

**SUFFOLK COUNTY LEGISLATURE**

**GENERAL MEETING**

**EIGHTH DAY**

**June 10, 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 & TRANSCRIBED BY**

**Alison Mahoney & Lucia Braaten - Court Stenographers**

(\*THE MEETING WAS CALLED TO ORDER AT 9:33 A.M. \*)

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

**P.O. LINDSAY:**

Mr. Clerk, could you read the roll, please.

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

**LEG. ROMAINE:**

(Not present).

**LEG. SCHNEIDERMAN:**

(Not present).

**LEG. BROWNING:**

Here.

**LEG. BEEDENBENDER:**

(Not present).

**LEG. VILORIA-FISHER:**

Here.

**LEG. LOSQUADRO:**

Present.

**LEG. EDDINGTON:**

Here.

**LEG. MONTANO:**

Here.

**LEG. ALDEN:**

Here.

**LEG. BARRAGA:**

Here.

**LEG. KENNEDY:**

Here.

**LEG. NOWICK:**

Yes, here.

**LEG. HORSLEY:**

Here.

**LEG. STERN:**

Here.

**LEG. D'AMARO:**

Here.

**LEG. COOPER:**

Here.

**P.O. LINDSAY:**

Here.

**MR. LAUBE:**

Fourteen (Not Present: Legislators Romaine, Schneiderman & Beedenbender).

**P.O. LINDSAY:**

Okay, would everybody rise for a salute to our flag, please, led by Legislator Horsley.

***Salutation***

If you could remain standing, Legislator Horsley is going to introduce our visiting Clergy, the Reverend Joanne Bond.

**LEG. HORSLEY:**

Good morning, everybody. I'm very proud to introduce today Reverend Joanne Bond, Pastor of the Cross of Christ Lutheran Church in Babylon Village, which I may say is right around the corner from my home, so we didn't have to travel far.

Joanne Bond is a native New Yorker born in Brooklyn, raised in Queens and residing in Long Island for over 20 years. She received her Bachelor of Science from Adelphi in Business Management & Communications, she received her Master of Divinity at New York Theological Seminary and a Doctor of Ministry at Lutheran Theological Seminary in Philadelphia. Pastor Bond was ordained 18 years ago and currently serves as Pastor at Cross of Christ Lutheran Church in Babylon and she is a true member of my community which is Babylon Village and I certainly welcome her here for all she does to our -- for our community. Reverend?

**REVEREND BOND:**

Thank you for inviting me, Legislator Horsley. And thank you for all the work our public officials do for our community. As one who resides and works in Suffolk County, we are abundantly blessed by those who serve our community. And therefore, as we ask God's blessing on the proceedings of this day, we also thank God for you. Let us pray.

We thank you, Devine Providence, for abundant blessings in this community of Suffolk County. We thank you, Lord, for all who work as public servants in the Suffolk County Legislature. We ask your blessing upon those gathered here this day and on the day's proceedings. Brighten our eyes with greater understanding, enrich our hearts with compassion and with courage.

As the Psalmist has written, Psalm 133 paraphrased reads, "Oh, God, how precious it is for us and how pleasant it is and pleasing to you when your sons and daughters, your servants, learn to live and work together in harmony." We ask God's blessing on this meeting and on all who serve the citizens of Suffolk County. In your name we pray, Amen.

**P.O. LINDSAY:**

Thank you, Reverend Bond. If you could all remain standing for a moment of silence for Lance Corporal Douglas Cianchetta who is a friend of one of our Legislative Aides who was injured in Afghanistan last week and is being treated for burns on over 65% of his body, and all those who place themselves in harm's way every day to protect us.

***Moment of Silence Observed***

Thank you very much. Be seated.

Also, if you could remember a friend and a colleague of the County and the college. Jim Banks, who is the College-wide Coordinator of Multi-Cultural Affairs, suffered a heart attack prior to commencement yesterday morning and was admitted to North Shore Hospital and is about to undergo surgery. So if you could remember him today as well.

Okay, we have -- good morning, everyone. We have a number of presentations this morning before we get into the business of the day. First, recognition of winners of the Brookhaven National Laboratory's Elementary School Science Fair. Who's making those presentations?

**LEG. LOSQUADRO:**

I have one.

**LEG. NOWICK:**

I have one, too.

**P.O. LINDSAY:**

Dan? Dan Losquadro?

**LEG. LOSQUADRO:**

I don't know if you have the grades.

**P.O. LINDSAY:**

Oh, is that all -- oh, I see. All right, Legislator Browning is first up, will present a proclamation to John Carlisi, a Kindergarten student from the Ridge Elementary School.

**LEG. BROWNING:**

Good morning. I have John Carlisi here, he's a kindergartner in Ridge Elementary. And I don't know, I am terrified of spiders, first of all, and John's project was about spiders, trying to find out if they spun the same kind of web or different webs. So John took three different types of spiders and proved that each spider can spin a different type of web and it also -- they don't all do it at the same time, some can do it within an hour, some can do it over night. I think you're very brave to be hanging around spiders, but I want to say congratulations because you are a real winner at the Brookhaven Lab. What do you want to be when you grow up?

**MR. CARLISI:**

I don't know.

**LEG. BROWNING:**

You don't know yet? Okay. So anyway, I'd like to give this proclamation to John to say congratulations on winning at the Brookhaven Lab Science Awards Fair.

*Applause*

**P.O. LINDSAY:**

Legislator Lynne Nowick will present a proclamation to Cassandra Rodichok, a 2nd Grade student from St. James Elementary School.

No, you have two, you also are presenting a proclamation to Bridget Pickford, a 1st grade student from Fort Salonga Elementary School.

