SUFFOLK COUNTY LEGISLATURE

GENERAL MEETING

SECOND DAY

FEBRUARY 5, 2008

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

ALISON MAHONEY AND LUCIA BRAATEN, COURT STENOGRAPHERS

(*The meeting was called to order at 9:29 A.M.*)

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

P.O. LINDSAY:
Okay, Mr. Clerk, I call this meeting to order. Please call the roll.

MR. LAUBE:
Good morning, Legislator Lindsay.

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

LEG. ROMAINE:
Present.

MR. LAUBE:
Legislator Schneiderman?

LEG. SCHNEIDERMAN:
(Not Present).

LEG. KENNEDY:
Yes.

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

LEG. BROWNING:
Here.

LEG. BEEDENBENDER:
Here.

LEG. VILORIA-FISHER:
(Not present).

LEG. LOSQUADRO:
Present.

LEG. EDDINGTON:
Here.

LEG. MONTANO:
Present.

LEG. ALDEN:
Here.

LEG. BARRAGA:
Here.

MR. LAUBE:
Legislator Kennedy?

LEG. NOWICK:

Here.

LEG. HORSLEY:
Here.

LEG. STERN:
(Not present).

LEG. D'AMARO:
Here.

LEG. COOPER:
Here.

D.P.O. MYSTAL:
Here.

MR. LAUBE:
Fifteen (Not Present: Legislators Schneiderman, Viloria-Fisher & Stern).

P.O. LINDSAY:
Could everybody rise for a salute to the flag led by -- I thought Legislator Losquadro was here. Oh, there he is; Legislator Losquadro.

Salutation

If you could remain standing, Legislator Losquadro is going to introduce our visiting Clergy.

LEG. LOSQUADRO:
Thank you. Good morning. It's an honor for me to introduce Pastor David Knapp for the visiting clergy today for the Suffolk County Legislature.

Pastor Knapp is the Senior Pastor of the Full Gospel Christian Center in Port Jefferson Station, a Pentecostal church that he founded 30 years ago. In over 38 years as a pastor, Pastor Knapp has traveled to more than 21 different countries teaching and preaching. He believes in helping the community and those less fortunate through a variety of ways including -- and I certainly don't want to get these wrong -- a ministry to the homeless through {Elijah's} Pantry through distribution and the Lighthouse Mission in Patchogue; hosting a Stony Brook Hospital Support Group for Alzheimer's patients and their families; active youth programs and counseling to the area youth; religious services to the areas of the {Atrion} Nursing home, hosting an OASIS support group -- that's Older Adults Still In Service -- for senior citizens and he holds that every week; holding Fresh Start Programs for people dealing with addictions and compulsive habits, and even organizes a small army of men and women who rake the leaves of sick people's lawns.

Pastor Knapp leads by example and he is truly an asset to his community, so I am privileged to have him lead us in prayer this morning. Ladies and Gentlemen, Pastor David Knapp.

PASTOR KNAPP:
Thank you. Good morning, everyone. Could we pray together, please?

Oh, God, our Father in Heaven, in you we live and move and have our being and without you we can do nothing. This day I pray for everyone in these halls of government, for the Legislators and their assistants and support staff, for their families and loved ones, bless them with health and strength, keep them safe from all harm and give them the wisdom that is from above, your wisdom, oh God, that is, first of all, pure and peace loving, courteous, considerate and gentle. Give the wisdom that is greater than our years, wisdom that is full of compassion, wholehearted, straight-forward,

impartial and free from doubts and insincerity. Help them today as they serve the people's good, lift them far above political pressures and selfish agendas and make all of us men and women of integrity whose word is our bond. You gave us government to ensure the public good so that we can live as free men in peace and harmony. Let your mind of humility and servant's heart beat in each of us. Guide our deliberations and bring forth your perfect will in the matters to be considered today. Continue to bless Long Island, oh God, and our beloved nation. This I pray in the name of your son and our savior, Jesus Christ. Amen.

Amen Said in Unison

P.O. LINDSAY:
Before we have our seats, I would just like a moment of silence for all the men and women that are in harm's way as we speak today and all the men and women who have given their lives for our country.

Moment of Silence Observed

You can have your seat. First up, we have a few proclamations to give out. I'd like to call on Legislator Cooper and Nowick for the purpose of proclamations.

LEG. COOPER:
John?

LEG. KENNEDY:
I'm coming around.

LEG. COOPER:
Good morning, everyone. The Long Island Inferno is a Boy's Travel Baseball Team made up of 4th and 5th graders that's based in the Commack area. Last year they won the Baseball Heaven Preseason Bash, the NJBL Memorial Day Tournament and the NJBL Fall A-League Championship.

This past December, these eleven boys, along with their coaches, visited the children living in the Avalon Gardens Rehabilitation and Health Care Center in Smithtown. The boys and two of their sisters distributed CD and DVD players and other gifts to 40 residents at the facility. They also sang Christmas Carols with the children. This visit brought tears to the eyes of their coaches, not knowing who benefitted more, the Avalon children or the Long Island Inferno players. Each of the Inferno boys was deeply moved by the experience and all want to volunteer their time to bring joy to these children again. And that's why I take great pleasure in presenting these County Proclamations to the Inferno players, and their two sisters, in recognition of their selfless acts of kindness and generosity during the 2007 Holiday Season. And I know that Legislator Nowick and Kennedy share in my pride, I don't know if you want to say anything.

LEG. NOWICK:
Just quickly, you will never, never go wrong if you're volunteering and you're doing good things, plus you're playing sports. And I think we have a ticker-tape parade outside today, so get ready. Congratulations.

LEG. COOPER:
John?

LEG. KENNEDY:
I would just like to add my congratulations as well to the team, to the parents and to all the sponsors who make all the youth organizations in Commack and our area so important and so great. Way to go. Way to go ahead and keep your eye on what's important, not just the ball but giving back to the community. Thank you.

LEG. COOPER:
And kids -- excuse me, your parents, I know we're all very proud of you, your coaches obviously are proud, your principal, who is in the back of the room keep an eye on all of you, is proud. So way to go, kids.

Applause

LEG. NOWICK:
Whoa, look at all of these. How nice is that?

LEG. COOPER:
So you all get proclamations, and I guess I'm going to try to take a picture here?

LEG. NOWICK:
It's probably easier.

LEG. COOPER:
Chris Abruzzo; Victor Bisulca; Mike Caterelli; where's Mike Caterelli?

LEG. STERN:
Here he comes.

LEG. COOPER:
Mike D'Angelo; Nick Giordano; Sammy Kunz, Koons; Kim Kunz, Coons -- which one is it?

MS. KUNZ:
Kuns.

LEG. COOPER:
Ben McNeill? Dan Peterson; Matt Porcelli? And Mike Smith; Ashley Steffens and Ryan Steffens. Good job. Congratulations.

Applause
Photograph Taken

COACH KUNZ:
Hey, guys, I spoke to Mr. Cooper, he wanted to hear you say something.

Boys Performed Team Chant

Applause

P.O. LINDSAY:
Okay, we're back together again. Could I have all Legislators to the horseshoe, please? I'll just give a minute for the aisle to clear a little bit.

Okay. I guess it was about in the fall, probably in September -- okay, it was introduced last June and passed I think over the summer, it was sponsored by Legislator Romaine, and it's a Procedural Resolution to study the feasibility of televising meetings of the Suffolk County Legislature. The staff have been working on this for the six months since we passed this. I apologize that it took so long, Legislator Romaine, but they wanted to do -- to examine this from every possible feature and there is a lot of different choices in this. So to fulfill this resolution, our Clerk of the Legislature, Tim Laube and the Budget Review Office and Gail Vizzini are going to give us a presentation on the feasibility of televising our meetings. Are you going to take over, Gail, or Allen?

MS. VIZZINI:

Surely. At the request of the Presiding Officer, we've been asked to respond to the requirements of Procedural Motion No. 8, which we also responded to you in a memo to all of you November 8th, 2007.

What we're going to talk about today, Allen and I will do a joint presentation followed by Tim who also had a component piece. The presentation is going to discuss what our current capability is in terms of Internet and on-line access, our audio capability of what we were directed to do in terms of the Procedural Motion was to come up with cost estimates if we were to videotape or film the Legislative General Meetings and the committee meetings; what the equipment costs would be, what our best professional estimate would be in terms of staffing needs and we've also included some alternatives.

Well, what do we have now? By the way, each of you has before you the presentation if you wanted to follow in that regard, we've also -- we have it on the screen so you can follow as well. I will not be reading it verbatim, some of the equipment is very finely detailed, for your information I'll have Allen highlight those aspects of it.

First of all, as you are well aware, we have live audio streaming of the Hauppauge General Meetings; Riverhead is an exception at this point being under renovation. What that means is that while we are in session for a General Meeting, anyone at home or within the County can turn on their computer and click and hear the meeting.

On our Internet, our web page, we have over 50,000 documents from the Clerk's Office including our Operating Budget and our Budget Review Office Reports, we have the laws of Suffolk County, we have on-line access to verbatim minutes for all the General Meetings from 2000 to the present, we have the Proceedings from 1991 to 2007 and we have Internet access to the minutes of the boards and commissions. You can also do on-line research of legislation from 2000 to the present as well as the fact that you have before you an integrated on-line agenda which shows you the legislation that's before us.

Procedural Motion A basically charged Budget Review with coming up with the equipment and personnel costs, charged the Clerk with determining the feasibility of access to government channels and it was anticipated that there was a written report, which we provided in November of 2007. Misters Flack and Fung visited Brookhaven and Southampton Towns which currently do videotape their town meetings, some of you may have seen some of these on television. We've also reached out to the Town of Smithtown, we're awaiting a call back and a response from them.

Brookhaven currently records the video of town meetings. It has a seven member board and they have a limited set-up; they have less equipment and they have a -- one technician is present at all meetings which is something that we strongly recommend, that there be an individual on-site; as we move forward in the presentation, you'll see why.

In addition to the one person on-site, there are three IT people who work their regular job, they're responsible for the recordings, titling them, labeling them and editing to correct for any camera errors or missed audio and video selections. Brookhaven has about eight to ten meetings a month which translates into about 125 hours of recording, and based on the information they provided us, they spent about $60,000 for equipment.

Southampton has a little bit more top-of-the-line operation and in our recommendations to you, we are a little bit more closely parallel to the Southampton operation. They record approximately four meetings a week, they have three cameras which would be set up similar to what we're recommending in that the cameras allow the coverage for the horseshoe as well as a speaker and if the action in the room moves around, you have a separate camera that can follow where the action is.

In addition to the audio and video stream proceedings, they have them on the computer which at

the end of this presentation we'll take you to the link to Southampton Town and one viewing is worth a thousand tellings. It's interesting to see what they have on their website. Southampton gives the tapes to Cablevision?

MR. FUNG:
Yes.

MS. VIZZINI:
Okay, good. On page ten of your presentation you can see, as well as on the screen, there is more detail. It talks about what Cablevision airs and also what is on Channel 22 and what CTV airs for them. Their staff consists of a part-time audio/visual person and three full-time people, including a TV Director; in addition to that, they're looking to hire one more technician. Based on the information they gave us, they spent about $80,000 for their equipment, keeping in mind that the equipment, with the exception of maintenance, is a one-time expense.

We contacted two vendors who specialize in this type of operation. They came, did a site visit with Allen and Cary and the bids that we received ranged from 70,000 to 124,000 just for Hauppauge. When we look at this, we're figuring monies for Hauppauge and then once we -- before we complete the renovations for Riverhead, we'll have a mirror-image set up there, give or take a camera.

What follows next is based on our analysis what we believe is necessary to produce a professional video. The capability of the equipment, even the audio streaming that we now have, would be not only capturing the audio but also to simultaneously stream the video. We do have the capability to stream video, meaning not only could you go to your computer and see it -- rather hear it, you could also see it. However, if we do that, we believe that the Department of IT may have to make some accommodations to allow that to happen.

Our Legislature, we have approximately 16 General Meetings and Special Meetings as well as about 174 Committee Meetings each year. This is the equipment. Item one is basically the heart of the operation, it's about a $17,000 piece of equipment, this would allow you to control the cameras, it requires an individual to man it and it allows you to mix the audio and the video. The second -- with this, we recommend a total of four cameras, one on each wall. Much like what we saw today, the young people and their enthusiasm, not only do we want to capture what goes on at the horseshoe in both quadrants, but if we have special presentations, swearing ins or whatever, we often have things in front of the horseshoe. In addition, a presentation such as mine can be captured, what's being presented from this table as well as what's on the screen here, and a fourth camera would capture a speaker at the podium. We're recommending the four-camera approach because there is a lot of activity in a Legislative meeting as opposed to a fixed, wide screen camera that would just be set to capture one aspect of the room. The downside with that I think is obvious in that if there is any discussion, there is a limited ability to capture one side of the room versus the other side of the room.

Pages 16 through the next several pages detail the equipment that we -- I think that we need. Page 18 of your presentation just explains what I said about the cameras being placed on each of the four walls. Again, it gives you the capability to zoom in on individual Legislators; you'll see when we give the example of how Southampton has it set up, you'll see the difference. Camera one would be on the west wall, two on the east and three and four on the north and south walls necessary to zoom in on the speaker from the horseshoe. This is a further justification of why we think we need four cameras. Brookhaven has more of a -- I'm going to just defer to Allen in terms of what Brookhaven has.

MR. FUNG:
Brookhaven Town has three cameras, but because we have a bigger horseshoe and because of the way this room is, we really need four cameras. There's a camera behind the horseshoe that will capture the speaker at the podium and the cameras on the north and south wall will capture the Legislators at the horseshoe. There are presets, the system allows the operator to press the preset

to zoom in on the Legislator who is speaking at the moment. There is a camera on the west wall, it will capture a wide-angle view of the entire horseshoe.

If you only had one camera to capture the entire horseshoe, if there's dialogue between let's say the Legislator of the 1st district and the Legislator of the 18th District, the camera wouldn't be able to move fast enough from one preset to the other one, so you would have some loss of video and that would have to be edited later on by substituting it with the views from the wide-angle camera.

This is more of the equipment that we will need. Item five has to do with a portable hard drive, this will capture some of the digital information, and it's portable so that when we capture the information on this hard drive we will just bring it to the PC system for editing.

We will also recommend a DVD/VCR combination recorder so that we can record DVD -- so the meetings can be recorded on to DVD as well as VHS. We recommended an overhead projector for presentations. The idea is that because of the overhang in this horseshoe, the recommended -- we recommend two overhead projectors, one on the north wall and one on the south wall so that the presentations can be viewed by the audience as well as by the Legislators at the same time.

This is miscellaneous hardware, mounting brackets, etcetera, that is required, as well as the screens for the overhead projectors, and these are items nine through eleven. Item fifteen is the PC Editing System, this is a system that will be used to do editing and make the necessary changes to the system as well as labeling the video that we capture. The editing will not be used to change the content of the recording, it's just merely used to correct camera errors. The editing function can also be used to create excerpts pertaining to particular Legislative Districts for each -- and given to each respective town to broadcast.

MS. VIZZINI:
Okay. Big picture, these items, the equipment totals up to about a little over $56,000, plus there will be the one-time labor/installation cost, they say that they'll be on-site for about six days, of $8,100. So the total equipment just for Hauppauge is $64,000. Riverhead, we can get away with one less camera and that would total up to -- and a little less time in terms of installation, the total there would be 43,549.

Now, in terms of staffing requirements, there are a lot of options here but for the purposes of this presentation, we believe that you need at least one experienced person, one full-time person and one aide. Two people are necessary, we believe, in order to ensure continuous coverage, to assist one another and to make it a professional operation. We don't recommend that we rely exclusively on interns or volunteers, although there's no reason why once we get our operation going we couldn't augment it with interns from the colleges, especially Five Towns where they have programs in this area, or other methods.
Again, for the purposes of this presentation, we've priced out the staff based on the County's pay schedule. It doesn't necessarily mean that the only option is to hire additional staff. There's always the options to contract out or to do some combination of cross-training existing staff if their current workload allows them to assume additional responsibilities.

The cost of one entry-level, professional audio visual technician is estimated for 2008 to be $38,000 in salary and an additional 19,000 for fringe for a total of 57,800. We -- you could have two technicians of that caliber, however a more cost efficient approach would be to have one technician at Grade 17 and one Aide at grade seven; the salary is considerably less, the salary is 25,000, the fringe benefits are 17,500 and that would total 42,631. Total staff comes to about $100,000. Therefore, the grand total of embarking, assuming that we go with all of Budget Review's recommendations -- we're going to explore a few more alternatives in a moment -- Hauppauge equipment, 64,400, Riverhead equipment 43,500. The total equipment is 108,000, the personnel comes to almost that same amount, 100,512, for a total of 208,527.

Alternatives that we've considered are, if the policy is not to tape for the purposes of airing on

television but in addition to or in lieu of, we can also with a purchase of similar equipment, we still need the equipment and we probably still need at least one person or one and a half people, to stream the Legislative meetings and committee meetings when they're in session. The -- unless you're going to archive and record that, it would be like the State where the information is available when the meetings are taking place. Somebody could go to their computer, they could hear it, they could also see it.

Other versions would involve fewer cameras, perhaps using a wide-angle camera. But again, we believe that you would sacrifice the ability to capture everything that's going on, the ability to capture zooming in on a speaker, zooming in on a Legislator, zooming in on cross debates and conversation. The bare-bones version would be simply to put an unmanned camera in the auditorium with a constant wide-angle view.

The last table simply itemizes and summarizes everything, all the equipment that we've presented and the staffing.

P.O. LINDSAY:
Thank you, Gail.

MS. VIZZINI:
Before Tim gives you his synopsis, we'd like to take you to the Southampton website to get an idea of how several cameras are used to capture the action that goes on there.

You see these are edited, it tells it's the Southampton Town Board, the date of the meeting, I guess this was aired on CTV.

(*Playing Website Video of Southampton Town Board Meeting*)

MR. FUNG:
This is a wide-angle view and if you have only one camera you will be limited just to this view. Here you have a close-up and the camera -- the view jumps from a wide-view to a close-up. Here's where the preset is being used; the control person presses the preset and the camera jumps to a particular person that it's being programmed to jump to. This is a view from yet a different camera and it focuses on the speaker at the podium. Now, we're not going to go through the whole meeting, but I just wanted to show you that you need different cameras for different captures and different views. What I also wanted to show you on the website is that Southampton Town, the minutes are available, the agenda is available, the packet is available and you have the video. This is not live, this is all recorded and available.

MS. VIZZINI:
Thank you for your patience in terms of this portion. I'd like to defer to Tim in terms of his contacts with the town.

MR. LAUBE:
Good morning, Legislators. My assignment in this was to contact the different towns to investigate the possible -- the potential of if the Legislature moved forward and produced a product to be aired, how we would go about to get them on air. Currently, seven of the ten towns utilize what are called Public Education in Government channels; the three that don't, Huntington, Islip and Babylon currently aren't -- they're not using the public education channels, the PEG channels I'll call them in short. They don't have any plans to, although it's always their option because they have the right to get these channels from Cablevision.

If we were to produce one of our General Meetings on disk, currently they average about seven hours a meeting, we would deliver a DVD, edited, final product, to each of the seven towns and they would -- in talking to each of them, they would be able to get them on. So in short, even the three towns where we don't have them on, Cablevision will take the disk from us and we'll be able to air

each of the meetings, so that won't be a problem.

Where it could become a problem down the road is if you were to look into the committee meetings, too. Now you're up around 22 hours of meetings per Legislative cycle, that's about what we're averaging. Most of the towns, while they're all willing, I think the spirit is there because they want to have access to government and transparency in government, it becomes a logistical problem for some of the smaller towns. While all the towns have plenty of room on the channels, it's a manpower thing. In Shelter Island where they'll pop a tape in and they leave for eight hours, so they don't come back until the next day, they just let it run on a loop. So if we're giving them 22 hours of tape, it becomes -- for them it becomes a bit of a logistical problem; it's something that can be overcome, though.

So in short, seven of the ten towns we would deliver a DVD to them, they would air it. I have asked would it be possible to get it onto air twice a Legislative cycle per month and they said that shouldn't be a problem. The three other towns we would deliver to Cable and even though they're not using the channels, Cablevision would work it into their schedule and air the meetings. So it is in all likelihood very possible to be done.

P.O. LINDSAY:
Does anybody have any questions? Legislator Barraga.

LEG. BARRAGA:
I want to thank both of you for the work that you've done, but let me ask you a couple of questions. I noticed -- you know, we're talking about a price tag here of in excess of $200,000, and obviously as you move forward we're going to face some very serious challenges from a budgetary perspective.

Your approach seems to include all the committee meetings, 147 committee meetings. Other levels of government do not have audio or visual coverage, necessarily, of committee meetings, they cover their regular Legislative session where all 18 members are there, the agenda is in front of them and most people come out. The question I have is what would the cost factor be, I think it would be markedly reduced, if you did not cover the committee meetings, you just covered the 16, 17 or 18 regular Legislative Sessions.

MS. VIZZINI:
Yes. One of the reasons we included the committee meetings was we were charged to do that by the Procedural Motion.

LEG. BARRAGA:
I understand that.

MS. VIZZINI:
But --

LEG. BARRAGA:
Any indication, you know, from you or the gentleman next to you as to what the reduction in cost would be if you eliminated the committee meetings?

