensating Use Tax for the period beginning December 1, 2007 and ending December 31st, 2030, pursuant to the authority of Section 1210-A of Article 29 of the Tax Law of the State of New York. I mean, I'll make a motion for the purposes of discussion.

D.P.O. VILORIA-FISHER:

I'll second it.

P.O. LINDSAY:

Second by Legislator Viloría-Fisher. But didn't we do this at the Special Meeting?

D.P.O. VILORIA-FISHER:

That's what I thought.

LEG. MYSTAL:

I thought we did that. Didn't we do that at the Special Meeting?

MR. ZWIRN:

This is after the State came back into session, the special session to pass this, we had -- the referendum passed before the State gave us approval. So this is State catching up and now we're just taking the final step so that we can move forward with this.

LEG. LOSQUADRO:

So we did the 1%?

MR. ZWIRN:

That's exactly right, Legislator Losquadro, the 1%.

D.P.O. VILORIA-FISHER:

Ben, then could we have foregone the Special Meeting and just waited til now?

LEG. LOSQUADRO:

No, this is the Quarter Percent.

MR. ZWIRN:

No, no.

D.P.O. VILORIA-FISHER:

Oh, this is the Quarter Cent. Oh, okay, this isn't the 1% extension, sorry. Thank you.

LEG. ALDEN:

On the motion.

P.O. LINDSAY:

On the motion, Legislator Alden.

LEG. ALDEN:

I just have a couple of questions of Budget Review about the financial impact, but I have a little bit of a statement, too, to make on this.

I don't think that the public was fully informed as far as the impact of what this legislation actually does. And I'm looking at the financial impact and there is an enormous amount of money that won't be available for extensions of the sewer districts or repairs to be made to the sewer districts to increase capacity. Henceforth, I don't think that there will be the opportunity in Suffolk County to create affordable housing or economic development areas that would naturally have to be hooked up to the sewer district.

But then there's one glaring -- and I think it's an omission, maybe I just don't see it, but when you talk about a financial impact, when you take \$350 million worth of property off the tax rolls, I would think that would have to be mentioned somewhere in the financial impact because all those properties right now pay taxes to school districts, local villages, Suffolk County and other municipalities and other taxing jurisdictions, fire departments, library districts. I would like to know -- and I think it should have been included on this and it really should have been included on the first -- in the first instance to tell people exactly what the impact is on that resolution that they were voting on. So is that in here somewhere, did I just miss it? I hope I did.

MR. LIPP:

You're correct that there was an omission. We didn't take that into consideration. Instead what we did is we looked at the direct impact of the sales tax and the redistribution, reallocation, we didn't do the indirect impact on property taxes. Admittedly it would not be an easy estimate, but we could do approximations, but we did leave that out.

It's a reapportionment of taxes from parcels that in the future will be purchased that will become exempt towards the remainder of taxable properties.

LEG. ALDEN:

In my opinion, that's a legal fatality for this legislation and also for that issue that people voted on. If they weren't informed of the full financial impact, and that includes property taxes because right now we're collecting hundreds of millions of dollars on property taxes and we won't be collecting those going up to 2031. I dare say there could be over a billion dollars in loss in tax revenue which is going to have to be made up by the other remaining taxpayers in Suffolk County, so that's a shift from one person to another person so that we can go. And actually, what we should have done was an analysis of let's show the people what we did do, all the hundreds of millions of dollars worth of properties that we took off the tax rolls and what that impact is on our taxes today. Because I dare say that if those properties were still on the tax rolls, me, us and our neighbors would pay a hell of a lot less taxes than we're paying right now. So there's a financial impact, it was never broached or never revealed to the people of Suffolk County. I think it's a fatal flaw. I think this legislation is -- it can't even be -- it can't even be enacted today.

P.O. LINDSAY:

Legislator Losquadro.

LEG. LOSQUADRO:

I would venture to say that it would be impossible to actually -- if you're going to compare apples to apples, because right now the taxes are only being paid on vacant land for this property. If you were to try to do a real assessment, which you couldn't because you don't know if change of zones would be granted, you could simply go by as-of-right zoning and estimate on current new construction taxing levies for those taxing jurisdictions, but you would have to compare what the burden would be if those properties were built out, what the burden would be on the local school district, on our services, our infrastructure and then weigh that against the potential loss of revenue only on vacant land taxes, and I think you would come back to see it's a tremendous positive for government on all levels in preserving this land.

LEG. ALDEN:

That's a stretch.

P.O. LINDSAY:

Is there anyone else that wants to comment? I just wanted to -- and far be it from me to be considered an environmentalist, but I know what they would say, is that if the land was developed there would be an additional population demanding services, schools, fire districts, etcetera, Police, and that the net is that it actually saves us money to preserve the property rather than develop the property.

LEG. ALDEN:

Well, Mr. Presiding Officer, in answer to that argument, if it was brought forward. There's a huge assumption, and I don't go along with the assumption; the huge assumption would be that the roads, the infrastructure, the hospitals, the schools would not be able to absorb any additional development in all of Suffolk County, which I think that's a stretch at best and I think it might be hallucinogenic at worst, so. Just to be mild about, you know, my opinion. But anyway --

LEG. MYSTAL:

Cameron.

LEG. ALDEN:

-- just to bring that forward, to bring that forward. And there was a lot of -- there was a lot of open-ended, I think, leaps of faith that you had to make to actually go with some of the things that were told to us as far as, number one, whether this property would be around any longer than two or three years from now; that's a leap of faith when somebody told me, and on the record, that this property would not be here. Another leap of faith is that we don't have any environmental protection or water protection program at the current -- at the present, that's a real leap. And again, I think somebody was hallucinating that put that on the record because as is obvious in today's Legislative agenda, we approved many, many parcels under old programs, we approved many, many parcels under the last bond issue, we approved many, many parcels that would have been under the Quarter Cent Drinking Water Protection Program.