**LEG. NOWICK:**

Bridget and Cassandra, would you like to come up here? This is Cassie and this must -- hi, how are you? Teacher, Principal, everybody. Bridget, hello.

**LEG. COOPER:**

Which one is Bridget?

**LEG. NOWICK:**

Is this Bridget? Bridgett, come over here. Bridget Pickford is a 1st grade student at the Fort Salonga Elementary School -- who's Fort Salonga here? I know you're not -- and was curious to know who had a cleaner mouth, a human or a dog. She conducted a science project that proved that a human's mouth was, in fact, cleaner than a dog's, and Bridget was named the winner in 1st grade category. Congratulations, Bridget, that is absolutely wonderful. Do you have a dog at home? You didn't test it, did you?

**MISS PICKFORD:**

I have one, one died.

**LEG. NOWICK:**

Oh.

**MISS PICKFORD:**

But we have a new one at home.

**LEG. NOWICK:**

Okay.

**MR. PICKFORD:**

Not during the testing.

*(\*Laughter From Audience\*)*

**LEG. NOWICK:**

Now, Cassandra, Cassie Radichok, is a 2nd grade student at the St. James Elementary School, and we have representatives here from the St. James Elementary School. And by the way, I have to tell you that I went to St. James Elementary School, maybe 20 years ago, 15 years ago.

She has always been interested in nature and wanted to know how plants breath. Using a house plant and Vaseline, she concluded that plants breath through the bottom of their leaves because the leaves with the Vaseline on the back died. Cassie was named the winner of the 2nd grade category.

Ladies, congratulations. Young Ladies, congratulations. We are going to give you a proclamation from the Suffolk County Legislature. Do you know who we are? We make laws, that's what we do. And we make a lot of trouble sometimes. Let's see, this is for you, Bridget, and this is for you, Cassandra.

*Applause*

**LEG. NOWICK:**

We'll take some photos outside.

**P.O. LINDSAY:**

Okay, next up we have Legislator Cooper who will present a proclamation to Heather Jerome, a 3rd grade student from Norwood Avenue Elementary School, to Benjamin Shorn, a 4th grade student from Dickinson Avenue School who was not able to attend due to a school event, and to Scott Massa, a 5th grade student from the Burr Intermediate School.

**LEG. COOPER:**

Good morning. First of all, this is the third -- third year or at least the second year, if not the third year, that I have three winners in this competition from my district. So I'm very proud of my kids.

First up is Heather Jerome. Heather is a 3rd grader from Norwood Avenue Elementary School in Northport. In August of last year, Heather and her family took a trip in Maine. They stayed at a camping resort called Point Sebago which includes Camp Sunshine which is a camp for very sick children and their families. Camp Sunshine runs on donations from generous people and organizations. Many of the fun activities at Camp Sebago, or is it Sebago? Thank you. I was right the first time.

**LEG. D'AMARO:**

You say Sebago, I say Sebago.

**LEG. COOPER:**

Did you hear that? Have a small charge and the money raised is given to Camp Sunshine. Ed Jarret, head of the Maine Snow & Ice Sculpture Foundation, holds the world record for building the tallest sand castle. The record has stood at -- guess; you'll never guess. Guess how tall. No, no, 29 feet, that's probably taller than the ceiling here. Anyway, but I digress. Has stood at 29 feet since 2003. Mr. Jarret was going to attempt to beat his old record and build one that was 35 feet tall as a fundraiser for Camp Sunshine. He asked people to donate \$1 per bucket of sand; the castle ended up using 43 truckloads of sand to complete.

Heather and her family helped work on the castle during their week-long vacation and she became curious and wanted to know why Mr. Jarret was bringing in his sand from a mine. Is mine sand better than regular beach sand? Heather thought that this mined sand was very soft and easy to work with. When she returned home, Heather collected five samples of sand from different locations. She made five sand castles in her sand box using each sample. She used the same method she learned working on the big castle. Heather carved each one to see which carved the best and then recorded the weather every day until all the castles had collapsed. She then looked at all her samples under a microscope. The longest lasting sand castles and the best to carve were the Lake Sebago -- Sebago, Sebago -- Lake Sebago sand and the mined sand; they stood for 56 days. The castle made from Asharoken Beach sand lasted 11 days, the Fire Island and Crab Meadow castles began to crumble in two days and completely collapsed in seven days.

Heather concluded that a sand sculpture can be made of all sorts of sand, but the shape, height and lasting power of a structure depends on the type of sand used. It takes square -- pay attention to this, I didn't know this -- it takes square or irregular edges to fit together, not rounded marbles. Ocean sand or surf-rolled sand is not good for making long-lasting sand castles because the grains have been round by the tide. Lake sand and mined sand have not been rounded by tide action so they hold together better; isn't that fascinating?  
So thank you, Heather.

***Applause***

So congratulations and I'm please to present you with this official County proclamation on behalf of the one and a half million residents of Suffolk County and the 18 members of the Suffolk County Legislature.

Next up is Scott Massa? Congratulations, Scott. Scott is in 5th grade at Burr Intermediate School in Commack. One day Scott noticed that some of his remote control cars would roll over after they were hit by another car. He also saw on television that trucks were frequently on their side after an accident on the Expressway. After researching an object's stability, Scott wanted to test vehicles with differences in their center of gravity to determine their likelihood of roll-over after a side impact. Scott built four Lego vehicles -- a sports car, a sedan, SUV and truck -- at increasing heights with the same wheel-base, width and length, each equal in weight. He measured the height of each vehicle's center of gravity, the point where drawn lines were crossed when each vehicle was

hanging against a string straight down. Each vehicle was hit with a constant force and Scott recorded the number and percentage of times each vehicle was pushed, tilted but didn't fall over or roll over. The experiment showed that the race car with the lowest center of gravity was the least stable and had the most roll overs. Scott discovered that when a vehicle becomes more top heavy and its center of gravity increases, it's more likely to roll over after a side impact.