MS. VIZZINI:
Yes. I think you still need the equipment, even if you --

LEG. BARRAGA:
That's a $64,000 hit; I'm concerned about do you really need one or two full-time staff people, aides to cover 16 or 17 meetings in the year?

MS. VIZZINI:
You need -- well, you need the equipment for Hauppauge, you also need a mirror image in Riverhead. We don't recommend that we transport the equipment back and forth like we do with the computers, so it's a $100,000 hit for the one-time equipment cost.

LEG. BARRAGA:
I thought the equipment cost was 64,000.

MS. VIZZINI:
For Hauppauge.

LEG. BARRAGA:
Oh, for Hauppauge alone?

MS. VIZZINI:
Yes.

LEG. BARRAGA:
So it's $100,000 if we go with the recommendations and cameras on the east wall, the west wall.

MS. VIZZINI:
Right.

LEG. BARRAGA:
Are there any turrets or guards involved?

MS. VIZZINI:
Yes, absolutely. You know, Legislator Barraga, we can always go down from here, and that's why I mentioned the alternatives.

LEG. BARRAGA:
See, I'm looking for a marked reduction. I mean, I think there's a need; I'm not so sure there's a need for 160 some-odd meetings to be televised.

MS. VIZZINI:
One of the --

LEG. ROMAINE:
Certainly the Legislative meetings, I can see that. And other levels of government, like I say, just do that, they just do that.

MS. VIZZINI:
Right. Well, one of the reasons for the presentation is to get further direction from the Legislature in terms of where do we go from here. I suppose you could reduce the equipment if you wanted a less -- if you were willing to have a less professional, less --

LEG. BARRAGA:
I guess my question is if we eliminate the committee coverage, can we reduce some of the equipment and reduce some of the staff and come up with a new cost factor associated with it?

MS. VIZZINI:
Well, I think by eliminating the committees you're reducing the workload, so then you're faced with if not a full-time person, you know, who knows what they're doing, you could even probably take an existing staff person and train that person; if that doesn't work then you might have to revisit it.

LEG. BARRAGA:

Because I would like to ask the Presiding Officer if he would be kind enough maybe to look into that, the possibility if we eliminated the committee coverage, went with the regular sessions, what's the reduction in the equipment cost and what's the reduction in personnel? Thank you.

P.O. LINDSAY:
I would be -- you know, we'd be happy to look at that to see what we could scale back. What you didn't take into consideration, though, Tom was the makeup artist, you know, because your nose is a little shiny.

LEG. BARRAGA:
You see, at my age it would blow the cost right out the window.

P.O. LINDSAY:
Legislator Romaine.

LEG. ROMAINE:
I hope to meet with the Presiding Officer at his convenience to discuss this report to see if there's a bipartisan desire to frame a resolution as a result of this report that we can put forward. But I would ask you to keep in mind that Suffolk Community College, not too far away in Brentwood, has audio/visual technicians that they train and programs that they do that certainly could be accessible to us, particularly if we started from the prospect of let's get this thing started, we'll just do the General Meetings. We only meet 13, maybe 14 times a year, it's not like when I was first in the Legislature and we were meeting 31 times a year, we only meet a few times a year. And certainly we could use technicians from our community college at no cost as part of their training, and we would have a set of people available to us free of charge that would reduce labor costs and certainly worth while. And maybe have one aide assigned oversight, but essentially we would have free labor costs by using community college personnel to do this task. Thank you, Mr. Presiding Officer.

P.O. LINDSAY:
Anyone else? You folks have anything else to say?

MR. LAUBE:
No, sir.

P.O. LINDSAY:
I, too, want to thank all of you because I know you spent a lot of hours on fulfilling this resolution and the thorough report that you gave us. Thank you very much.

MR. LAUBE:
You're welcome.

MS. VIZZINI:
You're welcome.

MR. FUNG:
You're welcome.

P.O. LINDSAY:
I'm going to make an unusual request of my colleagues in the form of a motion. Our agenda is very light today and I am going to make a motion that we go right into the agenda as -- and the reason for it is a personal reason on my part because I have to leave the meeting and I did want to cast my votes for the few resolutions that are here.

LEG. LOSQUADRO:
I'll second that motion, Mr. Chairman.

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

MR. LAUBE:
Eighteen.

P.O. LINDSAY:
Okay, if we go to page four, or the ***Consent Calendar*** if you're following on the screen. Do I have a motion on the Consent Calendar?

LEG. ROMAINE:
Motion.

LEG. NOWICK:
Motion.

P.O. LINDSAY:
Motion by Legislator Romaine, seconded by Legislator Losquadro.
All in favor? Opposed? Abstentions?

MR. LAUBE:
Eighteen.

P.O. LINDSAY:
Resolutions Tabled to February 5th, 2008:

And there was one -- what I'm going to -- looking through the packet of the public who wish to speak, there are a couple of speakers on this so I'll ask that that be put off until after the public portion. So I just want to skip over that one.

Page six, ***Introductory Resolutions for February 5, 2008:***

Environment, Planning & Agriculture:

1026-08 - Appointing a member to the Suffolk County Water Authority (James F. Gaughran)(Cooper).

P.O. LINDSAY:
I'll make a motion.

LEG. HORSLEY:
Second.

LEG. D'AMARO:
Second.

P.O. LINDSAY:
Seconded by Legislator D'Amaro. On the question? Legislator Romaine.

LEG. ROMAINE:
Yes, I served with Legislator -- former Legislator Gaughran in the Legislature; I think very highly of him and normally I would be inclined to vote for this resolution. However, in the 1980's I also was in the Legislature when we tried to depoliticize the Suffolk County Water Authority to make it a more professional body. Part of that effort was to ensure that an environmentalist served in the Water Authority as a member of the board to help guide matters of policy; originally that was Jim Tripp and it was followed by Michael Deering.

When we fill this seat, and I'm sure the votes are there, and Mr. Gaughran is appointed we will have four former elected officials and no environmentalist. We're looking at a water authority -- and don't get me wrong, I have great regard for Mr. Gaughran and I would normally have voted for him if it was another seat, but this is the last seat. There will be no seat for the environmentalist, there's a preponderance of west end interest on this water authority and no one represented from the Town of Brookhaven or east. And there's a concern that we're now putting so many former elected officials on there that it gives a political flavoring to the Water Authority.

So regretfully I will abstain on this resolution, not discounting my high regard for Mr. Gaughran. And hope that in the future, should vacancies become available on the Water Authority, that we don't consider former elected officials, that we give some preference to at least one environmental voice on the Water Authority. Thank you.

P.O. LINDSAY:
Legislator Losquadro?

LEG. LOSQUADRO:
Thank you. Sitting on the Environment Committee, I actually raised almost those exact same concerns in the committee process and those concerns remain. This has nothing to do with Mr. Gaughran as an individual or his background or how he served in elected office, but as Legislator Romaine so rightly put it, someone with the very specialized background of hydrogeology and the other areas that we would like to see an individual with those particular skill-sets on this body, I still feel that this seat would be best served with someone with those skills. Thank you.

P.O. LINDSAY:
Anyone else?

LEG. ROMAINE:
Roll call.

P.O. LINDSAY:
Before -- I've had a request for a roll call, which is fine. The only thing that I would like to point out to my colleagues is Mr. Deering stepped down from the Water Authority very unexpectedly and we're trying to fill an interim spot. And in Mr. Gaughran's defense, it's true that he is an attorney and a former Legislator and certainly someone that's been involved in the political process in Suffolk County, but also his environmental record as a Legislator is quite superior in that I believe he is the person that originally filed the land preservation legislation in this body; just in his defense, that's all. Legislator Kennedy.

LEG. KENNEDY:
Mr. Chair, just a quick question, procedurally. You mentioned, I think, an important point. Mr. Gaughran is being appointed to serve out the balance of Mr. Deering's term?

LEG. LOSQUADRO:
Yes.

LEG. SCHNEIDERMAN:
Yes. It's one month basically.

P.O. LINDSAY:
How long is the term for?

LEG. SCHNEIDERMAN:
It's one month, basically

MR. NOLAN:
Yeah, I believe this is through March. There will have to be another resolution to give him a full term.

LEG. KENNEDY:
Well, Counsel, I'm not sure; so in other words, we're being asked today to go ahead and appoint him to the balance of Mr. Deering's term. There will have to be another resolution put forward in a month's period of time for another board member.

P.O. LINDSAY:
Another board member or to reappoint Mr. Gaughran, one or the other.

LEG. KENNEDY:
Thank you.

P.O. LINDSAY:
Okay, roll call.

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

P.O. LINDSAY:
Yes.

LEG. D'AMARO:
Yes.

LEG. COOPER:
Yes.

LEG. STERN:
Yes.

LEG. HORSLEY:
Yes.

LEG. NOWICK:
Abstain.

LEG. KENNEDY:
Abstain.

LEG. BARRAGA:
Yes.

LEG. ALDEN:
Yes.

LEG. MONTANO:
Pass.

LEG. EDDINGTON:
Yes.

LEG. LOSQUADRO:
Abstain.

LEG. VILORIA-FISHER:
Yes.

LEG. BEEDENBENDER:
Yes.

LEG. BROWNING:
Yes.

LEG. SCHNEIDERMAN:
Yes.

LEG. ROMAINE:
Abstain.

D.P.O. MYSTAL:
Yes.

LEG. MONTANO:
Yes.

MR. LAUBE:
Fourteen (Abstentions: Legislators Nowick, Kennedy, Losquadro & Romaine).

P.O. LINDSAY:
Okay, ***IR 1000-08 - To strengthen County policy to comply with zoning and building code requirements in Department of Social Services' placements (Romaine).*** Legislator Romaine, what's your pleasure?

LEG. ROMAINE:
I would like to move this resolution, Mr. Chairman. It was moved out of committee.

P.O. LINDSAY:
Motion to approve.

LEG. KENNEDY:
Second.

P.O. LINDSAY:
Second by Legislator Kennedy. I'm going to make a motion to table.

LEG. STERN:
Second.

LEG. HORSLEY:
Second.

LEG. ROMAINE:
On the motion to table.

P.O. LINDSAY:
On the motion.

LEG. ROMAINE:
Resolution 1000, the first resolution of the new year, is a simple resolution, it simply says that

government has to obey the same rules that it imposes on everyone else; a unique, challenge and breathtaking thought when you consider all the rules that government violates that it makes to impose on others.

In this case, this resolution goes to the placement of Social Service housing. We have about 5,500 units of housing that Social Services pays for for clients that need housing; of those 5,500 units, we're asking that they simply meet code, that they meet State and town building code, and if the town requires that there be a rental permit, that there be a CO and there not be code violations. Believe it or not, I had someone call me from the Department of Social Services -- who, because we had a private conversation, will remain unnamed -- to tell me on the record that almost 70% of the Social Service housing in this County, one, doesn't have a CO, Certificate of Occupancy; two, doesn't have a rental permit in violation of various town laws; and three, fails to meet code. Now, Social Service housing is not spread out all over this County, it's concentrated; it's concentrated in North Amityville and Wyandanch, it's concentrated in North Bay Shore, it's concentrated in Huntington Station, it's concentrated in Central Islip and in Brentwood.

LEG. LOSQUADRO:
In Coram.

LEG. ROMAINE:
It's concentrated in Gordon Heights, in Coram, in North Bellport, in Mastic, Shirley and Mastic Beach, in Riverhead, Riverside and Flanders. And what do we do? In these concentrations, we use taxpayers dollars to create slum conditions in enriched slum landlords. We degradate communities and we threaten the real estate values of the other tax-paying homeowners in those communities and we use taxpayers dollars to do this. And we turn a blind eye to the very regulations of this State, to the very regulations of the ten towns and we put clients in substandard slum conditions.

This is a simple resolution; it asks government to live up to its own requirements . It asks government, this government, to make sure that Social Service clients aren't put in just because they're poor and voiceless and some of them don't vote, that they're not put in to these inadequate conditions. It asks that this government help improve the housing stock and the living qualities of the communities, some of which I've just mentioned, some of which all of us represent part of. Today we have a choice to make; we can follow the Presiding Officer's suggestion that we table this or we can do what the Health & Human Services Committee did and that's vote it out and say this government is going to follow the rules, the very rules that we ask everyone else to follow.

How can we in good conscience condemn those who don't get rental permits, who rent housing with code violations, if we ourselves won't follow the same regulations? It's time to stand up and say this government will do what we ask every other citizen of this County to do, obey the laws, and in doing so improve the living conditions of those Social Service clients and stop degradating neighborhood after neighborhood after neighborhood.

I see civic leaders here from the Mastic-Shirley area where they had rallies about what has been happening and what they call dumping on their communities. Let's answer them, let's tell them we will do the right thing, we will cast the right vote. We will not table this, we will speak for the law. Thank you.

Applause

P.O. LINDSAY:
Jack -- Legislator Eddington, you want to say something?

LEG. EDDINGTON:
Yes, thank you. And I, too, support this legislation. However, I have some concerns. One of the terms that Legislator Romaine said, putting clients in these areas, and I've been told over and over again that we can't put clients anywhere, they find their way to the south shore between Blue point

and Bellport in my area and in Shirley; I understand that and I support the theory. My concern is the implementation and that's what I don't want, is to support legislation and then have people come to me and say, "What are you doing now? You have a law, what are you doing?" Because my understanding is this is a town issue.
I called the County Executive and he actually came to my office because I was concerned on this and he said if the town will give him a list of code violations, he will suspend cutting checks, but that's the only power we have. It's really a town problem. And I don't know like the other Legislators, but 50% of my work is people coming to my office with town issues. So I don't know how we can get the town or the towns to do what we want by passing this legislation. I'd like to hear from Legislator Romaine, if I can.

LEG. ROMAINE:
Very quickly --

LEG. EDDINGTON:
For you to respond.

LEG. ROMAINE:
-- and not to monopolize the debate, through the Presiding Officer. I asked Social Services, "Do you give a list of your housing units to the towns so their code enforcers can inspect?" "Absolutely not, that would violate privacy." So there is no inspections of these units, there is no inspections of these units currently. It is our job to put this burden back where it belongs on Social Services, because Social Services say they're hampered, they can't share information with the town. If they can't share them, how can we cure these code violations?

LEG. EDDINGTON:
That's my question.

LEG. ROMAINE:
Well, it's a catch-22 and that's why this bill is before us today, for us to stand up and do the right thing.

P.O. LINDSAY:
Legislator Browning.

LEG. BROWNING:
Yes, I would like to say thank you to my civic leaders who are here today. I am a cosponsor in this bill, I will be voting for this bill. My communities are crying out for help.

Applause

Whether this bill is truly effective or not, I don't know, but I think we're now giving this message to the County that they have to do something. We also have Assemblyman Thiele who has a bill similar to this and we need to encourage our State Assembly to pass that bill also, because that's where it comes down from. I know that too often I'm hearing from DSS that, "Well, we can't do that because the State supercedes us and the State will overrule us."

So I am going to support this bill. I think Legislator Romaine has pretty much said everything and I'm going to support my constituents and the district that I live in. Thank you.

UNKNOWN AUDIENCE MEMBER:
Thank you.
P.O. LINDSAY:
Legislator Beedenbender.

LEG. BEEDENBENDER:
No.

P.O. LINDSAY:
Oh, I'm sorry. Legislator Losquadro.

LEG. LOSQUADRO:
Thank you. And if these arguments or these problems sound familiar to anyone, they are essentially the same arguments that were made post 9/11 and the problems that came out about lack of intergovernmental cooperation and the problems that arise when one level of government isn't sharing their information with another. And while that led to a serious national security crisis and obviously a tax on this country, this is leading to a similar, very serious problem of deplorable conditions arising in communities throughout our County.

Because we have one department or another department within different levels of government that are not cooperating with each other at the present time, gives us no reason not to move forward with this resolution and force them to communicate with each other, force them to make sure that we are complying with the laws that are already on the books. We should set the model for intergovernmental cooperation, not use it as an excuse or a roadblock not to move forward.

P.O. LINDSAY:
Legislator Viloria-Fisher.

LEG. VILORIA-FISHER:
Through the chair, I just have some questions for the sponsor or for Legislator Browning who's a cosponsor.

As I read the second RESOLVED, it does indicate that within 24 hours individuals residing in such houses shall be relocated to emergency housing. When I was chair of the Social Services Committee, we had a crisis here in Suffolk County where we were housing many people in emergency housing, those being motels throughout Suffolk County. And those motels, as much as -- very much like these houses that are not in compliance, did cause the degradation of the neighborhoods in which they were housed, and then you had large congregations of people in -- concentrations I should say, of people in motels who were actually worse-off than if they had been in houses because the kids had no place to play, the families were housed in one room, they were really deplorable conditions.

And my concern and the reason why I'm supporting the tabling motion is that I would like to explore another way in which we could compel the Department of Social Services -- from my understanding, the Department of Social Services is not responding to complaints about these homes, and we all know that that's part of the staffing problem that we have in the Department of Social Services. But I would like to see some amendments to this particular resolution because I agree that the Legislative Intent is correct, that we don't want to see the degradation of neighborhoods and we certainly don't want to put people in harm's way when we find housing for them. But I don't want to go back to seeing people in motels, I've visited those motels and it was truly inhumane.

LEG. ROMAINE:
Would you like me to respond?

LEG. VILORIA-FISHER:
Yes, I asked through the Chair for responses.

LEG. BROWNING:
Can I give you my response?

LEG. ROMAINE:

Please, Legislator Browning.

LEG. BROWNING:
I can tell you I've visited some of those homes and let me tell you, some of those motels are in much better condition than some of the homes that I have in my district. So I understand what you're saying, the fear about going back to the motels, but I think we need to set a policy Statewide, Countywide, that these homes need to be compliant.

LEG. ROMAINE:
As far as the motels are concerned, the last time I looked motels have to meet certain occupancy requirements in terms of Certificate of Occupancy and how many people can occupy a given motel room. The failure of this County to fail to obey those laws are equally as egregious. And I remember touring motels in the 1980's when my district included Yaphank and the motel there that's now a veterans' center and looking at the horrendous conditions there; those, likewise, are code violations that would be disallowed under this law.

Finally, I would say the 24 hours didn't come out of the blue. Everyone's heard of Section 8. Under Section 8 regulation, the housing quality standards, believe it or not, Section 8 has housing quality standards that if properly enforced are even more stringent than some of the code enforcements. If there is a code violation, they have to move their client out within 24-hours if that code violation was not caused by the client. So if the heating fails, if windows are broken, if water doesn't run, if cesspools don't overflow, they have to be moved out. We -- that's where I came up with it, from the Federal Government, from Federal guidelines on housing quality standards.

Let's do something right. You can amend this to death, you can table this to death, you can push this off the agenda, but this is the same resolution, a similar resolution that I tried to work on when I represented the Mastic-Shirley area and I called for a moratorium on placements, not only in Mastic-Shirley but in Gordon Heights, in North Bellport, because if anyone thinks that Social Services doesn't place people, they're kidding themselves. Yes, they'll say, "Oh, we give the client the voucher."

Applause

No, they don't. Besides the voucher, most of these clients couldn't find housing on their own. So either out of reasons of sympathy or possibly for other reasons that I won't discuss here publicly, they refer them to landlords or specific houses that they can seek out. There is a referral, it's an informal, not sanctioned referral that takes place; nevertheless, that isn't the issue. The issue is will this government obey its own laws, will this government comply with the laws, will it meet the same requirement we ask every other citizen of this County or will we act as hypocrites and turn a blind eye to a situation that's inflicting many communities and creating slum conditions. That's the question of the day. Thank you, Mr. Presiding Officer.

P.O. LINDSAY:
Anybody else? I would like to weigh in on this subject a little bit.

You don't have to go back to the 80's or the 90's to remember when we were using motels. Just four or five years ago we used motels extensively at a huge cost to this County, and both in monetary costs as well as a cost to the neighborhoods where these motels were located. I visited motels in Riverhead, in Southampton and Hampton Bays and Huntington and Bohemia and the conditions, although probably met some basic standard but what were deplorable in that the conditions were very tight, there was no cooking facilities, there was -- many of them didn't have any facilities for the children to play. I went to one motel where the motel owner forbid the children to go outside because he didn't want to discourage any of his other clients or potential clients. It was a horrible, horrible situation and I don't want to go back to that, and that's what I'm afraid we're going back to.

As far as 70% of the illegal housing, you know, that figure that Legislator Romaine threw out, I don't know if that's correct or not.
I do know not only in housing for Social Service clients, but for housing in general across Suffolk County, there's a tremendous amount of illegal housing. I mean, I walk around my neighborhood in the morning and you could virtually see the illegal apartments in my neighborhood, most of them are probably children coming back to stay with their parents because they can't afford to live in Suffolk County on their own. So I think there is a great deal of illegal housing and I don't know whether we have the power to solve that problem.

I, too, have heard from Social Services, the same thing that Legislator Romaine and Legislator Viloria-Fisher heard, that we don't place all of our clients. We place some of the clients, some clients find their own housing and come back with vouchers, other clients we do steer, I know that is true as well. But the way this legislation reads, you know, someone finds an apartment of their own free will and gets a voucher, we inspect it and tell them they have to vacate within 24-hours; there's some problems with that as well.

A couple of years ago Legislator Caracappa had a similar resolution and there was a great deal of discussion about it and at the time the Commissioner of Social Services told us about the program where they inspect the emergency -- the housing that we pay for to make sure that it meets health and safety standards; not so much that it has a town rental permit per say, but that it meets a basic living standard. I agree with you, I don't know what happened to that program, I really don't know what happened to that program.

