

**SUFFOLK COUNTY LEGISLATURE**

**SPECIAL MEETING**

**FIFTEENTH DAY**  
**NOVEMBER 1, 2007**

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

**Minutes Taken By**  
***Alison Mahoney - Court Stenographer***

*(\*The meeting was called to order at 9:38 AM\*)*

**P.O. LINDSAY:**

Okay, Mr. Clerk, you want to call the roll, please?

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

**LEG. ROMAINE:**

Present.

**LEG. SCHNEIDERMAN:**

(Not present).

**LEG. BROWNING:**

Here.

**LEG. CARACAPPA:**

Here.

**LEG. LOSQUADRO:**

Present.

**LEG. EDDINGTON:**

Here.

**LEG. MONTANO:**

Here.

**LEG. ALDEN:**

(Not Present).

**LEG. BARRAGA:**

Here.

**LEG. KENNEDY:**

Here.

**LEG. NOWICK:**

I'm here.

**LEG. HORSLEY:**

Here.

**LEG. MYSTAL:**

(Not present).

**LEG. STERN:**

(Not Present).

**LEG. D'AMARO:**

Here.

**LEG. COOPER:**

Here.

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

Present.

**P.O. LINDSAY:**

Here.

**MR. LAUBE:**

Fourteen (Not Present: Legislators Schneiderman, Alden, Mystal & Stern)

**P.O. LINDSAY:**

Could everyone rise for a salute to the flag led by Legislator Caracappa.

***Salutation***

While I -- if everybody would remain standing, I'm going to ask for a moment of silence for long-time former District Attorney of Suffolk County, James Catterson who passed away last month, and also for some -- for a number of young people that were killed yesterday; Daniel {DeStefano}, Michael Western, they're two 17 year olds from Nesconset who died tragically yesterday in a car accident. And also keep in our prayers Steven {Badke}, a 13 year old passenger in the car who is in critical condition and is being treated for a head injury.

***Moment of Silence Observed***

I would also be remiss in something we've done at every meeting, unfortunately, for the last couple of years, but if you could keep in our prayers and our thoughts the men and women who are in harm's way as we speak. Thank you.

Okay, Mr. Clerk, would you please read the Special Meeting Notice?

**MR. LAUBE:**

Yes, sir. "Please be advised that a Special Meeting of the Suffolk County Legislature will be held on Thursday, November 1st, 2007, at 9:30 A.M., in the Rose Y. Caracappa Legislative Auditorium located at the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Hauppauge, New York, pursuant to Section 2-6(B) of the Suffolk County Administrative Code for the following purposes; the one hour public portion, the votes on 2092, 2074, 2074A, the override of Resolution 941-07 and on IR 2094."

**P.O. LINDSAY:**

Okay. And the notice has been duly publicized?

**MR. LAUBE:**

Yes, sir.

**P.O. LINDSAY:**

Okay. We start off with a one hour public portion. Do we have any cards of anybody that would like to speak, Mr. Clerk?

**MR. LAUBE:**

No.

**P.O. LINDSAY:**

Okay. Is there anyone in the audience that would like to address us? Seeing none, I will accept a motion to waive the public portion by Legislator Romaine and to close it. Seconded by Legislator Caracappa. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Fifteen (Not Present: Legislators Schneiderman, Mystal & Stern).

**P.O. LINDSAY:**

The first order of business behind us -- I can't hold it up, I can't hold up.

The first order of business is to consider and vote on ***IR 2092-07 - Extending the existing 1% Sales and Compensating Use Tax for a period beginning December 1, 2007 and ending November 3rd, 2009, pursuant to the authority of Section 1210 of Article 29 of the Tax Law of the State of New York.*** Mr. Sabatino, do you have any comments on this?

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

I'm only here to answer questions on the CNs.

**P.O. LINDSAY:**

Okay, I think -- and I'd like it for the record. Do we have confirmation that the Governor did sign the bill?

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

Yes, in fact, we do; it was finally signed yesterday, October 31st, so you now have the legal authority to act today. We have to act today in order to meet the deadline of getting the document up to the Department of Taxation & Finance within the 30 day window that will allow the extension to take place on December 1st and result in no, N-O, no loss of revenue to the County.