Scott concluded that there is a greater chance that a vehicle's high center of gravity will exceed its base after it is hit with a side force causing the vehicle to roll over. He believes that the center of gravity is important in the design of many vehicles such as race cars, SUV's and double-decker buses. So for everyone in the audience who drives a double-decker bus, keep that in mind.

And Scott, congratulations to you for a job well done.

*Applause*

**P.O. LINDSAY:**

Okay, next we have Legislator Losquadro who will recognize Michael J D'Agati, a 6th grade student from North Country Road Middle School.

**LEG. LOSQUADRO:**

Good morning. I will certainly be a little briefer than Legislator Cooper, mainly for the reason that I'm sure very few of us understand what Michael was able to accomplish here. He studied Nano wire Bridges; now, that's something that we've all been hearing a lot about, nano technology recently and Michael had a pretty impressive experiment that he was able to win for the 6th grade with. And something that I know he's going to enjoy is that Brookhaven National Laboratory now has a Center for Functional Nano Technology and we expect great things from him, being able to work right here in our own backyard.

So congratulations to Michael. And we have a proclamation here for you, we'll go outside and grab a picture. Congratulations.

*Applause*

**P.O. LINDSAY:**

Thank you, Legislator Losquadro.

Legislator D'Amato will present proclamations to Caitlin Meuser and Kate Simone, two students from Walt Whitman High school in recognition of their 3rd place finish at the 62nd Annual International DECA Conference held recently in Atlanta..

**LEG. D'AMARO:**

Thank you, Mr. Presiding Officer. And good morning, Ladies and Gentlemen, to everyone here with us this morning. I'd like to present to you two very special students, Caitlin and Kate; if you both would please come on up, and good morning to you.

Both Caitlin and Kate are from Walt Whitman High School, which of course is in the 17th Legislative District, and they both recently competed in the 62nd Annual International DECA Career Conference, it was held in Atlanta, Georgia. They competed against over 14,000 other students from across the United States, Canada, Mexico and even as far away as Germany.

For those of you who don't know what DECA is, just for your own information, it stands for Distributive Education Clubs of America, it's an international student organization that promotes business leadership schools and personal development. So this April, after competing in this massive contest, both Caitlins received the 3rd Place International Trophy for their 30 page thesis discussing the promotion of entrepreneurship, and that thesis was entitled From Dream to Reality; it sounds like something we can use a little bit more of here at the Legislature as well.

So they are now students who are both internationally recognized for their business ability and represent the true future of American business, and we're obviously in very good hands with them. So I want to congratulate both of them. I want to send my congratulations as well to their families. I'm very pleased to present them both this morning with proclamations, you made us all very proud. Thank you, Ladies and Gentlemen.

*Applause*

**P.O. LINDSAY:**

And if Legislator D'Amaro -- stay there. If Legislator D'Amaro would stay there and be joined by Legislator Stern, we'll be presenting proclamations to the Half Hollow Hills High School East, We The People Team, it's 18 students and their advisor Scott Edwards in recognition of their winning the New York State title in this prestigious competition where high school students put their knowledge of the US Constitution and the Bill of Rights to test. The team went on to compete in the National Finals in Washington D.C. where they took 8th Place.

**LEG. STERN:**

Thank you, Mr. Presiding Officer. Good morning. It is with great pride and pleasure that we welcome this year's New York State Champions, Half Hollow Hills High School East, who successfully claimed the New York State Title in the "We The People Competition".

*Applause*

Mr. Presiding Officer, as we can clearly see, the hard work, the hours of preparation, the dedication has prepared these outstanding students not just for success in this very important competition but for great success in later life. We wish them every success in the future and of course we are hoping and expecting to see great things from them. And we certainly thank their advisor, Mr. Scott Edwards, who is here with us today as well.

**LEG. D'AMARO:**

Okay, just to add to that very briefly. This team, the "We The People Team" which was a debate competition, what -- I just want to let you know what it was about a little bit. It was really -- it was a competition where high school seniors debate the philosophical, the historical and the legal aspects of the United States Constitution and what it means to be a United States Citizen.

And as Legislator Stern mentioned, they finished first on Long Island as well as in the State and then they went to Washington D.C. and competed in a National Competition. I understand that the Competition was held in a real Congressional hearing room on Capital Hill and all of these young adults that you see in front of you here today placed in the top ten in the nationwide finals, so we're very, very proud of what they accomplished there in Washington D.C.

*Applause*

And I also want to present proclamations to the several students that are from the 17th Legislative District this morning. And I also join with Legislator Stern in congratulating Scott Edwards, he guided these students through the competition and he deserves our thanks and recognition as well. So to all of you, congratulations. And you also made us very, very proud. Thank you.

*Applause*

**P.O. LINDSAY:**

Legislator Stern, if you -- I know you want to take a picture with those folks, but you had one more. Legislator Stern will present a proclamation to Joe Ciminna, the New York Party Zone and he's going to explain what brought that about.

**LEG. STERN:**

Yes, thank you. Mr. Presiding Officer. I'm going to make this presentation of this very special proclamation together with Beth Dellipizzi. Beth is the President of the Family Readiness Group, that very important organization that supports our men and women fighting for our freedoms overseas right now in Afghanistan with the Fighting 69th.

Mr. Joe Ciminna is the owner/proprietor of the New York Party Zone which is really a great business establishment on Route 110 in our community that caters to young people, you know, birthday parties and other great events. And we joined with Joe in offering an evening to the children of the Fighting 69th who of course are very concerned with their family members who, as we speak, are very much in harm's way. And you know, we talk about supporting our troops in any way we can. Joe stepped up and put his money and his business where his mouth is and felt, along with us, that it is very important not just to talk about supporting our troops, but most importantly doing what you can to support them and of course their families here at home.