LEG. SCHNEIDERMAN:
We passed it.

P.O. LINDSAY:
But I think a great deal of that you would have to, you know, go back to the administration of Social Services about. And if this resolution passes, it still goes back to the same problem; are we -- you know, are we going to administer either this law or the policy that was -- that they're supposed to be following now? And that's disturbing to me. And I just think that we have a lot more work to do on this subject and I think it starts with the administration.

I'm going to withdraw my tabling motion, all right, and let's vote this up or down.

LEG. ROMAINE:
Roll call.

P.O. LINDSAY:
Roll call.

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

LEG. ROMAINE:
Yes.

LEG. KENNEDY:
Yes.

LEG. COOPER:
No.

LEG. D'AMARO:
No.

LEG. STERN:
No.

LEG. HORSLEY:
No.

LEG. NOWICK:
Yes.

LEG. BARRAGA:
Yes.

LEG. ALDEN:
Yes.

LEG. MONTANO:
No.

LEG. EDDINGTON:
Yes.

LEG. LOSQUADRO:
Yes.

LEG. VILORIA-FISHER:
No.

LEG. BEEDENBENDER:
No.

LEG. BROWNING:
Yes.

LEG. SCHNEIDERMAN:
Yes.

D.P.O. MYSTAL:
No.

P.O. LINDSAY:
No.

MR. LAUBE:
Nine.

P.O. LINDSAY:
1020-08 - Authorizing execution of a Mutual Aid and Assistance Agreement for Epidemiology Disease Control during local disasters and other emergencies (County Executive).

LEG. COOPER:
Motion to approve.

D.P.O. MYSTAL:
Motion to approve.

LEG. STERN:
Second.

P.O. LINDSAY:
Motion to approve by Legislator Mystal, seconded by Legislator Stern.
All in favor? Opposed? Abstentions?

MR. LAUBE:
Eighteen.

P.O. LINDSAY:
Public Works & Transportation:

1008-08 - Authorizing execution of agreement by the Administrative Head of Suffolk County Sewer District No. 7 - Medford with Enecon-Silveri Parcel (BR-0880.1)(County Executive).

LEG. EDDINGTON:
Motion.

LEG. COOPER:
Motion to approve.

P.O. LINDSAY:
Motion to approve by Legislator Eddington, seconded by Legislator Cooper. All in favor? Opposed? Abstentions?

MR. LAUBE:
Eighteen.

P.O. LINDSAY:
1015-08 - Permitting the Center Moriches Fire District to purchase fuel from the County (County Executive). Do I have a motion?

LEG. BROWNING:
Motion to approve.

LEG. LOSQUADRO:
Second.

P.O. LINDSAY:
Motion to approve by Legislator Browning, seconded by Legislator Losquadro. All in favor? Opposed? Abstentions?

MR. LAUBE:
Eighteen.

LEG. ROMAINE:
Would the Clerk please list me as a cosponsor.

MR. LAUBE:
Yes, sir.

P.O. LINDSAY:
1016-08 - Permitting the Yaphank Fire District to purchase fuel from the County (County Executive).

LEG. BROWNING:
Motion to approve.

LEG. LOSQUADRO:
Second.

P.O. LINDSAY:
Motion to approve by Legislator Browning, seconded by Legislator Losquadro. All in favor? Opposed? Abstentions?

MR. LAUBE:
Eighteen.

P.O. LINDSAY:
1028-08 - Authorizing public hearing for alteration of rates for South Ferry, Inc. (Presiding Officer Lindsay). Do I have a motion?

LEG. STERN:
Motion.

P.O. LINDSAY:
Motion by Legislator Stern.

LEG. SCHNEIDERMAN:
Second.

P.O. LINDSAY:
Seconded by Legislator Schneiderman. All in favor? Opposed? Abstentions?

MR. LAUBE:
Eighteen.

P.O. LINDSAY:
Ways & Means:

1002-08 - Authorizing preliminary work to be performed by County Departments, Divisions and Agencies to confirm a 1954 Resolution of Declaration of County Highway Surplus by the County Board of Supervisors and for the further purpose of authorizing two additional small parcels as surplus adjacent thereto, all on CR 79 Bridgehampton-Sag Harbor Turnpike Right-of-Way in the Town of Southampton, Suffolk County, NY, (SCTM No. 0900-026.00-01.00-110.000).

LEG. SCHNEIDERMAN:
Motion.

P.O. LINDSAY:
Motion by Legislator Schneiderman.

LEG. D'AMARO:
Second.

P.O. LINDSAY:
Second by Legislator D'Amaro. All in favor? Opposed? Abstentions?

MR. LAUBE:

Eighteen.

P.O. LINDSAY:
1036-08 - Authorizing the reconveyance of County-owned real estate pursuant to Section 215, New York State County Law to the Estate of Ronald Deconza by Patricia Murphy as Administrator (Romaine).

LEG. ROMAINE:
Motion.

P.O. LINDSAY:
Motion by Legislator Romaine. Do I have a second? Second by Legislator D'Amaro. All in favor? Opposed? Abstentions?

MR. LAUBE:
Eighteen.

P.O. LINDSAY:
Okay, I'm going to do one more resolution and then I'm going to go into the public portion. And it's a Procedural Motion; has this been distributed?

LEG. VILORIA-FISHER:
Yes.

MR. NOLAN:
It's in everybody's folder.

P.O. LINDSAY:
Yeah, everybody's folder. ***A procedural Resolution changing location of the Legislative meetings,*** it's a proposal to move our June 24th and August 19th meetings to the Culinary Institute of Suffolk Community College in Riverhead.

LEG. ROMAINE:
I'll be happy to make that motion.

LEG. SCHNEIDERMAN:
I'll second.

LEG. ROMAINE:
And should it pass, I'd ask the Clerk to list me as a cosponsor.

P.O. LINDSAY:
Okay.

LEG. ALDEN:
Could we table that for about a year and a half?

P.O. LINDSAY:
We have a motion and a second, and before I take the vote I should put in an explanation. As everybody knows, we're in the process of renovating our Riverhead facility which is the Riverhead Center; it was in desperate need of renovation, including the auditorium. The building is 50 years old and it really hasn't had any renovation and this Legislature fought long and hard to make sure that the funds for that renovation was secured; it took us a little while to get it done but we did. The renovations are finally starting to take place and we had to move a couple of our meetings towards the end of last year because they told us that we couldn't use the auditorium. And at the Organizational Meeting a month ago, Legislator Romaine raised an objection to not having any

meetings in Riverhead and at that point in time, I said the schedule showed that all the meetings would be here and that I was hoping to get a report that towards the end of year the auditorium would be available for us to have some meetings in Riverhead. Since that time, I have found out that the auditorium will not be available any time during 2008 and we started looking for an alternative site.

The problem that we have today is it isn't as easy to move the meetings as it used to be for the simple reason because of our paper reduction program and our extensive reliance on our laptop computers. I need a facility that will accommodate 20 laptop computers, a facility that would accommodate 20 microphones, as well as a facility that will accommodate our attempt to public access that we audio stream our meetings, and the auditorium on the Eastern Campus that was suggested could not accommodate that for us. But we opened the Culinary Institute and staffers went out there, examined it and it will fulfill our needs so, therefore, I'm putting in this resolution. The reason for the two summer meetings, it's when the auditorium isn't used by the school, and the added benefit is we get cookies. Legislator Viloria-Fisher.

LEG. VILORIA-FISHER:
Yes, Mr. Chair, I notice that the date is still June 24th. My colleagues might recall that on the date of the Organizational Meeting, I did request a calendar accomodation because I would be out of the state on that date. And I can understand if there was a problem in accommodating that, but I have not received one word in response to that request from your office, and I just feel as a matter of courtesy there should have been some communication and there was absolutely none.

P.O. LINDSAY:
You are absolutely correct and I apologize for that, I should have reached out to you. We looked at the calendar to see how we could move it or where we could move it and it became an impossibility, primarily because of the Capital Budget and the time lines of when we get the Capital Budget, when they could work on it and when the vetoes had to be done. I apologize, I truly apologize.

On the Procedural Motion, we have a motion and a second. All in favor? Opposed? Abstentions?

MR. LAUBE:
Eighteen.

LEG. SCHNEIDERMAN:
List me as a cosponsor, Tim.

LEG. LOSQUADRO:
Tim, cosponsor.

P.O. LINDSAY:
Okay, the first up is Richard Amper under the ***Public Portion***.

MR. AMPER:
Members of the Legislature, good morning, Happy New Year. I hope it will be a happy and healthy one for all of you.

I'm here to make very brief comments on the vote before you on the matter of overriding the County Executive's veto on acquiring the Bavarian Inn Property. We oppose using preservation funds to compensate owners of property victimized by flooding. If the County does have some culpability in such instances, some other source of funding should be used. But that's not the issue in the case of the Bavarian Inn acquisition. In fact, who owns the property, his or her financial flight and in whose Legislative District it lies is entirely irrelevant. A property should be considered and approved for acquisition strictly on the basis of its worth to the public. Does it affect water quality, serve as an important habitat, protect natural resources, provide public access to recreational amenities? Those are the kinds of criteria to be used in determining a parcel's qualification for

preservation.

The Bavarian Inn property meets all of those criteria. Its purchase will improve water quality at the lake, enhance habitat, protect the natural resources and provide public access. So there's simply no question that this land should be protected. In fact, this property should never have been approved for development let alone commercial development in the first place. It should have been identified as a prime target for preservation years ago. Government has since moved to preserve other adjacent properties exactly because of their natural attributes.
Finally, Suffolk County should always pay fair market value for the acquisitions it makes. Just as the County should not use public funds to enrich a private property owner, neither should they {explit} an owner to preserve open space. The financial situation of a landowner is irrelevant to determining the worth of the property to the public, so Suffolk should not take advantage of his economic plight to obtain his land if below market price.

Suffolk County's Land Preservation Programs are a model because the land saved is supposed to be selected exclusively on the basis of its worth to its citizens without regard to ownership; let's keep it that way. We urge you to purchase the Bavarian Inn Property as you properly already voted to. Thank you and again, Happy New Year.

Applause

P.O. LINDSAY:
On the same subject, I have Dr. Koppelman.

DR. KOPPELMAN:
Presiding Officer, Distinguished Members of the Suffolk Legislature, I don't wish to be redundant with my friend Dick Amper, but let me point out that from a public policy point of view, both the Suffolk County Planning Commission and the Long Island Regional Planning Board, for over 40 years in the case of the County and over 35 years in the case of the Regional Planning Board, had supported the preservation of Lake Ronkonkoma in all its aspects, and that included the Bavarian Inn property. The County of Suffolk was a leader in purchasing virtually all of the property to the north of that area, leaving the one sore spot still in private hands. The issue of acquisition should be based on the value of the real estate itself, since the Bavarian Inn, in my judgment, has zero value at the present time. It is part of the County's open space planning for decades and I would certainly urge the Suffolk County Legislature to at least move forward on this in terms of the appraisals so you can understand what the actual cost to the County would be. From the an environmental point of view, this is a crucial link in the protection of Lake Ronkonkoma. Thank you for your patience.

Applause

P.O. LINDSAY:
And Stephen Jones, the President of the Suffolk County Water Authority.

MR. JONES:
Thank you very much, Mr. Lindsay. What's going around now is two maps that are on a tax map and they're from the Source Water Assessment Plan of the State Department of Health which is endorsed and adopted by the County Department of Health as well. What they show is that the Bavarian Inn is in the zone of contribution, a contributing area to Well No. 1 at Peconic Street Well Field which lies to the south.

What you're seeing at Lake Ronkonkoma is a surface expression of the groundwater, it's a hole in the ground there and you can -- in the land there you can see the groundwater with your own eyes. The groundwater is moving to the south toward the Lakeland Ronkonkoma area. This map clearly shows that in a number of years the water that's there at the Bavarian Inn, surface water that's there at the Bavarian Inn at Lake Ronkonkoma will end up in the Peconic stream well field. I have sent a letter to super -- to the County Executive, Steve Levy, the end of last year and I ask you to

consider this component of the matter as well. Thank you.

P.O. LINDSAY:
Thank you, Mr. Jones. Kevin Hyms.

MR. HYMS:
Good morning, Presiding Officer Bill Lindsay, members of the Suffolk County Legislature, Friends and guests. My name is Kevin Hyms I'm a 39 year resident of Lake Ronkonkoma and on the board of the Ronkonkoma Chamber of Commerce and a member of the Lake Ronkonkoma Civic Organization.

I'm here today in support of our efforts to ask the Suffolk County Legislature to consider the purchase of the Bavarian Inn site. It is located in a very strategic area contiguous to the Lake Ronkonkoma County Park and the preservation of the Commandinger Estate. I believe that this process is also a significant source of contamination which has been affecting for many years the water quality of Lake Ronkonkoma. The acquisition and clean-up of the property will enhance the water quality and lead to improved recreational uses of the lake. Also, the Bavarian Inn site is in a perfect location for a proposed skateboard board park and would be a terrific addition. It could provide a platform for handicapped fishing, sail boating on the lake and canoeing in the adjacent bog, plus much more. It would be a benefit for our citizens of Brookhaven and Smithtown Townships in the Lake Ronkonkoma area. Thank you very much for your consideration.

Applause

P.O. LINDSAY:
Regina Corby Graham.

MS. CORBY-GRAHAM:
Good morning. I'm Regina Corby-Graham, a retired Suffolk County employee and I'm speaking today on behalf of the Working Families Party on the issue of, you know, the very unjust situation of day-care providers not being compensated in a timely manner. And we know that this situation has resulted in real hardship for many families, even to the point of possibly losing their homes or businesses. But I would like to share something this morning that's very personal, an incident that occurred in my family recently and which just illustrates, I think, how lack of funds on a particular day can have a really deleterious effect on family life.

My nephew and his wife have two young sons, he and his wife are both employed but their wages have not kept up with the cost of living and they really are struggling very severely financially. A recent morning it was the younger boy's birthday and he asked his father if they could stop and get breakfast at McDonald's for his birthday before he dropped them off at school, and he said yes, he told me, he said, "I was flat broke, but it was payday and I knew I could go to the bank and draw on my paycheck." So they got going and he needed gas but, you know, he went to the bank first and the funds were not available, so he went home and got the boys each a bowl of cereal and he was scrounging around for some coins to, you know, buy a little bit of gas and his older boy went in to his room and came out with $4 that he had saved to give his brother for his birthday, he said, "Here, Dad, you can use this." So they got going and he put a little bit of gas in the car and took the boys to school and they were late for school, he was late for work, and what should have been a really happy morning for this family, you know, turned very unhappy because just of a lack of funds on that particular day.

And as I say, this doesn't rise to the level of hardship, but it just shows how you can just imagine how really having your pay withheld for indefinite periods of time impact so severely on families. And my nephew said to me, "You know, it seems no matter how hard we try, something always goes wrong and it just wears you down."

D.P.O. MYSTAL:
Please wrap up.

MS. CORBY-GRAHAM:
So and the Working Families Party just urge you to pass this bill and pay these people in a timely fashion and show that Suffolk County genuinely is concerned for working families. Thank you.

Applause

D. P.O. MYSTAL:
Thank you. Brian LaHiff.

MR. LAHIFF:
Good morning.

LEG. VILORIA-FISHER:
Good morning.

MR. LaHIFF:
My name is Brian LaHiff and I am the Assistant Director of the Child Care Council of Suffolk. The Council is a not-for-profit central planning and coordinating agency dedicated to making child care work for all of Suffolk County's diverse communities.

Part of making child care work for all parties involved is prompt payment for service rendered. When providers have to be concerned about receiving payments on time, they may lose focus on what is really important and that is providing quality child care. We need to keep that in mind as providers can't afford to remain in a working arrangement that does not honor their skills. The consequences of that outcome is that highly trained officials will and are leaving the field. We need to be concerned about the ramifications that has on the quality of care for very young children.

The Suffolk County Department of Social Services has implemented a pilot program to improve the time limits of payments to providers. That program, called KinderTrack, has shown some success in delivering payments in a more timely manner. There was a time when payments to all human service agencies were honored in a reasonable time, we need that concerned support now. The council is encouraged that the County Legislature and County Executive have addressed this issue and we encourage you to continue working together to look for more efficient methods of delivering payments to child care providers. Thank you.

LEG. VILORIA-FISHER:
Thank you, Brian.

D.P.O. MYSTAL:
Thank you. I need a motion to extend the public portion after eleven o'clock.

LEG. LOSQUADRO:
So moved.

LEG. EDDINGTON:
Second.

D.P.O. MYSTAL:
Motion --

LEG. VILORIA-FISHER:
Motion and a second right here.

D.P.O. MYSTAL:
Okay. All in favor? No? Abstentions? Okay, the public portion is extended. Go ahead. You don't

have a quorum?

LEG. ALDEN:
You've got a quorum, you've got eleven.

MR. LAUBE:
You got eleven.

D.P.O. MYSTAL:
Thank you. A couple of announcements. Those of you who are waiting for the vote on the veto override on the child care providers and the Bavarian Inn, this will not happen until after lunch after we have the public hearing. You know, so I don't want to make you feel that we're wasting your time. So the vote will not happen until after lunch, after we have the public hearing.

LEG. LOSQUADRO:
Why not?

LEG. VILORIA-FISHER:
Can you say that again? I'm sorry.

LEG. ROMAINE:
Why not?

D.P.O. MYSTAL:
The vote on the override will not happen until after lunch.

LEG. VILORIA-FISHER:
Unless you get through the public hearings.

D.P.O. MYSTAL:
We have to get through the public portion and then the public hearing, then we will have the vote on the override.

LEG. LOSQUADRO:
No, we can do it before the public hearings.

D.P.O. MYSTAL:
The Presiding Officer is going to be absent for a while until he comes back.

LEG. LOSQUADRO:
He's going to come back?

D.P.O. MYSTAL:
He's going to come back, yes, later on.

LEG. LOSQUADRO:
Oh.

D.P.O. MYSTAL:
Okay? So after lunch, you know, that's when we'll have that. All right, we will continue with the public portion. The next person is Fred Gorman.

MR. GORMAN:
Good evening, Legislators. My name is Fred Gorman, I live in Nesconset. I'm the Chairman of the Nesconset Sachem Civic Association.

I just want to show you something first which is an old picture of Lake Ronkonkoma so you can understand where we're going to be coming from. Sorry about that; this is because we can't make a Power Point presentation. You see all around this lake, it's completely surrounded by homes, 80,000 to be exact, if you take Brookhaven and Smithtown into consideration. Here is the Bavarian Inn, here is the lake, here is the bark --

LEG. ALDEN:
Use the mike.

MR. GORMAN:
Oh, excuse me. Here is the Bavarian Inn, it's a jewel. Here's your lake, here's the Lily Pond Park, here's your bark. Here's your Ronkonkoma Park which, by the way, is completely flooded and gone, 65% of this beach is gone, all this is gone because of the flooding. This year there's about four feet, it has a four foot bulkhead around it, so it's four feet higher than everything else and it hasn't flooded. The water you see coming out of the back is actually coming out of the basement because the present owner is pumping water.

If you look at this, and understand, we put a skateboard park here which, by the way, the Town of Brookhaven and the Town of Smithtown both support; they're both actually interested in partnering with you with respects to that park. We can get a vendor to turn around and put sail boating on the lake which used to be extremely popular in the 20's and 30's, we could also get a vendor that would put a platform and allow for kayaking up here in this bonk (sic) which is absolutely amazing. Now, we can also have people viewed, we can have radios in there to make it completely safe. We can get a handicapped fishing pier probably at no cost to the County. I'm also interested in going to the Vanderbilt Family Trust and getting them to donate some money towards revitalizing this entire region since their family is so connected with the lake.

So what I'm trying to do here is say to you that you have a community all around here that has demonstrated time and time again how important this lake is to them. You have the Ronkonkoma Civic Association, you have the Commandinger Group. As a matter of fact, the Commandinger Group is absolutely respected and considered one of the best groups by your Parks Department because of what they've been able to do with almost nothing and no time and no cost to the County. We want to continue that and make this entire region a park which is in the center of 80,000 homes, where people can go boating or canoeing or take the most amazing walk. Any Legislator who has walked through this area here is amazed that this 200 year old forest with its wide trails, it's beautiful, you don't even feel you're on Long Island. And then this area that you see here, this raised here area, this actually is a project now. All the runoff from here to here, or actually from here all the way to here is now --

D.P.O. MYSTAL:
Please wrap up, your two minutes are up.

MR. GORMAN:
Okay. Thank you.

D.P.O. MYSTAL:
Thank you. The next person is Steven Brown. Steven Brown?

UNKNOWN AUDIENCE MEMBER:
He left.

D.P.O. MYSTAL:
Okay, gone. Lee Snead.

MR. SNEAD:
Good morning, Deputy Presiding Officer and members of the Legislature. I am here on behalf of

South Shore Press. There is a resolution that was tabled today regarding the appointment of South Shore Press along with another newspaper as the official designated newspaper of the County of Suffolk.

On January 16th, the Presiding Officer penned a letter to our organization asking us for information regarding the official stature of the South Shore Press. A packet of information has been provided to each member of the Legislature and was filed last week indicating why South Shore Press meets the requirements under the General Construction Law and under the Public Officer's Law as an official newspaper. To the extent that any questions arise on that matter, I'm here to answer them should any of you have them now.

LEG. ALDEN:
We can't.

D.P.O. MYSTAL:
We cannot ask you any questions, sir, not in the public portion.