**P.O. LINDSAY:**

That was going to be my second question of you, to try and explain to my colleagues why we're here today, you know.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

I apologize for the fact that the meeting had to take place today, but unfortunately the way New York State Law works is that you have to have at least, under normal circumstances, a 90 day period of time between the time that you impose the sales tax and its effective date. So under ordinary circumstance, the 90 day rule would have required this vote to have taken place two months ago. But because of events outside of your control as a Legislative body, and outside the control of the County Executive for that matter, the delay in action at the State level in passing the enabling legislation puts us right on the cusp of the last 30 days.

Ordinarily, I thought we might be able to vote on November 7th when you're going to be voting on the budget amendments, but that simply won't work because you can't get a waiver of the last 30 days. You can get a waiver of 60 out of the 90 days which we'll be sending a letter up on today with the resolution, but if we don't act today you're going to lose the ability to have the sales tax collections begin on December 1st. It's no fault of the County Legislature, it's not fault of the County Executive, it's just unfortunate confluence of events with respect to the State, you know, the Governor not signing until yesterday and, of course, the State law which requires the 90 days.

**P.O. LINDSAY:**

And it's nice to have something that isn't our fault for a change, you know?

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

Yeah, it's not your fault. And again, I'm sorry the meeting had to take place today, but if we don't do it today we'll be hurting ourselves in terms of generating revenues.

**P.O. LINDSAY:**

I should --

**LEG. CARACAPPA:**

You're losing votes by the second.

**P.O. LINDSAY:**

Huh?

**LEG. CARACAPPA:**

He's losing votes by the second.

**P.O. LINDSAY:**

Well, the other alternative is we were going to have this last night and I said a Halloween meeting is not a good sign.

**LEG. CARACAPPA:**

No.

**P.O. LINDSAY:**

Legislator Kennedy, you had a question?

**LEG. KENNEDY:**

Yeah, thank you, Mr. Chair. You alluded to some of what's going on with the 90 days and the minimum of 30 days and we, I presume, all got a sample of the letter that the County Executive intends to send to Taxation and Finance. But are we looking at something that's just ministerial with that request of the waiver, Paul, or is there -- explain to me, because I see that we've already violated that term and now we're into this compressed period. Why 30 days, what's the difference; if we need waiver, why not 28, why not 22?

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

Okay, that's an excellent question. Point one is that the County is not in violation of anything in my estimation because these were events that were outside the control of the County Legislature and the County Executive. Under New York State Law, Section 1210, Paragraph D, a sales tax to be imposed has to be done on 90 days notice; the reason for that is because vendors have to be notified as to how to fill out their forms.

**LEG. KENNEDY:**

I don't question that.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

The same section of law says you can request a waiver of the 90 days from the New York State Department of Taxation & Finance for the first 60 days, but the Statute specifically says that the waiver will not be granted for the last 30 days. So the waiver we're asking for in today's letter is to waive 60 out of those 90 days, that's why the action has to be taken today.

Under that provision, you can't waive the full 90 days, so that's why we had to act today as opposed to waiting until November 7th, because then you're in uncharted waters. I tried once back in 19, you know, 90, I think it was 1990 or '91 to get a waiver for the last 30 days and we were turned down. It was on a different issue, but it was the Quarter Percent tax to try to deal with the Shoreham debt; they turned down the waiver when we filed it with about 23 days to go.

**LEG. KENNEDY:**

So there's been waivers issued previously that address a 30 day period, that's -- in other words, there's precedent to go on that this should be accepted.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

Well, there's precedent for the 60 days waivers, we've gotten those. The one that we didn't get -- actually, it was 1997, I apologize. In 1997, we asked for a waiver on a the Quarter Percent Sales Tax to deal with the Shoreham debt. What happened was because of the inability to act within the

90 days, we had to ask for a waiver of the last 23 days; that was turned down, it was turned down because that section of law says you can only waive 60 out of the 90 days.

**LEG. KENNEDY:**

Okay. Thank you.

**P.O. LINDSAY:**

Okay. Are there any other questions? Do we have a motion, Mr. Clerk?

**MR. LAUBE:**

No, you don't.

**P.O. LINDSAY:**

Okay.

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

Motion to approve.

**P.O. LINDSAY:**

Motion by Legislator Viloria-Fisher to approve, seconded by Legislator Losquadro. We don't need a roll call on this one. All in favor? Opposed? Abstentions?