And so it is with great pleasure that we award Joe Ciminna and the New York Party Zone with this Legislative proclamation to say congratulations on a job well done for the families of the Fighting 69th, and most importantly thank you.

*Applause*

**MS. DELLIPIZZI:**

Good morning. I just want to say thank you to Joe. And just for a little backdrop, we have 160 soldiers from Long Island who are currently in Afghanistan, and when this event was set up it couldn't have come at a more appropriate time. The soldiers had gotten in country and were actively involved in missions in Afghanistan, and our children, as you can imagine, are having a very difficult time missing their dads. And this event was just absolutely wonderful. We saw these kids playing and smiling and it was one thing after another, from popcorn to cotton candy to goody bags to bouncing, to pizza, to ice cream and Joe and Legislator Stern did just a wonderful job. And the word got back to the soldiers, we took a lot of pictures of their children bouncing and just having a wonderful time. So we can't thank you enough for that and putting a smile on their faces and, as parents, on our faces as well. Thank you very much.

*Applause*

**P.O. LINDSAY:**

Okay, that concludes our proclamations. I'd like to recognize Legislator Nowick for a point of personal privilege.

**LEG. NOWICK:**

I just wanted to take a moment to let our Legislators be aware -- is this working?

**LEG. HORSLEY:**

You're good.

**LEG. NOWICK:**

Okay. Last year I had the privilege of giving a proclamation to my Chief of Staff, Greg Moran -- he's going to die -- because he very bravely rescued a woman from a burning home.

Greg is the 1st Assistant Chief of the Greenlawn Fire Department and last year at about two o'clock on August 14th, he was called he -- he's dying, right? He was called to give medical attention at 2 AM in the morning -- by the way, that's when we're sleeping and that's when our volunteers of our fire departments are out. While he was giving medical attention, a young boy came running down the street, his house was on fire and Greg jumped to the scene and he saved a woman from a downstairs apartment and he brought her to safety.

Those of you who know Greg know two things for sure; he is always willing to assist, and he's done

it here a few times, and the other thing is that he hates to be the center of attention; I ignored that. A few days ago I was told that State Senator Carl Marcellino will honor Greg today in Albany as the Volunteer of Valor for his heroic acts that night.

***Applause***

And I know he's going to kill me, I just wanted everybody to know in the Legislature that Greg was chosen for this very distinguished honor that, by the way, he never told me about and he didn't even know that I knew about this, he kept it quiet; if it was me, I would have told everybody that would have listened. And he is a true hero to his wife and to his sons, AJ and Jordan, definitely to his community and most especially to me. And I'm really proud that others can see what a privilege and how lucky I am to work with this gentlemen every day and how special he is and we're all very proud of him. Sorry, Greg.

***Applause***

**P.O. LINDSAY:**

Congratulations to Greg. We're about to go into the public portion of our meeting. We're going to have an executive session just before 12 o'clock, probably five or ten minutes before 12. I have a lot of cards this morning, so I'm going to call two names, if you could be prepared to be on deck I'd appreciate it and try and, you know, hold your remarks to three minutes or under three minutes, it would be greatly appreciated. First up is Bill Mitchell and followed by Lynne Berry.

**MR. MITCHELL:**

Good morning, Legislators. I'm here in support of the 1105 bill, strictly because it protects the citizens of Suffolk County, the illegal workers of Suffolk County. And I use the word legal, not illegal; I do not believe that any of our Legislators have the illegal aliens, you know, benefits on their minds, but I think that we have to defend our people, our citizens of our Suffolk County. And I think 1105 starts the process of making sure that the employees and employers do the right thing for the Suffolk County, you know, residents.

And also, I read, you know, that Mr. Cooper's bill might be passed. I think that bill doesn't do anything for this issue, it just protects their wages. It doesn't protect -- do anything about illegal aliens, it just protects the wages. And I think we should put identity politics aside in this County and vote for the citizens of Suffolk County, not the people that they, you know, the Legislators or some Legislators believe that need protecting; illegal aliens do not need protecting, citizens need protecting. Thank you.

**P.O. LINDSAY:**

Thank you, Mr. Mitchell. Lynn Berry followed by Omar Andre Perez

**MS. BERRY:**

Good morning. My name is Lynn Berry, I'm an Occupational Therapist, I work at Longwood High School. I work with the Longwood High School Life Skills Alternative Learning Program students.

These students are the kids, unlike we saw this morning, these students truly struggle in the classroom. So what we try to do is offer them a prevocational class so they can go out into the community and learn some valuable skills. We have a great difficult time trying to find job sites for them because most of the private businesses in the area simply say, "No thank you, we can't accommodate you."

John J. Foley Skilled Nursing Facility has greeted us with open arms for the past three years and has provided our students with an unbelievable experience. We work in the laundry room, in dietary as well as in the adult day-care center, and it offers our students a very well-rounded experience. The kids, they work great with the individuals in the kitchen, in laundry. A lot of our kids, they can't

read, they can't -- they can't sequence things, they need a lot of one-on-one attention and the people at John J. Foley have been tremendous. In the Adult Day-Care Facility, the clients that come in, they're so happy to see the kids every month, we go in that site once a month and we do all the holidays and whatnot.

But basically what I'd like to conclude with is that the students are getting a variety of skills, it's helping them to become productive members of society. They're different than when they're in the classroom, they're working, they're taking pride in their work and it's just been a great opportunity. And it would be a devastating loss to our program if we were no longer able to visit John J. Foley. Thank you very much for your time.