MR. SNEAD:
Will you be addressing this issue at a later point?

D.P.O. MYSTAL:
We will be addressing the issue this afternoon after lunch when we pick up the agenda. We did not move on that resolution yet.

MR. SNEAD:
Okay. And --

D.P.O. MYSTAL:
We moved past it so we can let people talk and then later on we might debate it again after lunch.

LEG. ALDEN:
At 2:30.

MR. SNEAD:
Okay, then I'll come back then. Thank you very much.

D.P.O. MYSTAL:
You're welcome, sir. Louise Garcia? Louise Grazia, I'm sorry.

MS. GRAZIA:
Good morning, everyone. My name is Louise Grazia, I've been Director of Kiddie Academy of --

LEG. ALDEN:
Pull the microphone down.

MS. GRAZIA:
Oh, I'm sorry. I've been Director of Kiddie Academy of Brightwaters for more than eight years now and I'm here this morning to let you know that it is a real hardship for our center when the DSS payments are 60 to 90 days in arrears. While it has improved recently, it's still nowhere near what it needs to be.

In the world of business, invoices need to be paid either upon receipt or within 30 days. I don't understand why our DSS payments can't adhere to the terms of business. It hurts our credit ratings and it causes much difficulty with paying staff and our vendors. We provide quality child care for the children at our center and we serve our community in a positive way and I think we're entitled to be paid on time. Thank you.

LEG. VILORIA-FISHER:
Thank you.

D.P.O. MYSTAL:
Thank you very much.

Applause

Just one further announcement to Legislators. At twelve o'clock, at noon we are going into an Executive session to hear from a lawyer.

LEG. VILORIA-FISHER:
Since we have so many people here who have been waiting all morning and sat through the presentation and the agenda, I would suggest that we have the Executive Session after lunch, after the public hearings, because these people have been here since nine o'clock.

Applause

And usually we have public portion before the agenda, out of deference to the chair we had the agenda first.

D.P.O. MYSTAL:
I will accept that. We can have the Executive Session after lunch.

LEG. VILORIA-FISHER:
Thank you.

D.P.O. MYSTAL:
Thank you. The next person is Michael Fallacara.

MR. FALLACARA:
Good morning and thank you for the opportunity to speak. I am the Director of the WS Commandinger County Park Preservation Society. We're very active in keeping that piece of land that Fred called a jewel north of the Bavarian Inn, keeping it preserved for the public and the community's use. We support wholly the resolution to override the veto of purchasing the Bavarian Inn.

I've been a resident of the area for over 61 years and I've watched that particular parcel of land deteriorate and we would like to see it incorporated into the Park's Department so that it could be brought back up to where it should be and status and cleanliness and helping the environment. So as the Director of the Commandinger Group, our group will fully support any kind of fund-raising or any kind of activity that could happen there. As we've augmented the care of the Lily Pond Park, we would also do so with the Bavarian Inn and any support. So I wholly support that purchase and I thank you for the opportunity to speak today.

D.P.O. MYSTAL:
Thank you very much. Wackett?

LEG. VILORIA-FISHER:
Ritu Wackett.

D.P.O. MYSTAL:
Ritu Wackett.

MS. WACKETT:

It's Ritu Wackett. Ladies and gentlemen of the Suffolk County Legislature, good morning. My name is Ritu Wackett, I'm a Business Analyst at the New York State Small Business Development Center at Farmingdale State College.

One of my specialities involves assisting child care businesses both start up and mature. Over the last two years, I've worked on pilot projects in concert with the Child Care Council of Suffolk. These projects touched upon basic business management practices of child care providers. Integral to these projects were the child care providers budgeting practices. Resonating over and over was the issue of delayed payment for children whose tuition was subsidized by DSS. This creates cash flow deficiencies as services are rendered prior to payment. These providers have waited weeks into months to receive payment. In order to compensate, these child care providers often use high interest credit cards to pay for their business expenses; in some cases, this has resulted in providers being in arrears on such items as their mortgage and insurance.

The County has established KinderTrack and KinderAttend to expedite paper work and bring payment up to a regional schedule for providers, currently at 40 days; this is a step in the right direction. However, in my experience and based on the testimony of child care providers I've assisted, the reality is significantly longer than 40 days. Non-subsidized consumers pay at the beginning of the month prior to when services are rendered; subsidized payments come at the earliest 40 days later. Since the vast majority of expenses are due at the beginning of the month, a 30 day payment cycle makes sense; 40 days would continue to interrupt this cycle and cash flow disruption would continue. Prompt payment should become the norm for all child care providers who care for DSS subsidized children and the gold standard should be no later than 30 days. Thank you.

LEG. VILORIA-FISHER:
Thank you.

Applause

D. P.O. MYSTAL:
Thank you. Kathy Liguori.

MS. LIGUORI:
Good morning, everyone. It's been a year now that I have been testifying before you, so in that honor I have left a small gift for all of you to remind you of our hard work this past year and to whom it's been most vital for, the children.

Thomas Jefferson said, "All tyranny needs to gain a foothold is for people of conscience to remain silent." For over a year, the silent industry of child care has spoke out, with good conscience we have reached out to you as our governmental leaders to end the financial tyranny that has been the result of unfilled positions. In child care and in public office, we offer an invisible product; that product is called trust. Once trust has been violated, it is hard to earn it back.
The two veto messages do not convince us of willful intent that positions will always be filled and payments will come in 30 days. The message is lengthy and is reprimanding communication of a personal theme thereby not wanting the Legislature to exercise control; I will rebut the credible points. Resources will now have to be diverted from thousands of other contractors. The County Comptroller's report recommends that proper staffing in the department will be offset by the State and will meet the demands of 30 days for all vendors paid by the department. The Legislature now has an established precedent -- sorry, I have to catch my breath.

LEG. LOSQUADRO:
Take your time.

MS. LIGUORI:
The Legislature has not established precedent that requiring taxpayers pay interest to these

day-care providers and it is incomprehensible why -- this statement clearly implies there is no willful intent on the part of the County Executive to avoid the payment of interest penalties. Again, I must refer to the County Comptroller's report, "By hiring the right number of employees required to adhere to prompt payment, the State subsidy, along with the reduction of temporary workers and overtime pay, would actually yield a net advantage." Positions could not be filled while the sales tax extension was being held hostage. The Comptroller's report shows short staffing of up to five employees from January '06 to September '07; the sales tax resolution only surfaced in May and June of '07. As of last Thursday, there were still three pending requests to fill positions.

Federal Law requires equal access to subsidized care comparable to that received by unsubsidized families. Imagine the economic devastation should our TNAF money be held hostage. Should the children be denied equal access due to Suffolk County's failure to pay in a timely basis for the reasons mentioned above? Risks violating Federal law, there are cases and children affected by this specifically and we will be ready to file suit.

D.P.O. MYSTAL:
Please wrap up.

MS. LIGUORI:
In closing, I quote the minutes of a Health and Human Services meeting, Legislator Eddington; "We are not going to let you down. We will do whatever we can. If we have to go to the office, role up our sleeves and help file things, I'll commit right now. But it's unconscionable that the children in our County are suffering because of this. If you were a big corporation we would not even be here, but it's the kids that always get left behind and are not -- we are not going to let that happen." I implore all of you to vote to override this veto. Actions speak louder than words. Help us to continuously trust our County Government. Thank you all for your support and God bless us all.

Applause

D.P.O. MYSTAL:
Thank you. Just one interruption in the public portion, I have to make this announcement. There will be a Special Meeting of the County Legislature tomorrow, Wednesday, February 6th at 5:30 at the Touro Law Center, 225 East View Drive, Central Islip, New York. And the State of the County Address will be at 7 PM, so we have to convene at 5:30 so we can have a public portion and then the address will start at 7 PM at the Touro Law Center. For those of you who don't know where that is, you probably can get some direction from the Presiding Officer's Office or the Clerk's Office. Thank you very much. The next person is Peter LoCascio.

MR. LoCASCIO:
Good morning, Legislators. I've been listening to the previous speakers talking about some very valuable assets. I'm here to promote, help enhance our most valuable asset, that is our children.

I am Executive Director of a company called Kids and Keyboards. We are a 501(C) and we have a system to teach young children how to touch-type on a computer keyboard. It is valuable because it is career-enhancing, it is something that lasts forever at a very minimal cost to the providers. In this case, we've been getting funding from public institutions such as the Tony Robbins Foundation. We just installed a thousand units in the Katrina area down in New Orleans, 39 elementary schools. Locally, Wayne Horsley last year was kind enough to help us get a small grant to bring it into two small elementary schools at Babylon, both in West Babylon and the Babylon Village, and we're looking forward to having the same system going into all your Legislative Districts.

I sent out a packet about a week or ten days ago to inform you and give you some information on how our system works and we're looking for your help. Thank you very much.

D.P.O. MYSTAL:

Thank you very much. Next speaker is Dr. Luis Valenzuela.

DR. VALENZUELA:
Good morning, distinguished Ladies and Gentlemen. I'm here to speak in opposition to bill 1105 which is going to be laid on the table today. I quickly want to dispense with the idea that this bill is anything other than an anti-immigrant bill; I think that's quite clear, the media has picked up on that. But I want to share a couple of words and ask a couple of questions.

You know, we've been here over the last several years, we've reaffirmed -- the courts have reaffirmed that immigration is a purview of the Federal Government. You know what would really be remarkable to see from the Legislators here is supporting a resolution that supports our Congressional Delegation and our two Senators in urging the Federal Government to take care of business and reform our broken immigration system.

What I want to ask about this bill is what is the scope of the problem, what is the magnitude of the problem? You have 15,000 licensees who are going to be affected, so we know that, but what is the scope of the problem, what is the nature of the problem? How many people are going to be affected, what is the cost? How are you going to enforce this bill? How many investigators are you going to have to hire? Earlier someone here was talking about vacancies in Social Services; I mean, that's a needed service that we have. We're diverting -- we're going to divert scarce resources to come up with a bill that's not only unnecessary, duplicative and let's face it, folks, it's mean-spirited. You could have written this bill to apply to every single license that there is here and you haven't done that.

The bill is being laid on the table, I would urge you to rescind that bill. Failure to rescind that bill, I would urge you to table it subject to court -- subject to call. What benefit are we going to get from this bill? You know, again, we in Suffolk County have the opportunity to become the model of inclusiveness for the whole nation rather than continuing on the path of being the model --

D.P.O. MYSTAL:
Please sum up. .

DR. VALENZUELA:
-- of divisiveness for the whole nation. Thank you.

D.P.O. MYSTAL:
You're welcome. Next speaker, George Schramm.

MR. SCHRAMM:
Good morning. My name is George Schramm, I'm the President of the Lake Ronkonkoma Civic Organization.

The Lake Ronkonkoma Civic Organization supports Resolution 2027, to authorize planning steps for the possible acquisition of the Bavarian Inn Property. In 1986, Suffolk County prepared to Lake Ronkonkoma Clean Lake Study, a comprehensive management plan for the protection and enhancement of Lake Ronkonkoma and its watershed areas. The goals of this management plan are as relevant today as they were then; therefore, any opportunity that may advance the protection of the lake's water quality and the lake's shoreline is worth pursuing. The purchase of the Bavarian Inn property may be one of those opportunities.

Since 1970, the County has acquired approximately 200 acres of property, either adjacent to the lake or within its watershed. Two of the goals for these acquisitions, as stated in the Clean Lake Study, have been to provide an open space system surrounding the lake and to minimize or reduce development thereby minimizing pollutant loads impacting the lake. Considering the location of the subject property, the County has an opportunity, if not an obligation, to further this goal. The County should continue to consider the acquisition of additional lands adjacent to the lake, as stated

in the study, "The County should obtain the right of first refusal on all remaining privately-owned properties adjacent to the lake."

The County has the resources to assist the community in pursuing the current opportunity, but at this point in time we're not asking you to purchase the property, we're asking you to grant us the resources to help make that decision. The information contained in the planning document that will be developed by Resolution 2027, such as the environmental audit, the condition assessment are invaluable to the community, especially given the possible consequences for the lake and the surrounding area. We're not expecting that this information will be used by a select few to render a decision, but that this information may be used for public discussion on the pros and cons of the purchase of the property.

As an individual, you may have already decided for yourself that the County should not purchase the property and, therefore, this resolution is pointless in your eyes. If you have made this decision, you have done your constituents a disservice because you've eliminated the opportunity for a public discussion and rendered a decision regarding a very important matter to the community without any of the facts that Resolution 2027 will provide. Therefore, we request that you pass Resolution 2027 for the benefit of everyone. Thank you.

D.P.O. MYSTAL:
Thank you. John Sicignano.

MR. SICIGNANO:
I don't think my pamphlets got handed out. Hi. Good morning; we're almost afternoon. I'm here to talk about -- and I know Mr. Romaine touched on it about Janet DeMarzo and the DSS not housing people, they don't house people on DSS. There's a packet that's being handed out, there's a timeline in this packet that you should look at.

A man named Charlie owned a house at 115 Eleanor. Mr. Charlie wanted to house some people, he was approached by DSS, actually, to house some Level III Sex Offenders. By the way, sex offenders get $110 more a month, the landlord gets to house them than anyone else on DSS. As you can see, the first portion of your packet where it said, "Important Message to the Community," I found by way of Parents for Megan's Law that there were three -- two to three Level III Sex Offenders, I found this out August 1st; that day we went out and we papered the community. As you can see, as the timeline goes on, that was in the South Shore Press, we saw that I was handing out literature, you can see that. And if you read the highlighted portions that I highlighted on the pieces of paper that you have in front of you, the first and only time in Suffolk Department history, according to Deputy Chief Detective Dennis Caine, that a convicted sex offender slips through the cracks and took up residency in a community without Suffolk County tracking them. That was mistake that they made, but Janet DeMarzo knew. If you keep following the timeline, you can look and follow the timeline.

I'll read on the next page from the South Shore -- from the Manorville Press, this is the owner of the property, Mike -- Charlie. He said, "Noting that his agency and the County Department of Social Services conducted a sweep of the area this summer prior to placing the sex offenders in the home and found there to be no recreational center or playground in the area. The whole area was screened by DSS and they didn't find anything that would be in violation of Megan's Law." So they knew ahead of time, Janet DeMarzo knew ahead of time that they were housing people in there, but guess what, the people on Eleanor didn't know.

Keep following the timeline as you go through the packet. "Landlord creates sex offender group home in Mastic", again it was said. This is Charlie who said he learned of the need of sex offender housing several months ago when the Suffolk County Department of Social Services and Family Service League of Huntington urged him to open the house in Mastic early because there were need -- sex offenders in the system who needed residency.

D.P.O. MYSTAL:
Please wrap up.

MR. SICIGNANO:
So not only did they -- not only --

D.P.O. MYSTAL:
Mr. Sicignano?

MR. SICIGNANO:
Hold on.

D.P.O. MYSTAL:
Please wrap up, your two minutes are up.

MR. SICIGNANO:
Okay, I will wrap up. Not only did they know way ahead of time about this, she eagerly seeked it out. Remember, this is the timeline, this is before the trailers; remember the happy trailers going around the County? This is before the trailers, so they were seeking this problem before the trailers. You also find a community coalition letter and a letter form the civic in there.

This was done, at the very best she was -- at the very best, she didn't know what she was doing when she was doing her job, that's number one, she was incompetent. At the worst, it was criminal, in my view. There were seven children who lived next door, seven kids across the street, no one knew they were in there from July 17th --

D.P.O. MYSTAL:
Mr. Sicignano, please wrap up.

MR. SICIGNANO:
-- but Suffolk County knew, DSS knew. So don't say they don't house them, certainly they do.

Applause

D.P.O. MYSTAL:
Next speaker is Brigitte DeBaere.

MS. DeBAERE:
Good morning. My name is Brigitte DeBaere and I'm here to urge the passage of the prompt payment for child care providers law.
I stand here today with my colleagues very upset that the County Executive maintains that, in his words, this law is irrelevant because it was created to deal with a problem, so he says, that does not exist. Clearly he knows about all the horrendous testimony that has been presented here over the past year. He believes this KinderAttend and KinderTrack systems will alleviate the problem enough so that it will be all right to ignore our pleas, but we are more distressed than ever to know that he insists that it is perfectly okay to pay the child care providers at any point past 30 days, even after the new software accounting system has grown accommodate all the providers. The Department of Social Services says that even with the new system fully in place, without adequate staff the number of days to get payment will still be beyond the 30 days, and that is not okay.

Everything that we have told you boils down to this; when we are paid in 30 days, we have already laid out about nine weeks of payroll, rent and other operating expenses to pay for the care of children sent to us by DSS. It appears that the County is using the child care providers as its own little private bank network to fund these nine weeks of subsidized care operations which we have accommodated. To presumptuously insist that it is okay for us to wait even a day longer for reimbursement of what we funded in advance on behalf of the County is a mean-spirited way to hurt

us even more financially, since we have to go out and find our own little banks in order to keep carrying the County. For far too many of those, those little banks have been our homes, our family members' pensions, our family's personal lines of credits and even the IRS by virtue of late payroll tax payments.

How could the County Executive think that it is perfectly okay to make child care providers gone fronting the expenses for the County longer than nine weeks, when it's counterpart in Nassau County stopped provider bank front funding with a decree that the providers be paid every two weeks? How could Mr. Levy insist that this is perfectly okay to make us wait beyond 30 days for a payment instead of saying thank you for all we do for this County. For that matter, how could this Legislature expect this to be perfectly okay either? Child care providers have been hurt by this issue and we cannot go on being the County's little network of bankers. We need to make sure this problem never happens again. So please, I'm asking you to please override
Mr. Levy's veto to pass the prompt payment law so that things can finally and truly be okay. Thank you.

Applause

D.P.O. MYSTAL:
Thank you. Next speaker is Daniel Calabro.

MR. CALABRO:
Thank you. I'm here to speak on behalf of the Suffolk County Working Families Party on the Prompt Payment Law. I want to make two basic points. The first one is that this is fundamentally a labor issue.
We have a new economy now where people have to scramble to try to find jobs for themselves and one way a lot of them have done it is to open child care; these are technically businesses, but in reality they're working people. And for the County to hold their money longer than they should and to not pay them promptly is the same as if you don't pay someone who works for a salary. Now, all the Legislators get paid by the County and I'm sure you all get paid on time and I don't think you'd like it if you were told that we couldn't pay you this week because somebody didn't come up to work that was in payroll and we couldn't get it done. You know, we believe in the labor movement that you deserve a day's pay when you do a day's work and that's something that's being violated by Suffolk County right now.

The other point is that Steve Levy is a bully. And I know that he's twisted a lot of arms to try to get this --

LEG. ROMAINE:
No kidding.

MR. CALABRO:
Try to get this veto sustained; this isn't right. One of the reasons we started the Working Families Party is to enable some Democrats to grow a spine and stand up to bullies, and this is a case where that needs to be done. So in summation, a day's pay for a day's work and stand up to the bullies. Thank you.

Applause

D.P.O. MYSTAL:
Thank you very much. Next speaker is Steven Burgdiski?

LEG. VILORIA-FISHER:
Burgdoerfer.

D.P.O. MYSTAL:

Burgdoerfer, okay.

MR. BURGDOERFER:
Hi. My name is Steve Burgdoerfer, I've spoken a number of times, I own the Tutor Time in Islandia in Suffolk County. Right now I just handed out letters representing over 200 children in my two centers, directed to each of the Legislators to make sure they uphold the vote once again.

This wasn't a vote that was passed narrowly for the second time, this time the vote wasn't right before Election Day. This isn't when the County Executive, a different branch of government, because I think we all took civic lessons, wasn't able to twist people's arms, you know, to kind of say, "I want to support some of your programs, you support some of mine;" don't fall for it, we know what happened.

Now the vote went up again. It was, once again, passed by a significant majority. Why should we be worried that this is going to not be overridden? If everyone stays consistent with their vote and vote for what is right, because right now if you pick up the phone and call the Department of Social Services in Suffolk County and ask them about where your payment is, a recording will come on and it will say, "Unless your payment is 50 days" --

Applause

-- "50 days or more, do not talk to us," that's their gold standard, 50 days; call the number. You may have some people come in here later and tell you, "Oh, things are getting better," they probably represent that other form of government. I've heard this for a year and a half, I can't believe anyone is buying it.

I just recently got payments that were due to me since July and August; this is not 30 days. Some of the money they are paying in 30 days, the system is getting better. But you know what? County Executives are going to come and they're going to go; laws, which is what this body is in charge of putting out, stay no matter what the administration is. Because I don't know if the next administration might think, "Okay, nine months is okay," there's nothing to stop them. That's why we put laws into place. Thank you very much.

Applause

LEG. VILORIA-FISHER:
Thank you, Steve.

D.P.O. MYSTAL:
Thank you. Next speaker is Pete Quinn

MR. QUINN:
Good morning, Members of the Legislature. My name is Peter Quinn. As you wax eloquently over scarce resources, I wonder how many of you know that on Wall Street the bonuses this year amounted to $39 billion, that's 39 billion. The top three officers at Goldman Sacks took 68 million, 45 million and 45 million. Where wipe-downs were common where subprime mortgages collapsed, these Wall Street entrepreneurs found money for themselves despite the fact that people are losing their homes and others, companies are falling to pieces.