**LEG. ALDEN:**

Opposed.

**MR. LAUBE:**

Fifteen (Opposed: Legislator Alden - Not Present: Legislators Schneiderman & Mystal).

**P.O. LINDSAY:**

Have you got --

**MR. LAUBE:**

Yes, fifteen.

**P.O. LINDSAY:**

You've got one opposed.

**MR. LAUBE:**

Yes.

**P.O. LINDSAY:**

Right, okay.

**MR. LAUBE:**

Check that, sixteen.

**P.O. LINDSAY:**

No, you got one opposed.

**LEG. CARACAPPA:**

And one absent.

**P.O. LINDSAY:**

So it's 15-1, you're missing two.

**MR. LAUBE:**

Two missing; fifteen, I was correct.

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

Lynne is here.

**LEG. LOSQUADRO:**

Jay is not.

**MR. LAUBE:**

No, you're missing Legislator Mystal and Legislator Schneiderman.

**P.O. LINDSAY:**

You called the vote, right? 15-1.

**MR. LAUBE:**

Yes, I called it right.

**P.O. LINDSAY:**

The next is another CN, *to consider and vote on IR 2074-07, amending the 2007 Capital Bdget & Program and appropriating funds in connection with the dredging of County waters*. This was an issue that we had at our last --

**LEG. NOWICK:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Nowick.

**LEG. KENNEDY:**

I'll second.

**LEG. ALDEN:**

On the motion.

**P.O. LINDSAY:**

Second by Legislator Kennedy. And on the motion, we have Legislator Alden has a question.

**LEG. ALDEN:**

Maybe Budget Review could just go through where we're changing as far as the funding source, where the money is coming from, because I think that was what the problem was the last time.

**MS. VIZZINI:**

Yeah, the previous version took \$50,000 from the noise barriers; it's been corrected, it's now taking it from project 5060 which is a computer project in Public Works.

**LEG. ALDEN:**

Now, this computer project you don't think is going to go?

**MS. VIZZINI:**

Well, it's a County Executive resolution, so they're using a portion of it as an offset; I would defer to Mr. Sabatino.

**LEG. ALDEN:**

And that's how much, 230,000?

**MS. VIZZINI:**

It reduces the amount in that project from 380 to 230.

**LEG. ALDEN:**

Oh, okay. And through the Chair?

**P.O. LINDSAY:**

Yes, go ahead.

**LEG. ALDEN:**

Paul, that's okay as far as that project?

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

Well, what happened was that offset was in the last piece of legislation, but \$50,000 smaller. What happened was when Legislator Caracappa passed our test of identifying the \$50,000 on the sound wall, we went back to Public Works and asked them to come up with an alternative and they said they could squeeze another \$50,000 from that account. So that was in the previous bill as an offset, but it was \$50,000 smaller.

**LEG. ALDEN:**

So is that project going to go forward this year or not?

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

Well, it's not going to happen to the full amount.

**LEG. ALDEN:**

Is it in the works?

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

It's a trade-off; the dredging is more important than that particular program.

**LEG. ALDEN:**

Right, but is that project in the works?

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

Well, I'll have to defer to Tom LaGuardia on the details.

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

It's a very small window because Fish & Wildlife are fooling around with the window.

**CHIEF DEPUTY COMMISSIONER LAGUARDIA:**

Good morning.

**LEG. ALDEN:**

Good morning.

**CHIEF DEPUTY COMMISSIONER LAGUARDIA:**

Legislator Alden, yes, we have sufficient funds. We're working on that project, but it is not progressing fast enough that we need all the funds and the \$50,000 additional offset is just fine with Public Works.

**LEG. ALDEN:**

Okay. Now, how about the next one, improvements to CR 80; there's no revised Capital Project on that? There's no money taken out of that at all, right? The total estimated cost is 50, then it goes -- why is it on the thing then? Why is it on our -- Project No. 5550.

**CHIEF DEPUTY COMMISSIONER LAGUARDIA:**

Correct, that's acceptable of Public Works to take that money?

**LEG. ALDEN:**

So we're taking 200,000 out of there?

**CHIEF DEPUTY COMMISSIONER LAGUARDIA:**

That's correct.

**LEG. ALDEN:**

Okay.