*Applause*

**P.O. LINDSAY:**

Thank you, Ms. Berry. Mr. Perez followed by Mary L. Hughes.

**MR. PEREZ:**

Good morning, everyone. I come -- I'm from Suffolk County Community College, I'm from the Town of Quoque. I'm in support of the reinstatement of the budget for Suffolk County Community College for the Health & Sports Facility at the Eastern Campus, the Library in the Grant Campus and the Science Technology Building.

You guys know the facts, we spoke before some of your members last time. I just want to call to your attention Legislator Browning and Legislator Horsley and Alden, you guys were at the commencement ceremony for Suffolk County Community College on the 1st of June and you saw all the students there and you saw me speaking, and just like me, there's about 20 or 30 students who I know personally who have excellent academic standing and extra curricular performance and they've done this with what Suffolk County Community College has right now. And just as I said, we are all one college and we need all your help in order to go forward.

I'm graduating this year and I'm not coming back and this just shows my interest, and also the interest of a classmate of mine who's here also, for Suffolk County Community College. We care about our school and if you guys do everything in your power to help us be a better college, more students are going to come back to us and they are going to help us out to become a better school. Thank you.

*Applause*

**P.O. LINDSAY:**

Mary L. Hughes followed by Beth von Urban.

**MS. HUGHES:**

Good morning. My name is Mary Hughes and I attend Suffolk County Community College as well. As Andre said, we have been here prior. And thank you for those of you who stuck around to listen to us last time and thank you all for being here this morning and allowing us this opportunity.

My approach on it last time, as those of you who were here remember, wellness of mind and body. It's not just -- it's not a gym that we're talking about, it's a health and fitness center. And not only will it provide the students utilization, it will be a community project as well and it will be open to the community, so it isn't just limited to students. So I'd like you to consider funding this and I thank you for your time.

*Applause*

**P.O. LINDSAY:**

Okay, Beth von Urban followed by Joseph F -- I'm going to mess this one up; Fraccalivery? I know I

messed that up. Go ahead, Ms. Urban.

**MS. URBAN:**

Good morning. Ladies and Gentlemen of the Suffolk County Legislature, I thank you for the opportunity to speak before you today. My name is Beth von Urban and I am currently a Veterinarian Science student at Suffolk County Community College, Grant Campus in Brentwood. It is my privilege to stand before you today respectfully asking you to please reinstate the three previously approved SCCC projects back into the County Capital Project Budget.

Presently, library resources at Grant Campus are desperately inadequate to meet the needs of our burgeoning academic community. The library was originally built in the expectation of meeting the needs of fewer than 4,000 students; we now have over 8,000 students attending Grant. Our library is housed in a corner of the Sagtikos Arts & Sciences Building, sharing space with laboratory and lecture halls, a skill center, a planetarium and the Van Nostrand Theatre. The library itself contains reference stacks, a small computer center and information technology services.

Grant requires the construction of a separate building to serve as a library and learning resource center and the renovation of the current library into additional instructional space. We need more than the two small group study rooms we share on a rotating schedule. There are times during the semester when the waiting list to use these rooms exceeds availability. These rooms serve as a place to complete interactive projects, to study for exams or to mentor and tutor other students. They are a place to work together without disruption of the larger library population and still have immediate access to library resources.

I can speak from personal experience about the frustration of having a project to complete or an exam to study for and not having a place to work with my classmates because the library has insufficient study space to accommodate us as a group. We wanted to be able to work someplace where dialogue and exchange of information was possible without disturbing those students wishing to study in relative quiet. We eventually had to leave the library and go off campus to work elsewhere on our own. We require a library that offers adequate space for both group and individual study needs. Thank you.

***Applause***

**P.O. LINDSAY:**

Thank you. Joseph Fraccavellie (sic) followed by Christopher Destio. Joseph, would you pronounce your name for me?

**MR. FRACCALVIERI:**

Fraccalvieri.

**P.O. LINDSAY:**

Thank you.

**MR. FRACCALVIERI:**

Good morning, Ladies and Gentlemen of the Legislature. My name is Joe Fraccalvieri, I am the Director of Facilities Operations and Maintenance for the Grant Campus, Suffolk Community College. Is there a need for a new library at the Grant Campus? The current library is based on the first floor of the Sagtikos Arts & Sciences Building, directly underneath the second floor science labs. All of the waste lines, hot and cold water supply lines, heating/cooling supply pipes are currently running through the ceilings of the library. These areas of the library house books, periodicals and other various documents along with student computer learning centers.

We have experienced numerous leaks, floods from these pipes and services causing damage to the

books, documents and computers used and stored in the library. These leaks have resulted in costly man hours spent cleaning up these disasters besides the loss of books and equipment. The HVAC system is a common or shared with the rest of the building and requires that the temperatures and humidity levels be constantly monitored to prevent damage to library materials which are costly to replace. Inconsistent humidity levels are damaging to paper-based information and periodicals, also causing harmful mold and mildew. Independent dehumidifiers are in place and continually running trying to keep up the humidity to an acceptable level.

The Sagtikos Building often needs to be kept open after normal hours for events held in the library or for extra hours needed for the students. This warrants the needed extra security and staff coverage, not to mention the waste of energy dollars keeping the entire building heated and air-conditioned during these periods of time that the library is needed.

There is an ever-increasing enrollment at the Suffolk County -- excuse me, ever-increasing enrollment in the Suffolk Community College which a larger number of students in the space of the current library occupies could be remodeled to -- remodeled for the faculty, student and classroom use. As you can see by a spreadsheet I have attached to my presentation, our campus is one of the lowest ratios of library-per-student in the area and our students at Suffolk Community College deserve better. Thank you.