So I had urged at the State Budget Hearing back in January -- back in December to Budget Director -- Spitzer's Budget Director Paul Frances that they double the tax on bonds. Evidently, Spitzer didn't decide to include it in his budget because he's adopted the Republican/Conservative mantra of no new taxes, which is disturbing.
I don't think most citizens would be upset if they tax the bonus -- doubled the taxes; what would it do? Last year the bonuses were 23.9 billion and the State revenue increased by 2.39 billion. If you did the same thing for the 39 billion, we'd have nearly $8 billion of additional revenue for the State

and they could close their budget gap of $4.4 billion and still arrange to provide adequate public aid to education from the State. Twenty-five states pay over 50% of State aid to education and what would result? We'd see taxes lowered on Long Island substantially because the State funded education properly, as is their constitutional responsibility, Article 11, section 1.

So I would urge you to speak with your State Legislators whenever you have the opportunity and to the Governor and say, "Let's tax those bonuses so that we can kind of level the playing field and you can deal more effectively as Legislators with issues that you deal with at the County level." Thank you.

Applause

D.P.O. MYSTAL:
Thank you. I want to welcome former Presiding Officer, former Legislator Joe Caracappa, now Undersheriff, who is sitting in the back. Next speaker is Edna Guarino.

MS. GUARINO:
My name is Edna Guarino, I represent Contracted Family Day-Care. The Prompt Payment Law is not now or in the future meant to cause taxpayers money. The Comptroller's Office has clearly stated it would basically be a wash for the County if recommendations were followed.

The Prompt Payment Law is now and would be for the future reassurance to the child care industry that timely payments would enable the providers the ability to make their payments in a timely manner as the real world demands of all of us to do. The Prompt Payment Law is not about the State paying the County, which Mr. Levy refers to in his veto message. The Prompt Payment Law is following the example of our mother State who did make a law to pay their contracted vendors in 30 days of billing; contrary to the administration's attempt to mislead you by saying in his veto message that the State does not pay the County for months or years. The law the State has is strictly for those who contract with them.

In Mr. Levy's veto message he states, "There is no valid reason for the Legislature to adopt this Local Law to deal with a perceived problem that does not exist." I would certainly hope that all of you who have heard the months and months of testimony and seen foreclosure notices can see that the perceived problem does, in fact, exist. The perceived problem is brought about by the current administration's failure to adhere to your legislative direction. You allocated the monies in yearly budgets before 2005 and each year since for the positions that were vacated in 2005, but those positions were not filled even though we made every attempt to get them filled, until we came to our lawmakers. You have held his feet to the fire; will that continue? We fear not unless you override that veto today. You see, Mr. Levy did not make an attempt to make a move until you made a move.

On September 20th, 2007, at the hearing in Hauppauge, I was greatly disturbed with what transpired. I could not believe that I was hearing the current administration did not desire to embrace any particular mandate; this was and is unbelievable. Since your job is to make the laws, the administration's job is to make sure the laws you make are carried out, not dictate they don't want any particular law. For the administration to undermine the desire of the people and the Legislature by soliciting your vote of no falls in the realm of tyranny. I printed out something I would like for all of you to read before you cast your vote today. Thank you.

D.P.O. MYSTAL:
Please wrap up. Thank you.

Applause

Next speaker is Tim Ryan. Tim Ryan? Going once, going twice, gone.

Next speaker is Sister Margaret. Sister Margaret, is she here? Sister Margaret? She's one of my

constituents, I don't know where she is, from Albany Avenue, from the Sisterhood of Dominican Village. Going once, going twice, gone. Next speaker is Ms. Reyes.

MS. REYES:
Good morning to all of you again. My name is Tatyana Reyes. I thank you in advance for all of your support to ask that we need DSS payment law to be passed.

First I would like to ask you, why does -- DSS is able to pay tenants their one month security in advance and pay a whole month of rent in advance before a tenant moves in? If they're there yet, their month has not expired, because otherwise we wouldn't find landlords that will rent to the Department of Social Services, nor will we find places for these people to move in. We have allocated in our budget money to do so, the same way I ask you all to please pass this bill and the money to be allocated so we can be paid within 30 days.

I was disturbed by a little article that I read when Mr. Levy was in a trip to Florida of the HOV lane. He had mentioned how Florida had the HOV lane all around their state, yet New York only has a small part of the HVO lane and it stops in Queens. It took him about half an hour or 45 minutes, which was a very long time, before he could get into the HOV lane. He requested that our traffic department to please consider putting the HOV lane through the whole New York State because it took him a very long time to get in. And he thinks if Florida was able to do it we are able to do so too since we get funding from other departments. A half an hour is long enough to be waiting in traffic, yet we have to wait 30 days and more to get payment over service that is already rendered 30 days prior.

Applause

If we compare, if we compare ourselves to what it's going at the present time with the public, they pay one week or sometimes a month in advance for services before they're rendered, that is the regular, only with DSS is the exception. When we go around and ask parents this is what's going on, they say, "Well, why do I have to pay a week in advance? Why do I have to give you a whole month in advance payment?" Yet DSS doesn't even want to be forced to pay 30 days after service is rendered.

I ask you kindly to please support our bill. We need to get paid within 30 days to be able to afford our bills. And not just that, we're not the regular contractor. We're not able to say, "You know what, today I don't feel like opening, you can come back next week." Just like the snowmen that plows the street, that they can decide when they're coming to snow plow; we don't have that ability. We are registered with the State with OCFS and they tell us what the regulations are and we need to follow it.

D.P.O. MYSTAL:
Please wrap up.

MS. REYES:
Thank you very much.

D.P.O. MYSTAL:
Thank you. Alicia Marks.

MS. MARKS:
It's still morning; good morning. My name is Alicia Marks, I am the owner of the Tutor Time Child Care Learning Center in North Amityville. Some of the Legislators know me personally as well as professionally and a lot of you have heard my story once before, twice before, three times before. I've been open ten years. You know my plight, the financial situations, my husband retiring so that we had a cash flow from the Police Department in Nassau County. My day-care is 90% subsidized, that's a lot of money that I don't have to wait for.

I decided to take a different approach today. Instead of giving you my woes, I want to show you the positive end of what has been going on at the Tutor Time of North Amityville. Just yesterday, and this is an annual event, I received from my Regional Director of Tutor Time my parent surveys. She previously, before giving my surveys, "Alicia, attached are the results of your parent surveys. Congratulations to you and your team. The parents notice the extra care your staff give their children. Thanks for providing your families with a loving and nurturing environment." And please note that the possible rate that I could have gotten was 135 participants -- I'm sorry, 140; 135 participated.

And the way this procedure goes, I don't see these questions and I don't see the answers; the mailing is done to their homes and is mailed back to the corporate office. So when they were asked what is the best thing about Tutor Time, the answer was, "The children, the staff, the director, the owner." "The staff are friendly to me and my daughter." "The administration always handles my concerns right away." "My children love to eat, Tutor Time has some of the best lunches." "The teachers continue to care about my kids even after they've left their classrooms." "What do I like best about Tutor Time", this person says, "Everything. I am raising my nephew and the girls have been very understanding about his special needs." The next person says, "I've formed relationships with some of the staff as well as my child with their children." "The best thing is the caring staff. They are nice and understanding when my son was having a hard time adjusting."

Then another question was, "Any suggestions to improve service or the program or the quality of life at this day-care would be appreciated." The answer was, "I have no complaints. Any time there's been an issue, they've helped me right away." And the next one is, "I'm very pleased. I wouldn't" --

D.P.O. MYSTAL:
Please wrap up.

MS. MARKS:
"I wouldn't change a thing." Think about the change that you are implementing. Think about how much change, that's been used a lot lately, needs to occur in order to help me successfully do what I've been trying to do. Thank you very much.

Applause

D.P.O. MYSTAL:
Thank you. Patricia Duffield

MR. DUFFIELD:
Good morning, Legislators. Long Island is unique. I am addressing the allocation of money for the Bavarian Inn. If you mention Long Island anywhere in this country, you do not have to add New York, people know where it is and who we are, especially here in Suffolk. I have run recently a national convention and when people came out here to Suffolk, they were amazed to find that we were more than just the beaches and they were very pleased. I had wonderful comments and I'm still hearing wonderful comments as I go to additional conventions. But when I took a group of them down to the lake, it was an eye opener; they did not realize we had such a beautiful, natural asset.

Others have spoken about the ecological aspects of the acquisition or the proposed acquisition; I'd like to point out that we have been working here on Long Island, specifically in Suffolk, to bring back our areas. With the lake we have a task force, we've been working with the other two towns and we are working to bring back the quality of water to bring back a place where people can fish, they can swim, they can take out non-motor boats, they can go back to the things my husband remembered doing. They used to own what is now the Islip Beach, I'm one of the Duffields. It was a wonderful

place at the turn of the last century and it can be again. And working with us and working with the communities, because we are working with the chamber, we're working with many other groups trying to bring back the areas area by area here on the Island. We're holding {sharettes}, we're redoing the road. We have a hub proposed going that I'm involved in, too. I'm with the civic, I forgot to mention that. We're redoing the railroad area.

Things are happening here in Suffolk and it's exciting and it's wonderful. One of our greatest assets is our lake and park system with a County involved in it is going to be such a tremendous boost to us, bringing in visitors as well as for the people of the community. It's a wonderful opportunity to expand, to hold on to our property, our natural assets and make it a wonderful place not just for our communities but for people around this country who do know where Long Island is to come and enjoy all of our assets. So please, I ask you, vote for allocating the funds to go forward with the appraisal for the allocation or the purchase of this property. Thank you for your time.

Applause

D.P.O. MYSTAL:
Thank you. Dawn Hopkins.

MS. HOPKINS:
Good morning. My name is Dawn Hopkins, I'm with the Lake Ronkonkoma Civic.

LEG. ALDEN:
You have to pull the microphone over a little bit.

MS. HOPKINS:
Okay. I support the position that Suffolk County evaluate the Bavarian Inn parcel for the possibility of purchase by the County. I want to quote from County Executive Levy where in the most recent County News Bulletin he says that, "We are pleased to build on our track record of success in identifying and securing vital wetland and watershed areas in Suffolk County." You've heard Richard Amper, Lee Koppelman and the Director of the Suffolk County Water Authority speak to their environmental concerns in this area. I add to that that there are invasive vegetative species in this area that, according to the DEC, are recognized as a major threat to our natural resources. For all these reasons, I urge you to override this veto. Thank you.

D.P.O. MYSTAL:
Thank you. Next speaker is Sari Lin.

MS. LIN:
Hi, everybody. Good day. Well, I'm a day-care provider. A lot of people said a lot of strong things; I don't know how people can't get teary-eyed, I guess maybe because it hits home.

I want to start off with a couple of things. A lot of people here voted last time for it, so I just can't understand how we can't stay strong. And I was talking to somebody and they said, "Well, it was vetoed before again; I don't know much about this politics stuff, of course it can be vetoed again. But last time everybody spoke so strongly about how they felt about -- about how they felt about this and how important it is.

I just want to say that a couple of things in this letter that I'm sure everybody read, I hope everybody read from Mr. Levy to you guys, was a little bit disturbing and insulting where he says, "Legislators can get political points from a vocal interest group"; we're not a vocal interest group. I don't even know any of these people, to tell you the truth, I never really met them except here. I'm an individual person. When he talked about the "real world", he said that twice in this; what's the real world? I think he's not in the real world. It is impossible to live the way we live.

Applause

My Legislator which is -- District 11 knows me. I own another business in Bay Shore as well and I am a resident in Bay Shore. It is not nobody's business how much assets I have and where my money is; my money could be in CD's for my kids' colleges, my money could be paying my ill mother, and I have a mentally ill brother as well. It's nobody's business where my money goes, okay. My marshal arts studio does not pay for my day-care, okay?

Another thing; I know I'm short for time. I went to buy a car at Sun Auto; I've leased from them four times already. Went there, got my quote, it was 329; came back to sign the papers, give my money, registration, it was 345, not much big of a difference, but since my credit score is down -- now, again, I own three properties in Bay Shore, I have to -- that's another thing he said, "Poor business"? We can't do business if we're not getting paid; I mean, if we don't get paid on time, how are we supposed to do good business? If businesses are closing up doors because of 45 days payment process, the problems of business do not stem from the County but rather from whatever the word is, business issues, okay? That's baloney. I mean, you've got to be kidding me. I don't run and own two businesses and be this successful -- I just turned 40, it's nobody's business, I didn't grow with a silver spoon in my hand or in my mouth, I came here working hard, okay? And now my payment is 345, I calculated that, for 38 months I'm paying $608.76, okay, well, that's still money I shouldn't have to pay. My son is 17, supposed to go to college next year; how do I help him sign for student loans when I got -- my scores are probably 400. Again, I didn't get to where I am with bad business, you know, decisions and bad credit. That's another thing I'd like to fight for, our credit back.

D.P.O. MYSTAL:
Please wrap up. Thank you.

Applause

MS. HOPKINS:
Thank you.

D.P.O. MYSTAL:
Delia McKernan.

MS. McKERNAN:
Good morning -- well, good afternoon now, Legislators. My name is Delia McKernan, President of Smith Point Beach Property Owners Association. I would like to thank you for this opportunity today to speak.

I'm here today on behalf of my community of Smith Point and the entire tri-hamlet area of Mastic, Mastic Beach and Shirley. I am speaking out against the reinstatement of Janet DeMarzo. I am against this reappointment because my community feels that Janet DeMarzo has failed the residents of the Mastics. We need someone in this position who will be sensitive to the safety and welfare of our children. Over saturation is an understatement to describe what is going on in my community.

You all need to hear me. I know everybody is chit-chatting, but hear me loud and clear because DSS and all other subsidized housing is killing a beautiful, water-front community. We are being choked by the over saturation of these types of housing. You know, I'm listening to these poor people that can't even get paid for their day-care services which our children are our greatest asset, I don't understand, this is crazy. And yet we know the house, we are aware of the fact that there are single-family homes that house 13 people, one house, 13 people, 13 checks signed by Janet DeMarzo going to that one residence. They're getting their checks, these poor people can't get their checks; I don't understand. I don't -- how does this happen? Who's turning a blind eye? This is -- this over crowding which is absolute --

LEG. ROMAINE:

Nine people.

MS. McKERNAN:
Which is an absolute health and fire hazard. Why is my community being invaded like this? I'd like an answer to that.

If this Legislative Board is familiar with my community, then you must understand someone is responsible for this steering and dumping. It is your job to investigate and find out why; I would really like an answer to that.

And in regards to the skate park in Ronkonkoma; the children in my community have absolutely nothing to do, nowhere to go. We've been fighting for a skate park in my community for a long time. It's about time that you guys recognize my community and understand that we've been on the back burner for a long, long time. I would appreciate some attention in my community. I am proud to live in my community and I am proud to represent my community. Thank you, Legislator Romaine, thank you Legislator Kate Browning for your support, I appreciate it, and all the others that did vote on it. Thank you.

Applause

D.P.O. MYSTAL:
Thank you. This is the end of our public portion, we have completed all the cards. We still have half an hour, can we go into Executive Session now before lunch?

LEG. ROMAINE:
I'd like to do the override.

D.P.O. MYSTAL:
It would take about half an hour.

LEG. VILORIA-FISHER:
I would like to do the override also.

D.P.O. MYSTAL:
We're not going to do the override until the Presiding Officer comes back.

LEG. ROMAINE:
Make the motion, I'll second it.

LEG. VILORIA-FISHER:
Well, he had suggested that we do it this afternoon, but was it specifically because he wanted to be here or because he thought we should do it after the public hearing? Terry, do you know?

D.P.O. MYSTAL:
Yes, he wanted to record his vote on everything.

LEG. VILORIA-FISHER:
Terry, is it because he wanted to vote?

MR. PEARSALL:
I don't know if he's returning or not.

LEG. VILORIA-FISHER:
You don't know if he's returning, and all these people are here.

LEG. ROMAINE:
Motion to override.

LEG. STERN:
Well, you have to find out because I think he might want to be back for the vote. I think you have to find that out first.

D.P.O. MYSTAL:
Well, can we find out? Because I think the Presiding Officer, you know, would like to come back and vote. I don't know if he's coming back.

LEG. VILORIA-FISHER:
Terry's saying he's not coming back.

D.P.O. MYSTAL:
He said he's going to try, but I don't know.

LEG. VILORIA-FISHER:
Did he say that to you?

D.P.O. MYSTAL:
He said he's going to try to come back, he didn't say that, you know, that he was going to make it or not.

LEG. ROMAINE:
Motion to override.

LEG. MONTANO:
Which one?

LEG. BROWNING:
We're not on a bill yet.

LEG. VILORIA-FISHER:
No, we have to get the number.

LEG. ROMAINE:
It's not listed on the agenda.

LEG. VILORIA-FISHER:
It's not on the agenda. I'm going to make a motion to override the veto on the Prompt Payment Policy.

LEG. ROMAINE:
Second.

Applause

UNKNOWN AUDIENCE MEMBER:
Let's go, guys.

D.P.O. MYSTAL:
Roll call.

LEG. VILORIA-FISHER:

I would just like to have some assurance that that was what --

D.P.O. MYSTAL:
We have a first and second?

MR. NOLAN:
Can I just --

LEG. VILORIA-FISHER:
Yes.

MR. NOLAN:
-- pop in here? We have a new process with veto overrides. The Clerk at some point has to present the vetoes to us, I believe he was planning to do that verbally, tell us which vetoes were returned and should or could be voted on today or for the next 30 days. So before we take a vote on anything, I think the Clerk should present the vetoes to us.

LEG. VILORIA-FISHER:
Okay. And as I said, I had wanted clarity on whether it was simply the Presiding Officer saying we could finish the agenda and the public portion and then do the vetoes or if it was specifically that he wanted to come back to it, and I'm not getting clarity on that.

D.P.O. MYSTAL:
He told me that he was going to try to come back, but I don't think --

LEG. BARRAGA:
Mr. Chairman? Mr. Chairman?

LEG. VILORIA-FISHER:
He said that to you?

D.P.O. MYSTAL:
It doesn't matter, so we'll do it without him.

LEG. BARRAGA:
Mr. Chairman?

D.P.O. MYSTAL:
Yes.

LEG. BARRAGA:
With all due respect to the Presiding Officer, I mean, he's probably only a phone call away. I mean, can someone --

D. P.O. MYSTAL:
He's at a funeral.

LEG. BARRAGA:
Well, I mean, is he available? Is someone willing to reach out to him by phone and ask him if he's going to be back? I mean, out of respect for him.

LEG. ROMAINE:
No, he's not coming back.

LEG. HORSLEY:
We should give him respect, you're absolutely right.

D.P.O. MYSTAL:
That's what I was trying to do, I'm trying to see if I can --

LEG. BARRAGA:
Then let's just do that before we do anything else.

LEG. ALDEN:
Well, Tim could present the vetoes to us.

LEG. BARRAGA:
All right, present the vetoes but let's not take any further action until that phone call is made, out of respect for Mr. Lindsay.

LEG. HORSLEY:
I agree with you, Tom.

MR. LAUBE:
You have two vetoes before you, Resolution No. 1367, Resolution 1353. A hard copy was delivered to the Presiding Officer this morning and you have them available on your websites, they're on the agenda under the link "veto messages", if you click on that you'll see two more links, one for each one with the complete veto message.

D.P.O. MYSTAL:
Okay. Can the horseshoe indulge me? Can I call a five minute recess?

MR. NOLAN:
Yes.

D.P.O. MYSTAL:
Five minute recess. We'll reconvene at about 12:15.

(*Brief Recess Taken: 12:06 PM - 12:24 PM*)

D.P.O. MYSTAL:
Would all Legislators please report to the horseshoe?

LEG. ALDEN:
You want to do a roll call? All Legislators get back.

LEG. LOSQUADRO:
Would the Clerk call the roll for those present?

LEG. MONTANO:
Is Bill coming? Elie, call the roll.

D.P.O. MYSTAL:
Roll call.

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

LEG. ROMAINE:
Present.

LEG. SCHNEIDERMAN:

Here.

LEG. BROWNING:
Here.

LEG. BEEDENBENDER:
Here.

LEG. VILORIA-FISHER:
Here.

LEG. LOSQUADRO:
Present.

LEG. EDDINGTON:
Here.

LEG. MONTANO:
Present.

LEG. ALDEN:
Here.

LEG. BARRAGA:
Here.

LEG. KENNEDY:
Yes.

LEG. NOWICK:
Here.

LEG. HORSLEY:
(Not present).

LEG. STERN:
(Not Present).

LEG. D'AMARO:
Here.

LEG. COOPER:
Here.

D.P.O. MYSTAL:
Here.

P.O. LINDSAY:
(Not present).

MR. LAUBE:
Fifteen.

(*Legislators Horsley & Stern entered the meeting at 12:25 P.M.*)

MR. LAUBE:

Seventeen (Not Present: Presiding Officer Lindsay).

D.P.O. MYSTAL:
We have one veto in front of us which is on IR -- what is it?

LEG. VILORIA-FISHER:
1353.

D.P.O. MYSTAL:
Thank you, 1353. We have a motion, it's been seconded already?

MR. NOLAN:
This is the Prompt Payment.

D.P.O. MYSTAL:
Prompt Payment, yes. Roll call.

LEG. BEEDENBENDER:
On the motion.

D.P.O. MYSTAL:
On the motion.

LEG. BEEDENBENDER:
Just if I could have the Legislature's indulgence. Since this was passed and discussed before I was a member of the body, if I just might take 30 seconds. My -- I agree that this issue has been addressed extensively since the Legislature first brought it up, but my concern -- and I think the day-care providers are in a special situation, but my concern is that this is such a stringent requirement. I'm not looking for a loophole to drive a truck through, but I think it doesn't address the fact that there's some great concerns if, you know, something as foolish as the division gets the flu or the sales tax is withheld again or God forbid this economic downtown does become a reality.