**CHIEF DEPUTY COMMISSIONER LAGUARDIA:**

It's a total of \$500,000 additional funding that's needed.

**LEG. ALDEN:**

I'll turn it over just -- actually, let me just ask one more question then. The dredging project will end up with how much money in it?

**CHIEF DEPUTY COMMISSIONER LAGUARDIA:**

Two million dollars.

**LEG. ALDEN:**

And that's going -- that's going to start when?

**CHIEF DEPUTY COMMISSIONER LAGUARDIA:**

The contracts are in the process of award right now. The way we wrote the contract is that it's for the \$60,000 which we have current -- the \$1.4 million necessary. And upon approval of the additional funding, the contractor has agreed to the reduced price per yard to do the full project and move from 60,000 yards to 90,000 yards of material.

**LEG. ALDEN:**

It's sand or is it just -- is it upstream?

**CHIEF DEPUTY COMMISSIONER LAGUARDIA:**

It's silty sand, mud, and it's going to be placed on State Parks Beach and they've agreed to reimburse us the additional cost to move it from Short Beach to Sunken Park.

**LEG. ALDEN:**

Okay. And the timeframe for that to be completed?

**CHIEF DEPUTY COMMISSIONER LAGUARDIA:**

By the end of the year.

**LEG. ALDEN:**

Okay. Thank you.

**P.O. LINDSAY:**

Yeah, Legislator Romaine.

**LEG. ROMAINE:**

Yes, I fully support the dredging project, but I have some questions about project -- Capital Project 5060. I'd ask Budget Review, what does this project entail that they're taking the money from?

**MS. VIZZINI:**

Yeah, it's funding necessary to retain consultant services engineering for traffic operational and

safety problems on this particular location. There's --

**LEG. ROMAINE:**

What location is that?

**MS. VIZZINI:**

CR 80 between New York State Route 24 and CR 39 and North Road.

**LEG. ROMAINE:**

On Montauk Highway.

**MS. VIZZINI:**

Yes.

**LEG. ROMAINE:**

I'm not talking about Montauk Highway, I'm talking 5060.

**MS. VIZZINI:**

Oh, sorry.

**LEG. ROMAINE:**

Yeah, I'm talking about the information systems.

**MR. REINHEIMER:**

5060 is the reconstruction of CR 4, Commack Road from Nichols Road to Julia Circle.

**LEG. ROMAINE:**

Okay, it says assessment of information systems and equipment for Public Works, that is related to CR 4?

**MR. REINHEIMER:**

This is 5560 you're talking about.

**LEG. ROMAINE:**

No, 5060, which is the --

**MR. REINHEIMER:**

Okay.

**LEG. ROMAINE:**

-- program they're taking money from; 5060.

**MS. VIZZINI:**

Yeah, I'm reading from our capital review --

**LEG. ROMAINE:**

Right.

**MS. VIZZINI:**

-- on these projects.

**LEG. ROMAINE:**

Okay.

**MS. VIZZINI:**

It's expansion and enhancement of Public Works web-based information system, so there's different, I

guess, modules and components.

**LEG. ROMAINE:**

Maybe the Deputy Commissioner can weigh in; could you explain what this system is for?

**CHIEF DEPUTY COMMISSIONER LAGUARDIA:**

Public Works has a consultant on board to review our GIS and our information systems and our web-based systems at Public Works, we're working with that consultant now. The project is moving but it's moving slowly. We believe that -- that's why we believe there's sufficient funding available this year if we take this additional money.

**LEG. ROMAINE:**

How much money are we moving from that project, Gail?

**LEG. LOSQUADRO:**

One fifty.

**MS. VIZZINI:**

One hundred and fifty.

**LEG. ROMAINE:**

Okay, thank you.

**LEG. KENNEDY:**

Mr. Chair, on the motion?

**P.O. LINDSAY:**

Legislator Kennedy, I'm sorry.

**LEG. KENNEDY:**

Thank you. I guess BRO and Tom, I'm going to go back then and ask about the 3301. You just mentioned that's associated with highway improvements on Commack Road, CR 4?

**MR. REINHEIMER:**

No, we had said that, I was mistaken, I was talking about the wrong project to Legislator Romaine's question.

**LEG. KENNEDY:**

So 3301 has nothing -- it's safety improvements at various intersections.