**P.O. LINDSAY:**

Thank you, Joseph. I'm sorry I messed up your name. Christopher followed by Shaun McKay..

**MR. DESTIO:**

Good morning, Presiding Officer Lindsay. Good morning to all the Legislators here today. Once again, thank you for letting me speak. I'm here on behalf of John J. Foley. I feel there are a lot of inconsistencies in the recent report that was presented to our Legislators on 6/5/08 by HMM. It was a very well put together report, but it was a one-sided report and not fair to our residents and the staff at the John J. Foley Skilled Nursing Facility.

In 2004, in the 2004 Task Force Report, on page it's quoted as saying, "The establishment of a dedicated marketing and development unit would be a -- a unit with appropriate staffing would be extremely critical in the step in ensuring that John J. Foley is properly marketed to compete with the other skilled nursing facilities in the private sector with the expectations of increasing revenues, thereby lessening to some degree the County's subsidization." Now, this is what was marketed in 2004, two packets.

Let's go further. What marketing has been done since 2007 for our expanded day-care facility and our expanded PT department at the cost of the taxpayers \$4.2 million to build it? No marketing was done at all. Has our County Executive given us any staff to market it properly? No. Also in the same report on page three, continue to page four, there's a quote, "They strongly recommend that three additional dedicated marketing staff be budgeted and hired to enable the John J. Foley Skilled Nursing Facility to better compete with the ever expanding skilled nursing market." Now, that makes sense. Was it done? Once again, no. But instead we are told that laying off 50 County employees under controllable costs was necessary.

On page five of HMM's report it says, "Staff was encouraged to communicate their solutions to offset the losses incurred at the facility." That might be the case with department heads, but they also said staff; all the staff that we know said they didn't even know HMM was in the building. And if they were encouraged to speak, who are they? What's their names and what are the suggestions? If this is true, please share with our Legislators. Nobody that we know in under management and staff was interviewed.

On page eleven of HMM's report it said, "The need for agency staff should be reduced or eliminated by redesign of existing nursing staff. If we could hire part-timers and not lay them off, we could save tons of money for the County. Example, part-timers would eliminate the need for agency nurses.

Part-timers would have reduced benefits and part-timers above all would retain the continuity of our residents which is one of the most important things in the nursing field.

Also on page 13 under facility closure, was it put in there of the impact of the community if this facility is closed? More than 300 County employees will be unemployed. On page four, last paragraph of HMM's report, it says here, "The hard-to-place residents are viewed more favorably"; is that really true? Most nursing homes use the phrase we call here "cherry-picking"; if they don't have to take them they won't.

**P.O. LINDSAY:**

Chris, you're out of time.

**MR. DESTIO:**

All right, I'll finish up right here. One last thing I would like to add, it was also not mentioned in the survey by HMM that our vets are coming over from Iraq. If one of our floors could be turned over to them, that's Federal money coming in; at the same token, a great service is being done for our vets.

Just another thing that was not listed and another great factor that would help the community and close our budget gap. And just reminding everybody, we have a barbecue Wednesday for the John J. Foley Skilled Nursing Facility. And everybody, thank you for letting me speak.

*Applause*

**P.O. LINDSAY:**

Okay. Shaun McCay followed by Melissa Galasso.

**MR. McCAY:**

Good morning. My name is Shaun McCay, I'm the Dean at the Michael J Grant Campus at Suffolk County Community College. The Grant Campus library is housed in the Sagtikos Arts & Sciences Building which was commissioned approximately 17 years ago when we had an enrollment, as you heard before, between 3,500 and 4,000 students. Currently our existing library has only two study rooms, a crowded reference room, insufficient computers and space to teach information literacy, limited space for educational technology services.

The current library also accommodates the Academic Computing Center as well as the Teaching & Learning Center at the Grant Campus. As the needs of the County changes, so do the priorities we face at the college and they are directly correlated to the workforce demands that can energize the tax base here in the County. Currently the Grant Campus has over 8,000 students utilizing the exact same resources we had 17 years ago in regards to the library's space. We need a learning resource center that can accommodate our existing student body, enable faculty to utilize state-of-the-art resources as well as to enable the campus to meet the multiple demands that increasingly challenges that particular area.

In the final report that was submitted by Middle States, it was noted that the Academic Skills Center and the library has insufficient space and the lack of that space impacted the services that were delivered. It is equally important as we discuss this topic that the space needs and the deficiencies that exist, they were listed in the 2001 Capital Master Plan and they were also listed in subsequent documents that were presented before this body. While the continued support for projects funded in prior years is appreciated, we have no doubt that this project is very important to the County and to the college. The investment that would occur at a time when the residents of the County look towards higher education to transform their lives and to empower them via access to resources similar to those that would be housed in this facility, it is important that we do vote to support this initiative.

The State is convinced that the time to move forward with this project is imminent and has approved the share, their share of this project. The physical facilities and deficient space configuration that

currently is in place to serve 8,000 students, as referred by my colleagues here today, in no way supports the needs of our student body. I ask that you take a second look at this project and to humbly vote to approve this capital initiative. Thank you.

***Applause***

**P.O. LINDSAY:**

Thank you, Mr. McKay. Melissa Galasso followed by James Barreiro.

**MS. GALASSO:**

My name is Melissa Galasso and I'm a student --

**P.O. LINDSAY:**

Melissa, pull -- there you go. Thank you.

**MS. GALASSO:**

Sorry. My name is Melissa Galasso and I'm a student at the Grant Campus of Suffolk County Community College.

I'm aware that there is a veto of the budget pertaining to our college receiving funds for renovations. As a student, I use the academic centers on the college and due to spacing issues, it's not always easy to get into these centers. As a single mom, the times that I spend with my child Zachary are precious to me. I am at the college at great lengths to get my studies done that are required for my classes. I have to wait around for long periods of time for the facilities to have room for me and it cuts into the quality time that I spend -- that I set aside for my son. I am sure out of 8,000 students on just my campus alone, there are many others in my situation.