UNKNOWN AUDIENCE MEMBER:
So you don't get paid.

LEG. BEEDENBENDER:
I think it doesn't address, you know, the concern that we would be penalizing -- you know, we're paying tax dollars and interest -- for those situations. And like I said, I'm not looking for an overriding big loophole that we could take advantage of in every situation, but I think we have a duty to the taxpayers to make sure that we are also -- and I understand that some of these -- the child care providers are taxpayers as well, but I think we have a duty to the County as a whole to make sure that, you know, we can -- we are protected in situations that are outside of our control.

D.P.O. MYSTAL:
Thank you.

LEG. VILORIA-FISHER:
Roll call.

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

LEG. ROMAINE:
Yes to override.

LEG. VILORIA-FISHER:
Yes to override.

LEG. COOPER:
Yes.

LEG. D'AMARO:
Yes to override.

LEG. STERN:
Yes.

LEG. HORSLEY:
Yes.

LEG. NOWICK:
Yes.

LEG. KENNEDY:
Yes.

LEG. BARRAGA:
Yes.

LEG. ALDEN:
Yes.

LEG. MONTANO:
Yes to override.

LEG. EDDINGTON:
Yes.

LEG. LOSQUADRO:
Yes.

LEG. BEEDENBENDER:
No.

LEG. BROWNING:
Yes to override.

LEG. SCHNEIDERMAN:
Absolutely, yes.

D.P.O. MYSTAL:
Yes.

P.O. LINDSAY:
(Not present).

MR. LAUBE:
Sixteen (Opposed: Legislator Beedenbender - Not Present: Presiding Officer Lindsay).

Applause and Cheers From Audience

LEG. KENNEDY:
Mr. Chair?

D.P.O. MYSTAL:
Yes.

LEG. KENNEDY:
We -- can I now make that same request in order to entertain the override of the veto for the planning steps resolution for the Bavarian Inn?

D.P.O. MYSTAL:
Yes, you can.

MR. NOLAN:
That's resolution --

LEG. ALDEN:
Same motion, same second.

D.P.O. MYSTAL:
Kate, stay in, we have one more vote.

UNKNOWN AUDIENCE MEMBER:
Thank you, everyone.

MR. NOLAN:
Elie?

LEG. MONTANO:
Can I second it?

D.P.O. MYSTAL:
You can second it if you want. Seconded by Legislator Montano to override the Bavarian --

MR. NOLAN:
Let me just -- that's Resolution 1367.

D.P.O. MYSTAL:
1367, okay? Roll call.

LEG. BEEDENBENDER:
On the motion, Mr. Chairman?

D.P.O. MYSTAL:
On the motion.

LEG. BEEDENBENDER:
If you can indulge me again for the same reason as before?

D.P.O. MYSTAL:
Go right ahead.

LEG. BEEDENBENDER:
One of my major concerns with this is that, you know, we have a $322 million pot that the County taxpayers just approved, and I think using it for blight removal is a little bit different. But that being said, I will vote for the approval of the planning steps but with two reservations. Number one, I don't think that the County should at any point, even if we don't pay for it, take on the liability to the taxpayers of cleaning up this property or demolishing the building.

LEG. LOSQUADRO:
Mr. Chairman?

LEG. BEEDENBENDER:
So I would ask that, you know, before we vote for the acquisition, that the owner take the responsibility for cleaning up and demolishing it. Now, I understand we won't pay for it to the owner, but in the end, if we take title we've taken the liability on to the taxpayers and we also will have to in the end pay out of tax money to demolish the building and clean it up, which I don't think is a good idea considering it's just stressed lands.

And second, I'd like to see that whatever plan that comes -- excuse me. I'd like to see whatever plan that comes forward not include any development on the site for the very reason that all the environmentalists have said that if you want to remediate the lake, the storm water runoff is the worst part. So any parking lot, any development in that area will not mitigate the storm water runoff that's polluting the lake.

So with those two reservations and the understanding that I will not vote for the acquisition at that time, I'll approve the planning steps right now so we can go ahead and look at that. But the County taxpayers should never assume the liability for cleaning this up and the fines that can be incurred or the -- or you know, if we take title and kids end up playing in the building, which they are now, and somebody gets hurt, the taxpayers have that liability. So I would like the owner to demolish the building and clean it up himself and then I think it would be a good acquisition. So with those reservations, I will support it but it's important that those comments are on the record.

D.P.O. MYSTAL:
Legislator Stern.

LEG. STERN:
Yes, thank you, Mr. Chairman. I agree entirely with Legislator Beedenbender. I originally had voted in opposition to this resolution and I did so for a couple of reasons, but I think most importantly because although I agree with Legislator Kennedy's efforts here and I certainly agree with many of the speakers here today and how critically important this area is to not just the local environment but to all of us in Suffolk County.

You know, it was interesting when the gentleman put the big map up of Lake Ronkonkoma, I remember back, I probably -- I'm going to throw out this bet that I'm probably the only one sitting at the horseshoe that swam Lake Ronkonkoma there and back without stopping. So I'm very familiar with the area, I know how important it is to the local area and how important it can be to the local environment and the local economy. But I do have reservations behind this purchase, reservations as to why we're purchasing it and how we're going about that.

I believe that ultimately Suffolk County will have been able to take title to this property because of some of the other issues that are going on. So I think that as watchdogs of taxpayer dollars, I think all of us always need to think about our responsibility on the fiscal impact of these purchases. But I think that Legislator Kennedy ultimately makes a compelling argument, that from an environmental standpoint that for us to sit and wait until all of this has the opportunity to play out, that might just be too much time and I'm not willing to take that kind of a risk.

I'll support the planning steps resolution, but like my colleague Legislator Beedenbender, I'll reserve judgment when it comes time for an authorization.

D.P.O. MYSTAL:
Legislator Losquadro?

LEG. LOSQUADRO:
Thank you. And to address Legislator Beedenbender's concerns, as a member of the Environmental

Trust Review Board since its inception, the issue of demolition of structures, this property is intended to be acquired as open space and we actually have a professional person on staff that gives us estimates on the demolition of existing structures and any environmental remediation that would have to take place. So that burden would not be on the taxpayers and what we would do is either, A, give the owner the option to do the demolition and remediation himself at his own cost, we would pay him the full-fee value, or we would pay for the value less the cost that we estimate to clean the land up and do all of the demolition. So either way it comes off of the top for this acquisition. So that really is no concern, it would not be a burden on the taxpayers in any way because this property is intended to be used as open space or for recreational purposes and any future planning would have to incorporate permeable surfaces if there were going to be any parking areas or anything of that nature because of its proximity to the water. Thank you.

D.P.O. MYSTAL:
Thank you. Legislator Nowick?

LEG. NOWICK:
Actually I wanted to bring up the same point that Legislator Losquadro did bring up. I also sit on Environmental Trust Review, so he's already said it. Thank you.

D.P.O. MYSTAL:
Thank you. Roll call.

LEG. BEEDENBENDER:
Just through the Chair, just so I can respond; I'm sorry. I'm not trying to extend the debate.

LEG. LOSQUADRO:
(Inaudible).

LEG. BEEDENBENDER:
No, I understand. And it's been made, that point's been made to me many times, you're right, we would not pay the owner for the cost of the demolition and we wouldn't pay the owner for the cost of whatever it was to clean it up. But if we take title, now we own it and it still needs to be demolished and we still need to clean it up, so as the County we would still have to pay for it.

LEG. ALDEN:
No.

LEG. NOWICK:
No.

LEG. LOSQUADRO:
No, it comes off --

LEG. VILORIA-FISHER:
Mr. Chair, may I correct that?

D.P.O. MYSTAL:
Okay, I have Legislator Viloria-Fisher.

LEG. VILORIA-FISHER:
As was explained, we will -- we do not have to be -- we do not have to be burdened with the demolition costs. That is how we approach an acquisition, the demolition is put upon the owner from whom we are buying it, that's number one.

Number two, regarding the environmental impact, before we take title, before we acquire we have to do at least a phase I assessment and then move further if we find that there is -- if there's any

remediation that needs to be done, we would move into a phase II. So we as a County protect the taxpayers' investment in these properties. We are not burdened with the demolition and we are not burdened with the environmental clean-up; we wouldn't take title if there were environmental degradation.

LEG. ROMAINE:
Roll call.

D.P.O. MYSTAL:
You want a roll call?

LEG. KENNEDY:
Let's go to roll call.

D.P.O. MYSTAL:
Roll call.

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

LEG. KENNEDY:
Yes.

LEG. MONTANO:
Yes.

LEG. COOPER:
Yes.

LEG. D'AMARO:
Yes.

LEG. STERN:
Yes.

LEG. HORSLEY:
Yes.

LEG. NOWICK:
Yes.

LEG. BARRAGA:
No.

LEG. ALDEN:
Yes.

LEG. EDDINGTON:
Yes.

LEG. LOSQUADRO:
Yes to override.

LEG. VILORIA-FISHER:
Yes.

LEG. BEEDENBENDER:

Yes.

LEG. BROWNING:
Yes.

LEG. SCHNEIDERMAN:
Yes.

LEG. ROMAINE:
Yes.

D.P.O. MYSTAL:
Yes.

P.O. LINDSAY:
(Not present).

MR. LAUBE:
Sixteen (Opposed: Legislator Barraga - Not Present: Presiding Officer Lindsay).

LEG. KENNEDY:
Thank you.

D.P.O. MYSTAL:
We are adjourned until 2:30. We will have an Executive Session --

MR. NOLAN:
After the Public Hearings.

D.P.O. MYSTAL:
After the Public Hearings, we'll have the Executive Session before -- well, after the Public Hearings. See you back at 2:30

(*The meeting was recessed at 12:36 P.M. and reconvened at 2:30 P.M.*)

(*The following was taken & transcribed by
Lucia Braaten - Court Stenographer*)

D.P.O. MYSTAL:
Mr. Clerk, would you call the roll, please?

MR. LAUBE:
Good afternoon.

LEG. ROMAINE:
(Not Present)

LEG. SCHNEIDERMAN:
(Not Present)

LEG. BROWNING:
Here.

LEG. BEEDENBENDER:
Here.

LEG. VILORIA-FISHER:
Here.

LEG. LOSQUADRO:
Present.

LEG. EDDINGTON:
Here.

LEG. MONTANO:
Here.

LEG. ALDEN:
Here.

LEG. BARRAGA:
Here.

LEG. KENNEDY:
(Not Present)

LEG. NOWICK:
Here.

LEG. HORSLEY:
(Not Present)

LEG. STERN:
Here.

LEG. COOPER:
(Not Present)

D.P.O. MYSTAL:
Horsley and Romaine.

(*Legislators Horsley & Romaine entered the meeting at 2:30 P.M.*)

LEG. D'AMARO:
Here.

D.P.O. MYSTAL:
Here.

LEG. ROMAINE:
Here.

MR. LAUBE:
Fourteen. (Not Present: Legs. Schneiderman, Kennedy, Cooper and P.O. Lindsay)

D.P.O. MYSTAL:
Mr. Clerk, have the affidavits for all the public hearings been posted and in order?

MR. LAUBE:
Yes, they have.

D.P.O. MYSTAL:
Okay. We're going to start the public -- first, we have to close the public portion. I make a motion to close the public portion.

LEG. LOSQUADRO:
Second.

D.P.O. MYSTAL:
Seconded by Legislator Losquadro. All in favor? No? Abstentions? Okay. The public portion is closed.

MR. LAUBE:
Fourteen. (Not Present: Legs. Schneiderman, Kennedy, Cooper and P.O. Lindsay)

D.P.O. MYSTAL:
We are now going to go into public hearings. The first ***Public Hearing, Resolution IR 1006 - A Charter Law to streamline the process by which resolutions and Local Laws are introduced.*** Do we have any speakers on that resolution? Seeing none, I'll take a motion to close the public hearing.

LEG. ALDEN:
Motion to close.

LEG. ROMAINE:
Motion to close.

D.P.O. MYSTAL:
Do you have them?

MR. LAUBE:
Yeah. Just call their name out, recognize them, and then I'll be able to --

D.P.O. MYSTAL:
Legislator Alden and seconded by --

LEG. ROMAINE:
Romaine.

D.P.O. MYSTAL:
Romaine?

MR. LAUBE:
Thank you.

D.P.O. MYSTAL:
All in favor of closing that public hearing? Opposed? Abstention?

MR. LAUBE:
Fourteen. (Not Present: Legs. Schneiderman, Kennedy, Cooper and P.O. Lindsay)

D.P.O. MYSTAL:
1006 is closed.

IR 1007 - A Local Law to expand qualifications for Vanderbilt Museum Trustees. Anybody

to speak on that? Seeing no, I take a motion to --

LEG. BROWNING:
We have one speaker?

D.P.O. MYSTAL:
You want to speak? Oh, go ahead, come on.

LEG. EDDINGTON:
One speaker.

D.P.O. MYSTAL:
Go ahead.

MS. HART:
Good afternoon. Yes, hello. Carol Ghiorsi Hart, Acting Director. Just if you have any questions, we're requesting that the Local Law expand qualifications required for Museum Trustees to include a record of philanthropy and fund-raising.

D.P.O. MYSTAL:
Question?

LEG. VILORIA-FISHER:
No question, sounds good.

D.P.O. MYSTAL:
There are no questions.

LEG. D'AMARO:
Motion to close.

LEG. BEEDENBENDER:
Second.

D.P.O. MYSTAL:
Motion to close by Legislator D'Amaro.

LEG. BEEDENBENDER:
Second.

D.P.O. MYSTAL:
Seconded by Legislator Beedenbender. All in favor? Opposed? Abstentions? Motion is closed.

MR. LAUBE:
Fourteen. (Not Present: Legs. Schneiderman, Kennedy, Cooper and P.O. Lindsay)

D.P.O. MYSTAL:
IR 1027-08 - A Charter Law to promote accountability and transparency in government by requiring an agency oversight report. Anybody to speak on -- Cheryl Felice.

MS. FELICE:
Thank you, Deputy Presiding Officer. Good afternoon and Happy New Year to the Legislature. I look forward to another productive year on behalf of AME, along with the Legislature.

I'm here to speak on behalf of resolution 1027, and, also, we will stand in support of Introductory

Resolution No. 1033, establishing Prompt Payment, and also 1035, establishing notification requirements for consultant contracts.

But, with reference to creating a Charter Law to promote accountability and transparency, the Association of Municipal Employees is requesting that an agency oversight report be prepared by the County Executive's Budget Office for the purpose of monitoring departmental workloads and caseloads.

Accountability and transparency regarding departmental level performance is critical to making sound and rational and enlightened budget decisions. This data would provide the County Executive, the Legislature, our citizens, and all interested parties with one set of statistics for which to consistently report on in an ongoing basis to report on the accomplishments, workloads and caseloads with regards to staffing. It is necessary that we have this information, which is critical to budget decision-making. AME encourages that we need this legislation now, and we need to act before disaster occurs, and not let for -- not wait for tragedy to strike, and tragedy that would affect the welfare of the employees and the constituents they serve. We encourage the Legislature to act wise and not be pennywise and pound foolish.

I did -- I do want to say, however, that I did receive a letter from Legislator Cooper today that he received from County Executive Levy indicating that they are willing to provide more information to the Legislature with regards to vacancies and staffing levels. And I have to say I'm encouraged to see this letter, but I'm not overly optimistic at this point. We have been advocating on the staffing levels for the last two years and it's at a point where it's critical.

Also in the package that should be distributed to all the Legislators is AME's budget analysis that we had done. And we also supply a report to the Legislature, so that you have it to look through throughout the year. It's a report where we analyze, independently analyze the Suffolk County budget and take testimony from our members, testimony that's included in the report for you to review, and the testimony will tell you just how debilitating the conditions are in some of these work sites. And we ask that you take the time to review it, and we remain available to discuss any portion of the report with you. Thank you.

D.P.O. MYSTAL:
Thank you. Don't leave, we have a couple of questions for you.

MS. FELICE:
Okay.

D.P.O. MYSTAL:
Legislator Romaine.

LEG. ROMAINE:
Just a very quick question. You mentioned a letter from the County Executive Levy. Was this the bill he was writing a letter to the editor about -- that appeared in Suffolk Life?

MS. FELICE:
Actually, no, Legislator Romaine.

LEG. ROMAINE:
It was another one?

MS. FELICE:
This is another -- an unrelated matter.

LEG. ROMAINE:
I was trying to figure out which the bill was, and I wish he named whoever the Legislator was,

because I caught a lot of blame for it and I'm thinking I didn't do anything in that case, you know.

MS. FELICE:
You catch a lot of the blame for our reports.

LEG. ROMAINE:
Okay. Thank you very much.

MS. FELICE:
You're very welcome.

D.P.O. MYSTAL:
Anybody else? Thank you very much, Ms. Felice.

MS. FELICE:
Thank you so much.

D.P.O. MYSTAL:
I have been asked by the sponsor of this bill to recess this public hearing. I make the motion to recess, seconded by --

LEG. LOSQUADRO:
Second.

D.P.O. MYSTAL:
Legislator Losquadro. All in favor? Opposed? Abstentions? The bill is recessed.

I.R. 1032- Local Law in relation to disposition of auction properties. I don't have any cards. Anybody else wish to address this resolution? Seeing none --

LEG. BROWNING:
Motion to close.

D.P.O. MYSTAL:
Motion to close by --

LEG. ROMAINE:
Second.

D. P.O. MYSTAL:
-- Legislator Browning. Seconded by --

MR. NOLAN:
Wait, wait, wait.

D.P.O. MYSTAL:
What?

MR. NOLAN:
Recess.

LEG. BROWNING:
Oh, we're going to have to recess again?

D.P.O. MYSTAL:

You want to recess it.

LEG. BROWNING:
Oh, I apologize.

D.P.O. MYSTAL:
You want to recess it?

LEG. BROWNING:
Okay. Motion to recess.

D. P.O. MYSTAL:
Motion to recess by Legislator Browning, seconded by --

LEG. ROMAINE:
I'll second.

LEG. ALDEN:
Legislator Romaine. All in favor? Opposed? Abstentions?
The motion is recessed.

MR. LAUBE:
Fifteen (Not Present: Legislators Kennedy, Cooper & Lindsay).

D. P.O. MYSTAL:
1033 - A Local Law to establish a Prompt Contracting Policy for not-for-profit organizations. I don't have any cards. Anybody wish to address this public hearing? Seeing none, I'll take a motion.

LEG. MONTANO:
Motion to recess.

D. P.O. MYSTAL:
Motion to recess by Legislator Montano, seconded by myself. All in favor? Opposed? Abstentions?

MR. LAUBE:
Fifteen (Not Present: Legislators Kennedy, Cooper & Lindsay).

D.P.O. MYSTAL:
Motion is recessed.

IR 1035 - A Local Law to establish a notification requirement for consultant contracts.
Anybody wish to address this public hearing? I don't have any cards. Mr. Montano, what's your motion, then?

LEG. MONTANO:
Motion to close.

D. P.O. MYSTAL:
Motion to close 1033, seconded by --

LEG. MONTANO:
1035.

LEG. ALDEN:

Second.

MR. MONTANO:
1035.

D. P.O. MYSTAL:
1035.

LEG. ALDEN:
I'll second.

D.P.O. MYSTAL:
Seconded by Legislator Alden. All in favor? Opposed? Abstentions?

MR. LAUBE:
Fifteen (Not Present: Legislators Kennedy, Cooper & Lindsay).

D.P.O. MYSTAL:
Motion is closed. That's all the public hearings that we have. We're going to move to setting the date for the following Public Hearings, Tuesday, March 4th, 2008 at 2:30 PM, in the Rose Caracappa Auditorium, Hauppauge, New York:

IR 1038, a Local Law to prohibit the sale of Salvia -- what is that?

MR. NOLAN:
Salvia Divinorum.

D.P.O. MYSTAL:
Salvia Divinorum, okay. That hearing will be on March 4th, 2008.

I.R. 1044 - A Local Law to require Legislative Meetings at the County Seat, Riverhead. Do you want to continue that or you to withdraw that motion? To set for March 4th, 2008.

I.R. 1046 - A Local Law to prohibit text messaging while driving.

I.R. 1047 - A Local Law prohibiting sex offenders from residing in close proximity to senior housing.

I.R. 1048 - A Local Law to establish the Gabreski Airport Conservation and Assessment Committee.

I.R. 1049 - A Charter Law to strengthen the Water Quality Protection and Restoration Program.

I.R. 1054 - A Local Law to strengthen competitive procurement procedures and maximize savings for taxpayers.

I.R. 1055 - A Local Law to require notice to tenants of foreclosure proceedings.

I.R. 1064 - A Charter Law to clarify the budget process and restore flexibility in the allocation of sales tax revenue.

I.R. 1094 - A Local Law amending the Suffolk County Empire Zone boundaries to include Bactolac Pharmaceutical, Inc.

I.R. 1105 - A Local Law to promote fair business practices by strengthening requirements

for occupational licenses.

I.R. 1113 - A Local Law refining veterans property tax exemption afforded to Cold War Veterans. Those hearings will be set on March 4, 2008.

We have a couple of business that is unattended. We have one bill that we didn't speak -- we skipped over, which is a Tabled Resolution. It has to do with the Suffolk County designation of newspapers.