**MR. REINHEIMER:**

Right, that's a general project where Public Works identifies various intersections that need improvements, it's not specific to one particular intersection.

**P.O. LINDSAY:**

Legislator Stern.

**LEG. STERN:**

Thank you. Once again, not to beat it, but we're referring to 5060, not 5560, is that correct?.

**LEG. ROMAINE:**

Yes, that's 5060.

**MR. REINHEIMER:**

That's correct.

**LEG. STERN:**

Okay.

**P.O. LINDSAY:**

Is there anybody else? No, okay. Okay, did we get a motion, Mr. Clerk?

**MR. LAUBE:**

Yes, you do.

**P.O. LINDSAY:**

Okay. Okay, Legislator Alden.

**LEG. ALDEN:**

Jay's not here, so just this 5550, improvements to CR 80, Montauk Highway; was that in the last version of this bill?

**LEG. LOSQUADRO:**

Yes.

**LEG. ALDEN:**

So Jay had a chance to look at it, right? Okay, thanks.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Sixteen (Not Present: Legislators Schneiderman & Mystal).

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

There's also a bond, Mr. Chairman, that goes with it.

**P.O. LINDSAY:**

Yes, I got that.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

Okay, good.

**P.O. LINDSAY:**

That's next on my agenda, to consider and vote on ***IR 2074 A, the Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$500,000 in bonds to finance a part of the cost of dredging of the County waters.*** Same motion, same second; roll call.

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

**LEG. NOWICK:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. ROMAINE:**

Yes.

**LEG. SCHNEIDERMAN:**

(Not present).

**LEG. BROWNING:**

Yes.

**LEG. CARACAPPA:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. EDDINGTON:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. BARRAGA:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. MYSTAL:**

(Not present).

**LEG. STERN:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. COOPER:**

Yes.

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

Yes.

**P.O. LINDSAY:**

Yes.

**MR. LAUBE:**

Sixteen (Not Present: Legislators Schneiderman & Mystal).

**P.O. LINDSAY:**

Okay. And the next item on our agenda is to consider and vote on ***override Resolution No. 941-2007 - A Charter Law to strengthen and streamline the process for adopting local legislation.*** And I believe that you have the veto message and the bill in your packet and I will make a motion to override.

**LEG. COOPER:**

Second.

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

Second.

**P.O. LINDSAY:**

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

**LEG. BARRAGA:**

Opposed.

**P.O. LINDSAY:**

One opposition.

**MR. LAUBE:**

Fifteen (Opposed: Legislator Barraga - Not Present: Legislators Schneiderman & Mystal).

**P.O. LINDSAY:**

And the last order of business, to consider and vote on ***IR 2094-07 - A resolution making certain findings and determinations in relation to an amendment or modification of plans in the establishment of Suffolk County Sewer District No. 2, Talmadge Woods in the Town of Brookhaven.***

**LEG. LOSQUADRO:**

I'll make the motion and I can offer an explanation if you like.

**P.O. LINDSAY:**

Okay, motion by Legislator Losquadro. I'll second the motion for the purposes of discussion and I recognize Legislator Losquadro.

**LEG. LOSQUADRO:**

Those of you may recall, at the last meeting we had a similar resolution sent over for Talmadge Woods, this was just a mistake made. Unfortunately, they were supposed to send the findings resolution over, they actually sent -- resent the resolution over for the public hearing, so this is just correcting that mistake. That other bill I'm assuming will be vetoed since there's no need for an additional public hearing and we don't want to schedule another one.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

Yes, as soon as this one gets adopted the other bill will be nullified.

**LEG. LOSQUADRO:**

Very good. Thank you.

**P.O. LINDSAY:**

Okay, anybody else? Okay, all in favor? Opposed? Yes, yes, we have a second. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Sixteen (Not Present: Legislators Schneiderman & Mystal).

**P.O. LINDSAY:**

Okay, we have no other business before us. I'll accept a motion to adjourn --

**LEG. ROMAINE:**

Motion to adjourn.

**P.O. LINDSAY:**

-- by Legislator Romaine. Wait, wait, I'm sorry, Legislator Alden.