I have also done orientation for the future students that will be attending our college each semester and have seen the number of students increase tremendously. I realize that there are and will be additional people that will need academic help, as I do. As part of the student leaders of Suffolk County Community College, we express one of the most important ways to excel at college is to utilize these facilities and they are free to our students. These students are our future leaders of our communities, so without the funds to advance the accessibility of our academic centers to help them and myself succeed in our goals, how can we secure our future?

At this time, I'd like to say thank you to the Legislature for your past support of these projects. And I and the college recognize that if it were not for the Legislature's actions to override the County Executive's vetoes during the past three years, we would not have been able to secure the \$28 million that the State shares in this year's budget. Thank you for this opportunity to speak.

***Applause***

**P.O. LINDSAY:**

Thank you, Ms. Galasso. James Barreiro followed by Eddie Rodriguez.

**MR. BARREIRO:**

Hello. I am a student at the Suffolk County Community Grant Campus and I feel my name isn't important right now. I am one of over 8,000 students at the campus, one who has the same needs and shares the same facilities and one that is here due to the issue at hand. I have -- I believe that I am truly thankful for the opportunity that Suffolk County Community College gives me and I do use the library and the resource center up to multiple times in a day and I always find it to be crowded and difficult. At times I hear students not even acknowledging the Sagtikos Building as a study option. For 8,000 students to share two group study rooms within with an hour limitation, it becomes a little more than just difficult. In a campus with growing language programs, I found it very difficult just to get simple language assignments completed due to the constant amount of students in a crowded area.

By not approving the -- by not approving the projects in the budget, you're not only disregarding our needs but affecting our progress. As one of the 8,000 students at the Grant Campus that will go out into Suffolk County, or further, in the near or distant future, I will truly and really consider the impact of my decisions. I hope you will all also. Thank you.

*Applause*

**P.O. LINDSAY:**

Thank you, James. Eddie Rodriguez followed by Chateau Butler.

**MR. RODRIQUEZ:**

It seems like it was only yesterday when I was living in a shelter with my mother and sister trying to make the best out of what we had, while at the same time being told that there was no chance in the world that I will succeed; after all, the statistics were against me. So what was I to do with such tragic words that paralyzes the human spirit? I'll tell you.

I came to Suffolk County Community College with a motivation of the professors, the encouragement of the students and the support from this Legislative body helped to change my life, yet we find ourselves in this moment where many others don't believe that we can succeed. Suffolk County Community College is a place that took someone like me, a shy and hopeless man, and challenged me to reach higher and work harder towards my dreams which forced me to look deep within myself to realize that I did have a gift and a purpose. Each semester I was a better student going out than I was coming in, because there was always someone there who believed in me. While I learned from my peers that in a college community it is possible to unify, I want a shared vision to better the lives of other college students.

This college means a lot to me. I have learned that as teachers and students, we can do but so much. We can only hope that our approach will light a fire in another student that will move them to reach just a little higher and make them feel just a little better. I know this is possible because I stand before you as a light that's been lit by Suffolk County Community College. This is not about -- this is not only about building centers or renovating buildings or fixing roads, it's about bettering the lives of those who will foster this great nation next.

My story is no different than the many 22,000 students that attend Suffolk Community College. I am here today because they made it and created a way for me. So as I close, I implore you to support Suffolk County Community College completely and totally with all of our needs, because it is my hope, it is my dream and it is my life, the one they said that couldn't succeed. Thank you.

*Applause*

**P.O. LINDSAY:**

Chateau Butler followed by Lauren Zambelli.

**MR. BUTLER:**

Hello. Thank you. My name is Chateau Butler and I'm representing Suffolk Community College. And just as Eddie said, we come here strong because we want to have our futures, we want to build our futures, we want to help, you know, our families go on and prosper to do the things that they couldn't do for us. Like he said, it's coming from the streets, he's coming from the grounds, he wants to move up. This is why you have to help us. We are standing here, we are building a legacy, a legacy that's building strong through Suffolk Community College. With all the things that we have out there against us, we are still going through them. We ask that you give us your help, that you say yes to the budget, that you give us all the things that we ask for because these are the things that we need to be successful. We come here, we travel, we walk, we crawl, we do whatever we need to be able to continue our education, to be strong and to do what we need.

You know, like you said, our stories are the same and we need to come here together and do what we need to become great students, great leaders, successful businessmen and women to help our children for our prosperity, to move on. With all the growing rates of poverty and unemployment, these are the things that we need to make sure that we are able to have good jobs, have great futures for our families and for our children. Thank you.

*Applause*

**P.O. LINDSAY:**

Lauren Zambelli followed by Christopher Wallace.

**MS. ZAMBELLI:**

Good morning, Ladies and Gentlemen. Today I'm fortunate enough to come and speak on behalf of Suffolk Community College. I've been fortunate enough to take part in the Early Suffolk Community College Program. I'm not sure if you are all aware of what that is, but my eleventh -- my junior and senior year of high school I was fortunate enough to take classes at Suffolk Community College while attending high school. After school I would go there for approximately four hours and complete some of my work twice a week. I not only graduated with 28 credits from Suffolk, going to Binghamton University, I was able to get an edge against the hard competition that is now in place for the college application process. I now have a full scholarship to Binghamton University, partially athletic and majority academic, and I could honestly stand before you all today and tell you that without Suffolk Community College I would not have been able to do that.