MR. LAUBE:
He has to call the vote?

D.P.O. MYSTAL:
There's no vote on it. Just set it for that day. I have a motion on 0011, to table that --

LEG. NOWICK:
I'll second it.

D.P.O. MYSTAL:
-- that resolution, seconded by Legislator Nowick. All in favor?

LEG. ROMAINE:
We're tabling -- what is this tabling?

D.P.O. MYSTAL:
The newspapers.

MR. NOLAN:
Number 11.

D.P.O. MYSTAL:
Number 11, the newspapers.

LEG. ROMAINE:
For the --

MR. MONTANO:
Republicans.

LEG. ROMAINE:
For the Republican Newspaper.

D.P.O. MYSTAL:
Yeah.

LEG. ROMAINE:
Why would we table this at this point?

LEG. LOSQUADRO:
I made a motion.

D.P.O. MYSTAL:
I didn't --

LEG. ROMAINE:

Oh, okay.

D.P.O. MYSTAL:
Your Minority Leader, you know, made a motion to, it's not me.

LEG. SCHNEIDERMAN:
Never mind.

D.P.O. MYSTAL:
Never mind. All in favor? Opposed? Abstentions? The motion is tabled.

MR. LAUBE:
Sixteen (Not Present: P.O. Lindsay and Leg. Kennedy).

LEG. ALDEN:
Yeah, wait, wait.

LEG. EDDINGTON:
You didn't want him to speak on this?

D.P.O. MYSTAL:
No, he didn't want to speak on it.

LEG. ROMAINE:
No.

MR. MONTANO:
He did, yeah.

D.P.O. MYSTAL:
Did you?

MR. SNEAD:
Yes.

D.P.O. MYSTAL:
Oh, I'm sorry, sir. We'll listen to you, sir.

MR. SNEAD:
I'm happy to come back when you -- the table date, if that helps you, or speak with you now, whatever you want.

LEG. ROMAINE:
Why don't you speak now and then maybe --

D.P.O. MYSTAL:
Since you're here, sir.

MR. SNEAD:
Good afternoon, Deputy Presiding Officer and Members of the Suffolk County Legislature. My name is Lee Snead. I am Counsel to the South Shore Press, Incorporated, which is the owner of the paper locally known as the South Shore Press. It's my understanding that this matter was brought on to be appointed as, I guess, the Republican side of the official newspapers. And on January 16th, we received a letter from the Legislature asking us several questions. We have responded to that letter point by point to establish why the South Shore Press should be considered and is qualified to be

considered an official newspaper of the County of Suffolk, pursuant to both State Law and pursuant to the Postal regulations. We have provided whatever information we thought relevant to the questions asked. I hope it is complete for your review. And to that extent, if anybody has any questions of me about the South Shore Press and its qualification to be an official newspaper, I'd be happy to address them at this time.

D.P.O. MYSTAL:
Anybody have any questions for Mr. Snead? Seeing none --

LEG. ROMAINE:
One question.

D.P.O. MYSTAL:
Uh-oh, at the last moment.

LEG. ROMAINE:
One question. Does South Shore Press meet the legal qualifications to be an official newspaper of this County?

MR. SNEAD:
It absolutely does. The requirements under both the Public Officers Law and under the General Construction Law require that the paper be -- have a paid subscription base, which it does, and that it be registered with the postal office pursuant to the postal regulations. Now there may be some question here because the statutes of the State of New York use the term "second-class matter" and that was, in fact, the classification at the time the statute was drafted. However, in 1996, the United States Postal Service changed that classification. They no longer call it second-class mailing or second-class permit, they call it a periodical, and this class, this classification applies to the South Shore Press. We have provided in packets to you information identifying that from 2000, it's original notification. We have the statement of qualifications provided to the Legislature last year in October, which was part of the County contract last year with the South Shore Press that indicate that it has that designation, and we have provided as recently as two weeks ago a paid receipt to the post office, so to speak, indicating that it is a periodical fully capable of being used as an official newspaper.

LEG. ROMAINE:
Thank you.

D.P.O. MYSTAL:
Legislator Losquadro?

LEG. LOSQUADRO:
Yes.

MR. SNEAD:
If there are no other questions, I'd be --

LEG. LOSQUADRO:
Just very quickly. Regarding that postal permit, I had heard something within that statute, and if you could, please, maybe enlighten us. Is there a requirement for a duration of time that the -- that that newspaper has to have that Postal permit in place?

MR. SNEAD:
Yes. It must be -- well, it must be a newspaper with a paid circulation in operation for over one year, that's the statute. It then must be --

LEG. LOSQUADRO:

And the meets that qualification?

MR. SNEAD:
And it does meet that qualification. It's been in operation for over 24 years. The present -- the parent company of the paper, so to speak, bought the paper in 2005 under the name South Shore Press, Incorporated. It has continued, obviously, since that date and has been designated by this body as an official newspaper for many, many years.

The issue of the postal regulations goes only to whether or not it qualifies for periodical bulk mailing under the postal regulations, and under the Domestic Mailing Manual 707, it clearly qualifies for that, and that is the authorization we have from the post office.

LEG. LOSQUADRO:
Thank you.

MR. SNEAD:
Thank you for your time, and a pleasure to appear.

D.P.O. MYSTAL:
Thank you. We've already taken a vote on that, so we're going to move to the CN's. Everybody ready for the CN's? We've got the red packet. Okay.

1136 - Accepting and appropriating 100% reimbursable State grant funds for a performance based grant fund from the New York State Office for Aging for a New York connects point of entry for long-term care program.

LEG. STERN:
Motion to approve.

LEG. COOPER:
Second.

D.P.O. MYSTAL:
Motion to approve by Legislator Stern, seconded by Legislator Viloria-Fisher.

LEG. LOSQUADRO:
On the motion.

D.P.O. MYSTAL:
On the motion.

LEG. LOSQUADRO:
Just to Counsel. Was there only one respondent on this?

MR. NOLAN:
This is a grant.

D.P.O. MYSTAL:
This is a grant.

LEG. LOSQUADRO:
There was an RFP?

MR. MONTANO:
That's the other one.

LEG. ROMAINE:
That's the other one.

LEG. LOSQUADRO:
That's the other one? Okay. Thank you.

LEG. ROMAINE:
We were talking about that one.

MR. NOLAN:
Right. That's later in the packet.

D.P.O. MYSTAL:
All in favor? Opposed? Abstentions? 1136 is approved.

MR. LAUBE:
Seventeen.

D.P.O. MYSTAL:
1137.

MR. LAUBE:
Sixteen, check that. (Not Present: Leg. Lindsay)

D.P.O. MYSTAL:
Okay. ***(1137) Requesting Legislative approval of a contract award for centralized appointment scheduling services for the Department of Health Services, Division of Patient Care Services.*** Okay. I make a motion to approve, seconded by Legislator Beedenbender.

LEG. KENNEDY:
On the motion, Mr. Chair?

D.P.O. MYSTAL:
On the motion, Mr. Kennedy.

LEG. KENNEDY:
Well, I'll yield.

LEG. LOSQUADRO:
Yeah, a question. No, you can ask it.

LEG. KENNEDY:
Legislator Losquadro had a question. I also similarly are wondering why we're looking at this under a CN, and, you know, what the explanation with the contract is.

D.P.O. MYSTAL:
Mr. Zwirn, do you have any answers?

MR. ZWIRN:
There are two of them that have -- they was only one respondent to the RFP. And it's time constraints, because of the meeting schedules. We wanted -- just don't have a disruption in service. One is for the
John J. Foley Center for Oral Surgery, and the other one was for appointments. Was it DSS?

MR. KOVESDY:

No, it's for the health centers.

MR. ZWIRN:
For the health centers. There were only two -- both of them only got one respondent.

LEG. KENNEDY:
My understanding, and I'm going to divert to BRO, if I can, at this point, I was under the impression that there was a fairly comprehensive piece of software that hadn't been deployed for not only patient scheduling, but also electronic record recording, and a variety of different things throughout the Health Department and the various health centers. Is this something that augments that -- does it supplant it? How does that interrelate with the existing software?

MS. VIZZINI:
I don't really know the answer to that question. I can tell you that when we did some research in terms of the time frames for making an appointment, that Medfone is the current provider or was the current provider at the time we did the research. I would defer to Mr. Kovesdy, if he can add anything or respond to your question.

LEG. KENNEDY:
Thank you.

MR. KOVESDY:
Good afternoon. Originally --

D.P.O. MYSTAL:
Go ahead, sir.

MR. KOVESDY:
Would you like me to respond?

D.P.O. MYSTAL:
Yes, sir.

MR. KOVESDY:
Okay. Yeah, originally, the Health Department, when it went to electronic medical records, had two programs. One of them was for the internal back office work, the second one was for scheduling. The department found that it would be easier and less time consuming and cheaper if they gave the scheduling out to a third party, Medfone, who backed into the system.

Electronic medical records, while it was part of the organization bid, it never actually -- excuse me. Timing is everything. It never actually happened, so, at this point in time, there's no electronic medical records. They're still investigating that. But this was a way of saving money and staff at the same time. They're currently doing it. It's on a sliding scale based on the number of phone calls that come in.

LEG. KENNEDY:
Well -- so, then, am I to understand that we no longer use whatever that other piece of software in the health centers was? If we're saving money by now, looking to procure or expend 20,000 for this appointment process, did we terminate that other software application?

MR. KOVESDY:
No, we still had the scheduling piece. They just provide the answering of the telephones that goes into the scheduling piece. It was a link that made it easier at the health centers for scheduling, John.

LEG. KENNEDY:

Okay. I appreciate that explanation, although I'm not fully comprehending it. And, Gail, I guess I'm going to go back to you again. Is there any additional information that BRO has for us on this?

MS. VIZZINI:
I'm at somewhat of a disadvantage because it's a CN. I didn't -- I really can't add to the discussion.

LEG. KENNEDY:
Well, that's ironic. I think the rest of us are at that same disadvantage. I'm going to -- I'm going to defer to Chair and I'm going to say quite candidly, Mr. Chair, or Mr. Acting Chair, I don't see the urgency of this, and I'm wondering whether or not it might benefit from the committee process.

D.P.O. MYSTAL:
Mr. Romaine. And, Mr. Zwirn, don't leave yet.

LEG. ROMAINE:
Yes.

D.P.O. MYSTAL:
Mr. Romaine?

LEG. ROMAINE:
Yes. Mr. Kovesdy or Mr. Zwirn, whoever, what was the ultimate bid in terms of dollar amount, when it exceeds 20,000, but you didn't tell us the amount? What's the amount of this contract?

MR. KOVESDY:
We have asked the Health Department to bring the sheet. It's a sliding scale. They're on their way with the sliding scale now.

LEG. ROMAINE:
This was the contractor for the past few years?

MR. KOVESDY:
Yes, sir.

LEG. ROMAINE:
What did we pay last year for this contract?

MR. KOVESDY:
I have no idea. It depends upon how many phone calls come in.

LEG. ROMAINE:
You don't have the information? But you know what you paid last year. Whether it's a sliding scale or not, you know what the cumulative outlay of dollars was in 2007.

MR. KOVESDY:
I don't have --

LEG. ROMAINE:
You should. I mean, you're coming here asking us to approve this.

MR. KOVESDY:
I don't have that information in front of me.

LEG. ROMAINE:
Let me ask you, how many people were in on the list that this RFP was sent out to?

LEG. LOSQUADRO:
Three

LEG. ROMAINE:
Three. And what determination was it that it was only sent to those three?

MR. KOVESDY:
I have no idea. It was advertised, and these were the people who could provide the service professionally.

LEG. ROMAINE:
Okay.

MR. KOVESDY:
I can't speak for the Health Department. I'm sorry.

LEG. ROMAINE:
Now, my understanding is that they are to provide a service that would set up appointments for those seeking -- I'm sorry. For those seeking appointments at various health centers; is that correct?

MR. KOVESDY:
If I might, we're going to ask the -- for the Deputy Commissioner of Health to come down and to answer your questions. He has a better knowledge than I do.

LEG. ROMAINE:
Okay. I don't want to put you on the spot. I have a number of other questions. But, you know what, at this point --

D.P.O. MYSTAL:
Can we skip that and come back to it when the people are here?

LEG. ROMAINE:
Absolutely, Mr. Presiding Officer -- Deputy Presiding Officer or Acting Presiding Officer. But if the answers aren't there, I would concur with my colleague, Mr. Kennedy, that this would probably benefit by going through the committee process.

D.P.O. MYSTAL:
Well, I'm going to skip that resolution and wait for -- await the --

MR. KOVESDY:
We're going to get somebody for you.

D.P.O. MYSTAL:
-- arrival. Okay? So we'll skip that and we'll come back to it. Okay. We're moving to ***1138 - Accepting and appropriating 100% additional State Grant Funds from the New York State Office of Alcoholism, Substance Abuse Services to the Suffolk County Department of Health Services for St. Christopher Ottilie Family of Services.***

LEG. LOSQUADRO:
Motion.

D.P.O. MYSTAL:
Motion by Legislator Losquadro.

LEG. KENNEDY:

Second.

D.P.O. MYSTAL:
Seconded by Legislator Kennedy. All in favor? Opposed? Abstentions?

MR. LAUBE:
Seventeen.

D.P.O. MYSTAL:
1138 is approved.

D.P.O. VILORIA-FISHER:
St. Christopher Ottilie, yeah, we --

D.P.O. MYSTAL:
St Christopher. ***1139-08 - Accepting and appropriating 100% additional State Grant Funds from the New York State Department of Health to Department of Health Services, Division of Preventive Medicine -- Preventive Medicine for the provision of the cost of living adjustment for the Tobacco Enforcement Program, and to approve the purchase of one replacement vehicle in accordance with Section B(6) of the Suffolk County Code, and in accordance with the County Vehicle Standard.*** And I'll take a motion.

LEG. BARRAGA:
Motion.

D.P.O. MYSTAL:
Motion to approve by Legislator Barraga, seconded by Legislator Eddington.

LEG. ALDEN:
On the motion.

D.P.O. MYSTAL:
On the motion, Legislator Alden.

LEG. ALDEN:
Ben, are you familiar with the program? This is an anti-smoking program, right?

MR. ZWIRN:
Yes. This is the sting operations where they -- where they go out and they send out youngsters into the community to go to different grocery stores, convenience stores, where they watch from a distance. This vehicle is to replace a vehicle that has been decommissioned. It is a hybrid SUV in this particular case, because they do Fire Island, and they also go and do surveillance behind some of these stores, and sometimes go into the woods, so they asked for a four-wheel drive vehicle, something that would not necessarily, you know, stand out like, say, a Prius or something like that, which was a -- which is a hybrid as well.

LEG. ALDEN:
Would the vehicles that are seized under some of the drug enforcement that we do in the County, would they qualify for this?

MR. ZWIRN:
That I'm not aware of, but this was a grant that we received, and right now, I think the Police are being used to use their vehicles to move these youngsters around for the sting operations. This would provide a vehicle, but also allow for them to put the photography equipment in the back, so that they -- because they use film for -- and video for when they do their operations.

LEG. ALDEN:
This grant can only be used for the vehicle?

MR. ZWIRN:
It's for this particular program, right.

LEG. ALDEN:
I thought the grant could have been used for programs also.

MR. ZWIRN:
It's an 11,000 -- it was almost a $12,000 grant that I believe is to be used for this particular purpose.

D.P.O. MYSTAL:
Legislator Losquadro?

LEG. LOSQUADRO:
Thank you. I think you answered my question. I was going to say that a regular sedan actually gets better -- a regular fuel sedan actually gets better gas mileage than a hybrid SUV, but I think you answered the question with the amount of space needed for the surveillance equipment, requires a truck with a cargo area for the back.

MR. ZWIRN:
That was --

LEG. LOSQUADRO:
So this would be the most fuel efficient option, then.

MR. ZWIRN:
They're trying to keep in -- conform to the County's policy on --

LEG. LOSQUADRO:
Yes.

MR. ZWIRN:
-- on fuel-efficient vehicles, and also meet the requirements of the program.

LEG. LOSQUADRO:
Good. Thank you.

MR. ZWIRN:
And this grant has to be used by the end of March, so they'd like to be able to move as quickly as possible. That's why we're here with a CN.

D.P.O. MYSTAL:
Legislator Alden.

LEG. ALDEN:
Ben, do you anticipate more money going towards the purchase of this vehicle than the 11,000 that's in this --

MR. ZWIRN:
That I don't know. I would think yes, because I don't think you can buy just about anything for 11,700.

LEG. ALDEN:

So we're actually going to take money away from the programs to buy the vehicle, then, because this would come out of the general funds of the tobacco.

MR. ZWIRN:
Well, I think the money is there in the budget, and this is a pretty worthwhile program. I think everybody would agree that this has really been very helpful in curtailing the amount of cigarettes being sold to underage individuals.

LEG. ALDEN:
Yeah. I'm just thinking that, you know, we do have vehicles that are seized and a lot of times involved in drug sales and things like that, and some of those are actually four-wheel drive vehicles, so I don't know if that was explored or not.

MR. ZWIRN:
I don't have the answer to that.

LEG. ALDEN:
Okay. Because this doesn't seem -- it seems like free money, but it's not.

D.P.O. MYSTAL:
Okay. Anybody else? I have a motion and a second. I'll call the vote. All in favor? Opposed?

LEG. ALDEN:
Abstain.

D.P.O. MYSTAL:
Abstention? One abstention. Alden is abstaining.

MR. LAUBE:
Sixteen (Abstention: Legislator Alden - Not Present: Presiding Officer Lindsay).

D.P.O. MYSTAL:
Motion is approved.

1140 - Requesting Legislative approval of a contract award for oral surgery services for the Department of Health Services, John J. Foley Skilled Nursing Facility.

LEG. VILORIA-FISHER:
Motion.

D.P.O. MYSTAL:
Motion to approve, second -- by Legislator Viloria-Fisher, seconded by Legislator Romaine. On the motion?

LEG. LOSQUADRO:
On the motion.

D.P.O. MYSTAL:
On the motion, Legislator Losquadro.

LEG. LOSQUADRO:
This is also a contract with only one respondent?

MR. ZWIRN:
That's correct.

LEG. LOSQUADRO:
When we -- this one, I'm seeing we mailed -- we only had four interested parties that we even mailed to?

MR. ZWIRN:
That's correct.

LEG. LOSQUADRO:
I'm just wondering why. So is this a very specialized area? I would expect more respondents, or, I guess, from what we're seeing here, not too many people are interested in doing business with the County. Maybe it has something to do with how long it takes us to pay them. I don't know, maybe just a thought. Sorry, Ben, I couldn't help myself.

MR. ZWIRN:
Well, that's --

LEG. LOSQUADRO:
I'll --

LEG. SCHNEIDERMAN:
I don't see Ben laughing.

LEG. LOSQUADRO:
-- turn it over to Legislator Romaine. I know he had a question.

LEG. VILORIA-FISHER:
He's laughing oh the inside.

LEG. LOSQUADRO:
Yeah, I can tell.

LEG. ROMAINE:
The last time I looked, most dentists or oral surgeons do have professional organizations within the County. Did we contact professional agencies that represent or that whose members might be oral surgeons to make them aware of this opening?

MR. ZWIRN:
I'm not aware that we use that method, but the Deputy Commissioner, I think, of Health is coming down, if you want to hold this, and she may be able to go through the process. I think that's certainly a fair question.

D.P.O. MYSTAL:
I would suggest we hold it until the Commissioner comes here, Deputy Commissioner comes. Okay. That's number two. Okay, we'll hold that one in abeyance.

1141 - Accepting and appropriating 100% additional State grant funds from the New York State Office of Alcoholism and Substance Abuse Services to the Suffolk County Department of Health Services for Hope For Youth, Inc. I make the motion to approve.

LEG. STERN:
Second.

D.P.O. MYSTAL:
Seconded by Legislator Stern. All in favor? Opposed? Abstentions?

MR. LAUBE:
Seventeen (Not Present: Presiding Officer Lindsay).

D.P.O. MYSTAL:
Motion to approve. While we are waiting for the Deputy to come, I'm going to set the date for the late-starters. I need a motion to waive the rules and lay on the table the late-starters. We're going to go back to them. So I'm just --

LEG. STERN:
Motion.

D.P.O. MYSTAL:
Motion by Legislator Stern.

LEG. LOSQUADRO:
Second.

D.P.O. MYSTAL:
Seconded by Legislator Losquadro. Okay.

1129 - Adopting a Local Law establishing crime prevention requirement for scrap metal processors; assigned to Public Safety. We'll set the hearing, Public Hearing for March 4th at 2:30 Joe -- in the Rose Caracappa -- I almost said Joe -- Rose Auditorium.

1130 - Authorizing planning steps for acquisition under Suffolk County Multifaceted Land Preservation Program; assigned to EPA.

1131 - Appropriating funds in connection with replacement of the GOTO Projector at the Vanderbilt Museum and Planetarium; assigned to Parks.

1132 - Amending the 2008 Capital Budget and Program and appropriating funds in connection with Safety Improvement at various intersections, CP 3301; assigned to Public Works.

1133 - Amending the 2008 Capital Budget and Program and appropriating funds in connection with reconstruction of CR 11, Pulaski Road, from Woodbury Road to Depot Road, Town of Huntington, CP 5168; assigned to Public Works.

1134 - Authorizing the sales of surplus property sold at the October 15th and October 16th, 2007 Auction pursuant to Local Law No. 13-1976 as per Exhibit "A", omnibus resolution; assigned to Ways and Means.