So there's a lot of open-ended assumptions that you have to make to buy into all those arguments. But again, I think my question was answered. This financial impact statement is incomplete at best and I think it's a fatal flaw, but again, far be it from me to tell anybody how they should vote on this.

P.O. LINDSAY:

Anyone else? Nobody else? Actually, I was debating him because I needed another two minutes for that to age.

LEG. ALDEN:

I'll cooperate.

LEG. MYSTAL:

I can use two minutes. Once upon a time --

P.O. LINDSAY:

No, no, no.

LEG. MYSTAL:

-- there was an old lady riding a horse.

P.O. LINDSAY:

We have a motion and a second on 2230. All in favor? Opposed? Abstentions?

LEG. ALDEN:

Opposed.

LEG. BARRAGA:

Opposed.

MS. ORTIZ:

Fourteen (Opposed: Legislators Alden & Barraga - Not Present: Legislators Schneiderman & Caracappa).

P.O. LINDSAY:

Okay, if you go to the yellow folder and then that other one should be eligible to vote on.

In the yellow packet -- do you have them; you have the yellow packet? 2250, to policy to establish to continue the DARE Program in Suffolk County, it's assigned to -- I want to make a motion to waive the rules and lay on the table the following Late Starters, and that's to Public Safety; 2216, amending the 2007 Capital Budget & Program, appropriating funds in connection with the construction of sidewalks, road resurfacing and drainage improvements on various County roads, assigned to Public Works; 2217, authorizing the lease of property at Francis S. Gabreski Airport of Long Island Jet Center East, Incorporated, for the construction, operation, maintenance of a fixed-base operation, assigned to Economic Development, Education & Energy; 2218, apportioning mortgage tax by the County Treasurer, assigned to Budget & Finance; 2219,

authorizing the purchase of replacement support vehicles including radios and related equipment for Suffolk Transit and accepting and appropriating Federal Aid, 80%, State aid 10% and County funds 10% in connection with this purchase, to Public Works; 2220, amending the 2007 Capital Budget & Program and appropriating funds in connection with the rehabilitation of parking lots, drives and curbs at various County facilities, assigned to Public Works; 2021 --

MR. NOLAN:
2221.

P.O. LINDSAY:
2221, excuse me, accepting and appropriating 100% State grant funds from the New York State Division of Criminal Justice Services to the Department of Health Service, Division of Medical, Legal Investigations and Forensic Sciences for aid to crime labs, assigned to Health & Human Services; 2222, accepting and appropriating a grant in the amount of \$84,000 from the State of New York Governor's Traffic Safety Committee to enforce motor vehicle passenger restraint regulations with 84.5% support, assigned to Public Safety; 2223, accepting and appropriating an amendment to the college budget for a grant award from the U.S. Department of Education for Federal Work Study Program, 100% reimbursed by Federal funds at the Suffolk County Community College, assigned to Economic Development, Education & Energy; 2224, appropriating funds in connection with the Peconic Bay Estuary, assigned to EPA; 2225, authorizing the County Comptroller and the County Treasurer to transfer funds to cover unanticipated expenses 2007 Adopted Discretionary Budget, assigned to Budget & Finance; 2226, authorizing the County Comptroller and the County Treasurer to transfer funds to cover unanticipated legal expenses in 2007, Adopted Mandated Budget, assigned to Budget & Finance; 2227, amending the prior capital authorized appropriation for the replacement of unsafe tennis courts to the replacement of unsafe tennis courts construction, it is assigned to Economic Development, Education & Energy; 2228, sale of County-owned real estate pursuant to Local Law 13-1976, Michael Bellow, assigned to Ways & Means; 2229, authorizing an increase in compensation for members and Chairman of the Suffolk County Water Authority, assigned to EPA.

And that's all the Late Starters. We have a motion and a second to waive the rules and lay them on the table. All in favor? Opposed? Abstentions?

MS. ORTIZ:
I didn't have a motion and a second.

LEG. MYSTAL:
Motion.

MS. ORTIZ:
Thank you.

LEG. MYSTAL:
Seconded by Horsley; how's that?

P.O. LINDSAY:
Yeah, I thought I made the motion.

MS. ORTIZ:
I might have missed it, I'm sorry.

P.O. LINDSAY:
Legislator Mystal makes a motion, I second it. All in favor? Opposed? Abstentions?

Don't go anywhere, we've got the one that's been aging.

MS. ORTIZ:

Sixteen (Not Present: Legislators Caracappa & Schneiderman).

P.O. LINDSAY:

We're going back to 2101 that we discharged from committee, it's *adopting a Local Law to amend Chapter 270 Suffolk County Code frequently known as the DWI Seizure Law*. Legislator Eddington will make a motion on this?

LEG. EDDINGTON:

Motion to approve.

P.O. LINDSAY:

Okay. And I'll --

LEG. LOSQUADRO:

Second.

P.O. LINDSAY:

Second by Legislator Losquadro. Any discussion? All in favor? Opposed? Abstentions? Okay.

LEG. MYSTAL:

Motion to adjourn.

MS. ORTIZ:

Sixteen (Not Present: Legislators Caracappa & Schneiderman).

P.O. LINDSAY:

Motion to adjourn --

LEG. MYSTAL:

Have a nice Thanksgiving.

P.O. LINDSAY:

-- is in order. I'll second that. And I'll also second a happy Thanksgiving to everybody and their families.

LEG. MYSTAL:

Here here.

LEG. ROMAINE:

Happy Thanksgiving.

P.O. LINDSAY:

All in favor? Opposed? Abstentions? We stand adjourned.

*(*The meeting was adjourned at 4:49 P.M. *)*