**LEG. ALDEN:**

As long as we have people here from the County Executive's Office, I had some questions about an ad that was recently placed in Suffolk Life in regard to the Quarter Cent extension from 2013 to --

**P.O. LINDSAY:**

Could you hold that for our next General Meeting? Because it wasn't on the agenda, Legislator Alden.

**LEG. ALDEN:**

It's just a discussion item, actually, I wasn't going to make a motion one way or the other.

**P.O. LINDSAY:**

Okay, I'll --

**LEG. ALDEN:**

I'll defer to the Chair, if that's what you want to do, but --

**P.O. LINDSAY:**

You want to answer that, Mr. Sabatino; are you versed on this subject?

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

Well, I'm not sure what the question is, but --

**P.O. LINDSAY:**

Okay, finish the question.

**LEG. ALDEN:**

The question was who authorized it and what the whole procedure was to -- and the thinking behind why we needed to spend the taxpayers money without authorization from the County Legislature on an issue that seems pretty plain to me, and that's that extension of the Quarter Cent.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

Well, the short answer is that the County Executive authorized the placement of the ad; the placement of the ad itself is consistent with the authority of the County to educate and inform the public. Conceptually it's no different than what took place in 2004 when a similar ad was placed in I think the same newspaper with respect to the SOS referendum. So it was clearly authorized, it was clearly consistent --

**LEG. ALDEN:**

The language, though --

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

-- with something that was done in 2004.

**LEG. ALDEN:**

It didn't use the language from our debate. What it did was it somehow created a new explanation of what the bill did, and as far as I'm concerned it was factually incorrect. It stated that we have no money right at this point in time to go forward with any of our water protection programs which I believe is a fallacy. We could ask Budget Review how much money the current Quarter Cent Program will generate through till its 2013 termination, and I believe that that's over \$100 million. So the language in there was, at best, misleading and I think factually incorrect.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

Well, I'll just close by saying that if I had been involved I would have worded it differently, but I'm not the final word on the wording of all of these documents. My understanding is that it was vetted

through the County Attorney's Office, so I'm not going to second-guess the County Attorney's Office because I'm not the County Attorney. But clearly it could have been worded differently, if I had personally been involved I probably would have worded it differently. But that doesn't change the fact that it was duly authorized and that it is a permissible expenditure and it's not something new, it's not different than what was done in the past.

**LEG. ALDEN:**

But Paul, what does that -- it was approximately \$14,000 that was expended on the ads. Now, what's the process as far as they can just go to any newspaper they felt like or do they have to come off the list where that bid on -- as far as the expenditure so that we have the lowest possible cost to the taxpayer, or it was just, you know, played by ear, let's just go to Suffolk Life; because Suffolk Life wasn't one of the approved papers for us to put legal notices in.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

Well, it wasn't -- the newspapers that are identified for legal notices purposes under State law --

**LEG. ALDEN:**

Well, no, no, I'm only using that as an example.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

-- under State law, quite frankly, are an embarrassment to the process of trying to inform the public because you wind up looking at two newspapers that are not County-wide in nature or perspective. So quite frankly, to the extent that you want to educate and inform the public, the last place I would go to put that kind of material would be the official newspapers of the County of Suffolk, but that's a reform we can talk about another day. I think we should change --

**LEG. ALDEN:**

No, my question is, though --

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

-- the County Law to have County-wide newspapers for the legal notices.

**LEG. ALDEN:**

My question is who decided --

**P.O. LINDSAY:**

He told you, he told you; the County Executive decided.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

But clearly, when you're trying to inform and educate the public, Suffolk Life, Newsday, the New York Times would be the most logical places to go.

**LEG. ALDEN:**

So the County Executive decided to go to Suffolk Life.

**CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:**

The County Executive made that decision, yes.

**LEG. ALDEN:**

Okay.

**P.O. LINDSAY:**

We do have a motion to adjourn.

**MR. LAUBE:**

I need a second.

**LEG. ROMAINE:**

Second.

**P.O. LINDSAY:**

Second. All in favor? Opposed? Abstentions? We stand adjourned.

**MR. LAUBE:**

Sixteen (Not Present: Legislators Schneiderman & Mystal).

**P.O. LINDSAY:**

I would remind the Democratic Caucus, the Democrats, that we have a caucus immediately.

*(\*The meeting was adjourned at 10:04 A.M. \*)*

*{ } - Denotes Spelled Phonetically*