1135 - Authorizing acquisition of land under the Suffolk County Open Space Preservation Program for the Entwistle property - Miller Place-Yaphank Road, Town of Brookhaven; assigned to EPA.

1142 - Authorizing planning step for acquisition under the Suffolk County Environmental Legacy Program, Manzi property, Town of Riverhead; assigned to EPA.

1144 - Amending the adopted 2008 Operating Budget to transfer funds from Fund 477 Water Quality Protection, amending the 2008 Capital Budget and Program, and appropriating funds in connection with a three-year Bay Scallop Restoration Project; assigned to EPA.

I skipped one. 1143 - Adopting a Local Law to amend Resolution 1386-2007 to clarify application of individual water meter requirement; assigned to Health and Human

Services. And set the public hearing for March 4th, 2:30, at the Rose Caracappa Auditorium in Hauppauge, New York.

1145 - Approving the appointment of Ilene Cooper as a member of the Suffolk County Youth Board Coordinating Council representing Legislative District No. 16; assigned to Health and Human Services.

1146 - Amending the 2008 Capital Budget and Program and appropriating funds in connection with the Suffolk County Multifaceted Land Preservation Program and Workforce Housing Program; assigned to EPA.

1147 - Appropriating funds for the Suffolk County Environmental Legacy Fund; assigned to EPA.

Those are all the late-starters that we have. All in favor? Opposed? Abstentions? Late-starters are done.

MR. LAUBE:
Seventeen (Not Present: P.O. Lindsay).

D.P.O. MYSTAL:
Seventeen. Okay we still have -- we're still waiting for the Deputy Commissioner.

MR. ZWIRN:
They're on their way.

D.P.O. MYSTAL:
He's here?

MR. ZWIRN:
They're on their way. They should be here any minute.

D.P.O. MYSTAL:
They're on their way.

MR. ZWIRN:
We would ask your indulgence, so we can answer those questions, because those -- they're important approvals that we would need on this.

LEG. ROMAINE:
Mr. Chairman, I make a motion to commit 1137 to Health & Human Services Committee for review.

D.P.O. MYSTAL:
1137?

LEG. ROMAINE:
Yes. That's the one about --

D.P.O. MYSTAL:
That's one of the CN's?

LEG. ROMAINE:
Right, one of the CN's, the Medfone. Medfone.

MR. ZWIRN:
Can I just beg your indulgence, Mr. Chairman. They'll be here, they're on their way. They asked

the question and they'll be able to answer your questions, hopefully, Legislator Romaine.

D.P.O. MYSTAL:
Maybe we'll still assign it to -- well, should we go into Executive Session right now? I make a motion we go into Executive --

MR. ZWIRN:
They're parking.

D.P.O. MYSTAL:
He's in the parking lot.

LEG. ROMAINE:
Okay.

D.P.O. MYSTAL:
Okay. Never mind.

LEG. EDDINGTON:
Tell us a joke, Elie.

LEG. LOSQUADRO:
No, no.

D.P.O. MYSTAL:
Oh, I've got some good ones, too.

LEG. LOSQUADRO:
Oh, I know you do.

D.P.O. VILORIA-FISHER:
We're on the record.

D.P.O. MYSTAL:
Okay. If you have them, smoke them. Breathe in place, do some exercises.

Are we ready to answer some questions? Okay. We are on 1137, requesting Legislative approval of a contract award for centralized appointment scheduling services for the Department of Health Services, Division of Patient Care Services. There are many questions. I'm trying to remember who was first. I think Legislator Romaine, you were first up on your questions that you wanted answers.

LEG. KENNEDY:
Mr. Chairman, actually --

LEG. ROMAINE:
I think John Kennedy.

D.P.O. MYSTAL:
I'm sorry. Kennedy, Losquadro and then you.

LEG. ROMAINE:
Losquadro and then me, right.

LEG. KENNEDY:
Mr. Chairman, through the Acting Chair, the first question, I guess, I would pose to you, and then we could go through all the other ones, if you'd like to, at this point, but I know we have other

business, what is the urgency? Why are we looking at this as a CN right now? Why are we being asked to obviate the committee process, the normal Legislative process that we undertake for any matter that requires our attention? Tell me what the urgency is that for us not to go ahead and commit it to committee that we're going to encounter some kind of hardship on our clients or constituents. What is that?

MS. BERMEL:
The CN would allow us to have a resolution adopted, which would then authorize us to enter into an agreement with the sole respondent to the bid. So we cannot move forward with the contract until the resolution is adopted.

LEG. KENNEDY:
Well, then I appreciate that, thank you. But, as a matter of fact, that happens with everything that we do as far as contract goes. So, if we go to committee today, and assuming that the Department makes the case and it passes committee and that it passes in the beginning of March, there's a resolution that then authorizes the County Attorney's Office to commence a process that sometimes can take 12 to 18 months. I'm still unconvinced as to what the urgency is for today. Please, help me.

MS. BERMEL:
We're checking the date of the contract expiration, the term of the agreement. We're coming up on the expiration of the current agreement. In order to continue services for the health center patients, we would like to expedite the process.

LEG. KENNEDY:
Most every contract that we enter, though, with vendors usually has a continuation provision in it. In the event that there's some kind of a lapse, we usually get the opportunity to go ahead and continue on the terms that previously had been engaged. So, in other words, this isn't a brand new vendor, this is a vendor that we currently have engaged that currently provides a service for us. We're merely looking to renew, is that it?

MS. BERMEL:
That's correct, we're looking to enter into a new agreement with an existing vendor, correct.

LEG. KENNEDY:
I had questions for BRO earlier.

MR. ZWIRN:
I guess we'll get the information, Legislator Kennedy, but, you know, we've done CN's for -- you know, I mean, we did one for you not too long ago, was for a cemetery expansion, you know, and we did it because there was -- it was timeliness. These are for our health centers and for the John J. Foley. Just bear with us. We'll answer all your questions. Just, you know, we think this is just as important as the expansion for the cemetery was back when it was important to you.

LEG. KENNEDY:
Well, thank you, and I appreciate that. And I always appreciate the Administration seeing the importance of matters for the 12th Legislative District. However, I would respectfully disagree with you as far as this and that. In any event --

MR. ZWIRN:
We're trying to keep the people out of that cemetery by passing some of these resolutions today.

LEG. KENNEDY:
Well, I would be keeping the health centers in place, Ben. And I'm glad to hear that the Administration wants to do that, rather than cough up plans and sell them.

MR. ZWIRN:
Help us staff them.

LEG. ROMAINE:
Where's his snorkel gear?

LEG. KENNEDY:
That part's above water, thank you. Maybe we can talk in the interim, then, a little bit about the software that currently is in place with the health centers, Margaret, that actually addresses patient registration, patient appointment scheduling, some of the other things that go on. Does this piece supplant that or stand on top of the integrated software? That's some of the questions that went on here, too, that ordinarily would come up in committee. I know I would be asking them and I think my colleagues would as well.

MS. BERMEL:
This service is completely separate from that other -- any other software. It's completely separate from the HCIS System.
This is a centralized appointment scheduling service, so that the patients can call a number, they can set up an appointment in advance. Like when you call your doctor to set up an appointment, this is what this is. You call up the doctor's office, you make an appointment, they ask for your name, address, that type of information, and you're given a slot, you're given an appointment; that's what this is.

LEG. KENNEDY:
Which is great, and I'm all for automation, as a matter of fact. And so it sounds like it's not supplanting something that's there or not a duplication of a previously acquired piece of software.

MS. BERMEL:
Correct. It interfaces with HCIS in that when they do call, the operator on the system will access the HCIS System and enter in the appointment information on HCIS. So Medfone is tied into the HCIS System so that they can use the system, but it's not -- it's a separate system from HCIS, it's not the HCIS System.

LEG. KENNEDY:
I don't want to monopolize this. I know my colleagues have a lot of questions. Just tell me, how long has this vendor been doing this thing for us?

MS. BERMEL:
Since 2002, I believe.

LEG. KENNEDY:
Okay. I'm going to yield.

D.P.O. MYSTAL:
Legislator Losquadro.

LEG. LOSQUADRO:
Actually, Legislator Kennedy asked the questions I was going to raise. Thank you.

D.P.O. MYSTAL:
Legislator Romaine.

LEG. ROMAINE:
Yes. Good afternoon.

MS. BERMEL:

Good afternoon, Legislator.

LEG. ROMAINE:
This vendor has been working with us since 2002, providing exactly the same services that we seek to continue him to provide; is that more or less correct?

MS. BERMEL:
Yes, correct.

LEG. ROMAINE:
Okay. And you don't know whether his contract has a provision that would allow him to continue -- you know, first of all, you're not sure of the exploration date; is that correct?

MS. BERMEL:
We're trying to obtain that information.

LEG. ROMAINE:
Right, so -- but you're not sure of it at this moment?

MS. BERMEL:
Correct.

LEG. ROMAINE:
Okay. And you're not sure whether the current contract has any provision that would allow this vendor to continue -- we're not going to lose this service is what I'm driving at. Let me -- why don't you review that.

MS. BERMEL:
The current agreement is scheduled to expire on March 31st of 2008.

LEG. ROMAINE:
March 31st of 2008. I believe our next Legislative meeting is March 4th. Mr. Chairman, I make a motion to commit this to committee.

MS. BERMEL:
I might like to add, Legislator, if you don't mind.

LEG. ROMAINE:
Yes.

MS. BERMEL:
We still, at this point, once the resolution's adopted, we still need to process a contract. The contract has to be sent to the vendor and --

LEG. ROMAINE:
Well, this can be done in 30 days, so I'm given to believe.

MS. BERMEL:
Hypothetically.

LEG. ROMAINE:
Hypothetically, so I've been told.

MS. BERMEL:
Yes.

LEG. ROMAINE:
So I'm going to make a motion to commit this to committee. I hope there will be a second for this.

LEG. KENNEDY:
I'll second.

D.P.O. MYSTAL:
Are you finished?

LEG. ALDEN:
On the motion.

D.P.O. MYSTAL:
On the motion, Legislator Alden, and Beedenbender next.

LEG. ALDEN:
I was on the list, right?

D.P.O. MYSTAL:
You're on the list.

LEG. ALDEN:
Did somebody fix the problems that we were having with these people? These are the ones from Nassau County, right?

MS. BERMEL:
They're from -- yes, they're from Wantagh.

LEG. ALDEN:
I had a couple of constituents call me, and this goes back a few years ago, and so then I took the liberty of calling them to see how the whole system worked, and they gave me an appointment. The problem was it was at the Bay Shore Health Center, and that Health Center had been closed for six years prior to them making an appointment for me to go there. So I felt the pain that some of my constituents were feeling when they called up and had similar experiences with these people. So has somebody fixed this system? Because it really wasn't working well.

MR. MINER:
Actually, they work off the script that our Division of Patient Care provides them, and we've asked Patient Care to update that script, and I believe all those issues have been rectified.

LEG. ALDEN:
Really? When was -- when was the script updated?

MR. MINER:
The most recent update was about a month-and-a-half ago. I will confirm, when I go back to the office, you know, that that has been taken care of. But they do regularly update. You know, as things change in the health centers, we update with Easy Call Medfone.

LEG. ALDEN:
Okay. Because they really weren't satisfactory up until a very short period of time ago. And we solicited from who? I know these were the only respondents, but --

MR. MINER:
There were three vendors that we had reached out to in addition to advertising through the Department of Purchasing.

LEG. ALDEN:
And I'm going to make just like one other suggestion.

MR. MINER:
Sure.

LEG. ALDEN:
Like, for the Parks Department, we have a Green Key system, where you can call up and you can make an appointment in advance to go and play golf, or use the tennis court, or go kayaking and other -- camping, things like that. Have we ever explored something along those lines, where we would actually own the system and operate it ourselves?

LEG. ROMAINE:
With County employees.

LEG. ALDEN:
With County employees that actually live and work in Suffolk County? It bothers me a little bit, because I actually got into a little bit of a conversation with the people that were working for this company and they were over in Nassau County. And, number one, they were a little bit on the rude side; and number two, they were definitely out of touch with, you know, like reality as far as our health system in Suffolk County and how it worked. Have we ever just looked at that kind of a system?

MR. MINER:
Not to my knowledge, but I will check again with the Division. But, to my knowledge, we have not explored that. We can certainly look at that.

LEG. ALDEN:
And the question was asked before, how many phone calls they actually answer. So that would -- that would give us an indication of have how much money they received last year for this service.

MR. MINER:
We don't have that data with us right now, we just rushed over. We're trying to get that information from our Budget Department.

LEG. ALDEN:
I would be supportive of sending it to committee, and then you could get a whole bunch more answers to it. But I'd like to see the script and I would like to see the corrections that were made on that system, because, if we're putting people through the torture that the constituents went through, that's really not a good thing to be doing, especially since people are usually in crisis when they're calling to make an appointment to get to see a health care provider.

MR. MINER:
We have no problem with it going to committee, and we'll work with our committee in answering those questions that you posed.

LEG. ALDEN:
Thank you. Elie, they don't mind it going to committee.

D.P.O. MYSTAL:
Okay. We already have a motion and a second to commit this piece of legislation. I'll call the vote on it. All in favor? Opposed? Abstentions?

LEG. ALDEN:
Thanks.

MR. LAUBE:
Seventeen.

D.P.O. MYSTAL:
Okay. We'll assigned it --

MR. LAUBE:
Oh, sixteen, check that.

D.P.O. MYSTAL:
-- later on, I think probably Health and Human Services. Okay, we have another piece of legislation also that's -- it's a CN, 1140 - Requesting Legislative approval for contract award for oral surgery services for the Department of Health Services, John J. Foley Skilled Nursing Facility. I think we had the same question that we had before.

LEG. EDDINGTON:
Mr. Chairman.

D.P.O. MYSTAL:
Legislator Romaine.

LEG. ROMAINE:
Yes. I believe, in the cover sheet, it says the contract will expire oh April 30th. There may be enough time for us to review this and still have the Administration draft a contract, since this is probably a continuation of services by the vendor. Is this a -- is this -- would this be the same vendor that has been providing services?

MS. BERMEL:
Yes, it is, Legislator.

LEG. ROMAINE:
Okay. So this contract would expire April 30th?

MS. BERMEL:
That's correct.

LEG. ROMAINE:
Okay. I have no problem adopting this now, but if my colleagues feel more comfortable having it go through the committee process, since --

MS. BERMEL:
Sure. This was the only respondent.

LEG. ROMAINE:
Right.

MS. BERMEL:
And, in previous years, all the dentists in Suffolk County were canvassed, and this was the only respondent at that point in time. There's a very limited number, obviously, of dentists willing to work on the patients at John J. Foley. So we were happy to get this one doctor who's very competent and capable of providing those services. So that's why we wanted to move ahead on this.

LEG. ROMAINE:

I'm delighted to hear that. I'm prepared to approve this today. But what happens is when it comes over by CN, it always raises questions, particularly --

MS. BERMEL:
Well, I think our concern was getting it through the County Attorney's Office in a timely manner --

LEG. ROMAINE:
Okay.

MS. BERMEL:
So that there would be a continuation of services.

LEG. ROMAINE:
Okay. Because the contract, as I said, doesn't expire until April 30th.

MS. BERMEL:
That's correct.

LEG. ROMAINE:
All right. Thank you again.

MS. BERMEL:
You're welcome.

D.P.O. MYSTAL:
Legislator Eddington.

LEG. EDDINGTON:
Yes. I want to call your attention to the packet we got for laid on the table. Resolution 1073 seems to be the exact same one, and I'm looking at it right now. So I was wondering, is this a test? We seem to have one that was laid on the table and one came over as a Certificate of Necessity. Which one are we going to go by?

D.P.O. MYSTAL:
Well, if we approve -- if we approve the CN, then that, obviously, you know, kills the resolution.

MR. ZWIRN:
That happens on occasion, we'll put a bill in, but we'll also ask for a CN in the event that it's not approved, we don't get enough votes, that at least it's in the packet, so we can move forward for the CN. But, you know, we take a "belt and suspenders" approach sometimes.

LEG. ROMAINE:
Double-barrel protection I think your predecessor said.

LEG. EDDINGTON:
Okay.

MR. ZWIRN:
Okay.

LEG. EDDINGTON:
Well, thank you for that clarification. I'll remember that when I'm putting in legislation.

D.P.O. MYSTAL:
Legislator Kennedy.

LEG. KENNEDY:
My own question with this one is, I imagine it must be difficult to actually find oral surgeons who actually go ahead and agree to, you know, do whatever the work is at a particular price. Have you contacted Stony Brook, the Dental School, which actually does do direct care for patients on a sliding scale, and actually does have instruction just in general dentistry, as well as in oral surgery? I'm curious.

MS. BERMEL:
We have contacted Stony Brook in regard to certain patients who need additional services beyond what the dentists could provide, and Stony Brook requires that John J. Foley pay for the services provided to Stony Brook under John J. Foley's Medicaid reimbursement. So we're trying to work that issue out with Stony Brook at this point in time. We had -- we did have one patient we were trying to refer for specialized dental services at Stony Brook, so we are trying to work out that situation.

LEG. KENNEDY:
So -- but, in other words, they're available, Margaret, only on a per-patient basis, they've not expressed an interest in actually providing the oral surgery services across the board?

MS. BERMEL:
Well, they also have students --

LEG. KENNEDY:
Yes.

MS. BERMEL:
And I think the concern was having students work on some of these patients, who require pretty extensive dental care at that --

LEG. KENNEDY:
I'm directly familiar with it --

MS. BERMEL:
Yes.

LEG. KENNEDY:
-- as a matter of fact, from family members who have undergone some of the dental care, but it's always under instructors, I guess, who are actually at the physician, physician and dental level. I offer it just because I know you go through exhaustive efforts to try to find resources for our patients, and I was just curious whether or not you had approached Stony Brook.

MS. BERMEL:
We had approached.

LEG. KENNEDY:
Okay.

MS. BERMEL:
They have not expressed an interest at this point in time.

LEG. KENNEDY:
Okay. Thank you.

MS. BERMEL:
Thank you.

D.P.O. MYSTAL:
Okay. Do we want to vote on this or commit it? I'll take a motion to --

LEG. LOSQUADRO:
Commit.

D.P.O. MYSTAL:
To commit, from Legislator Losquadro.

LEG. ALDEN:
Second.

D.P.O. MYSTAL:
Seconded by Legislator Alden. All in favor? Opposed? Abstentions?

MR. LAUBE:
Seventeen (Not Present: P.O. Lindsay)

D.P.O. MYSTAL:
We'll commit it anyway. There's one in the packet already.

LEG. LOSQUADRO:
I know.

D.P.O. MYSTAL:
Okay. We don't have anymore business, but before we leave, Mr. Clerk, I would like to commend you on the fact that we don't have those big packets in front of us. I like it.

MR. LAUBE:
You're welcome. If you guys --

D.P.O. MYSTAL:
We don't have to carry it home.

MR. LAUBE:
If you don't mind, if you have two seconds to talk about it, on your agenda page, you have four links at the top there. You have your CN's, you have your late-starters, the resolution packet and veto messages. If you add those all up, it came up to, it was over -- it's over 12,000 pieces of paper that you save, if we were able to eliminate and you were just to use this. Now, I understand the CN's, I'm watching, everyone does flip through them quite a bit, and that's one of the smaller -- there was about 49 pages there. But by utilizing the late-starters, or resolution backup and the veto message, you save a tremendous amount of paper.

D.P.O. MYSTAL:
Mr. Clerk, I'd like to have a hard copy of the first two pages, you know, a summary of the bill. You can give that to my Aide, you know every time we have a packet.

MR. LAUBE:
For the --

D.P.O. MYSTAL:
The summary.

MR. LAUBE:
For the CN's.

D.P.O. MYSTAL:
No, summary for the packet.

MR. NOLAN:
Cover sheet.

MR. LAUBE:
Oh, for the cover sheets.

D.P.O. MYSTAL:
The cover sheet, yeah.

MR. LAUBE:
Sure, no problem.

D.P.O. MYSTAL:
Because that way I can read back.

LEG. ALDEN:
I can show you how to download it, if you want.

D.P.O. MYSTAL:
I know. Okay. We have no more business.

LEG. ALDEN:
No.

LEG. BEEDENBENDER:
Executive Session.

D.P.O. MYSTAL:
Executive Session, yes.

MR. LAUBE:
You need a vote to adjourn.

D.P.O. MYSTAL:
No. We have an Executive Session, then we'll come back and vote to adjourn.

MR. LAUBE:
No problem.

LEG. ALDEN:
Can we do the Executive Session out in Riverhead?

D.P.O. MYSTAL:
Motion to have the Executive Session in Riverhead, per Alden. No. Okay. We'll be ten minutes. We'll be five, ten minutes. Motion.

LEG. MONTANO:
Second.

D.P.O. MYSTAL:
All in favor? Opposed? Abstentions? We are discussing the LIPA litigation. And Legislator D'Amaro is recusing himself.

[EXECUTIVE SESSION WAS HELD FROM 3:30 P.M. TO 3:45 P.M.]

D.P.O. MYSTAL:
We are back in session. I'll take a motion to adjourn.

LEG. LOSQUADRO:
Motion.

LEG. MONTANO:
Motion.

D.P.O. MYSTAL:
All in favor? Opposed? We're done.

[THE MEETING WAS ADJOURNED AT 3:45 P.M.]

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