Suffolk Community College was not only a great learning process but it was a stepping stone. It taught me certain values and tools I needed to take advantage of for the college life as opposed to the high school that I wasn't necessarily going to be prepared for at Binghamton. It gave me the necessary tools to succeed and with all the great professors I have, I have been extremely successful my first year. It allowed me to take only 12 credits as opposed to the 16 that a normal freshman would take because I already had -- I was already ahead so far that I was able to just concentrate on the changes and really become acclimated to the new surroundings and get really used to things and without Suffolk I wouldn't have been able to do that and I am so thankful. And I no longer attend Suffolk, but I find it so important to speak on behalf of the people who do because I know how important it is. I would just like to say Suffolk has changed my life, and I know that it has done so for many -- for thousands of students. I would just please ask you to consider helping them to continue their hard work and success. Thank you.

*Applause*

**P.O. LINDSAY:**

Christopher Wallace followed by Dr. Pippins.

**MR. WALLACE:**

Good morning. I'm here to speak on behalf of Suffolk County Community College.

After graduating from West Islip High School, I worked at many jobs with the promise of a future that never came. I attended a private business school where I earned professional certifications in computing, only to find out that employers still wanted a college degree. While working at a mortgage company, I began taking classes at Suffolk County Community College on a part-time basis. When the mortgage business took a downturn I was laid off but continued taking classes at Suffolk while unsuccessfully looking for work. It was during this portion at my time at Suffolk when I became part of the Honors Program. The professors, staff and other students involved with this program motivated me to continue my academic success as well as to become an active member of our campus and college.

I raised funds for cancer research with the college's Relay-For-Life, built homes for needy families through Habitat For Humanity, and educated others on environmental issues by leading our Greener

Grant Program. While these activities enabled me to grow as a person, access to research facilities such as the library, computer labs and skill centers enabled me to grow as a student. But frankly, these facilities were not what I had come to expect from my years in the business world. The facilities are crowded and the equipment, while serviceable, was not nearly as current as what we are using in the industry.

If we are to continue to expand the opportunities we provide for the students of Suffolk Community College, we need to continue to invest in the facilities to support their education. I'm now a graduate of Suffolk County Community College where I have earned an Honors Diploma and a 3.9 grade point average. Although this is an accomplishment in itself, the preparation that I have received for future academic success is equally important. I have also been admitted into a fantastic program at SUNY Farmingdale that has accepted all of my transfer credits from Suffolk.

I would like to take a moment to thank the Legislature for your past support in helping make Suffolk County Community College the wonderful institution that it is and to ask you for your continued support so that other students can benefit as I have.

### *Applause*

#### **P.O. LINDSAY:**

Dr. Pippins followed by Ann Shybunko Moore.

#### **DR. PIPPINS:**

Presiding Officer Lindsay, members of the Suffolk County Legislature, I thank you for this opportunity to address you at this important moment in time. Today I stand before you representing 23,000 citizens of Suffolk County; 23,000 of your constituents and 23,000 of my students, and an even larger number if you consider their families and friends.

As their representative and advocate, I must first thank you for your continued support of the college and its priorities. Together we have made significant progress towards achievement of our joint goals. The college has made that progress through your strategic investments which independent research indicates has provided a 100% return on your investments on behalf of Suffolk County taxpayers within just eight years. Today I ask you to again invest strategically in the future of this County, our students and your constituents, many of whom are working two jobs, raising families while struggling to secure an education. For these constituents, I ask you to put back into the Capital Budget projects needed by County students, projects for which half of the funding, 28 million hard-fought for dollars, has already been included in the State's new five year plan, projects which if included in the County's Capital plan will result in no additional cost to the County this year. I also ask you to advance design funds for these projects so we can further assure the availability of hard-won State Capital dollars.

A Capital Budget of course means buildings, but sometimes we forget Capital Budgets mean increased opportunity and access, a quiet place to study when there is no quiet place at home, a place to study between classes when a student doesn't have a car and has already taken two buses to get to campus. Capital Budgets mean places to study in teams for group projects, preparing for teamwork in future jobs, they mean computers and Internet access for students who don't have computers at home. These projects mean access to a book a faculty member has left at the library for talented students who struggle to pay tuition but can't afford the books.

Individuals and institutions have defining moments. This is a defining moment for Suffolk County and Suffolk County Community College. It is a moment when together we can make a giant step towards excellence. Because we made significant progress, this moment would be noted not just by Suffolk residents but by the institutions to which our students transfer, by major funding sources, by monitoring agencies, by donors like {Subzero Wolf}, by potential donors, by existing and prospective businesses looking for our commitment to providing education and training spaces for the workforce. It will be noted by your colleagues in the State Legislature who fought so hard for

this \$28 million appropriations. It will be noted by the seven institutions who did not get funding and it will be noted by individuals like that anonymous donor who recently gave \$5 million to Suffolk County Community College.

In closing, I ask that you continue and enhance your support. As President I say secure the \$28 million. If I were my daughter I would say, "Take that \$28 million and run," declaring to all watching, including our students and your constituents, that opportunity, education, access and economic development are and will continue to be priorities in Suffolk County. Thank you.

***Applause***

**P.O. LINDSAY:**

Ann Moore followed by Michael O'Rourke. There's no Ann Moore here? Okay, I'll skip over her and go to Michael O'Rourke followed by Dr. David Quinn.

**MR. O'ROURKE:**

Good morning. I'm Michael O'Rourke, President of Best Climate Control, a HVAC mechanical contractor in Bohemia and a Suffolk County resident.

About a year and a half ago I had the opportunity to stand in front of you and talk to you about the HVAC program at Suffolk Community and we were able to secure the funds, and I appreciate that, to support the program and to enhance it. At this time I'd also like to ask for your support for the other projects that Suffolk Community is involved in basically at the Grant Campus and the other campuses.

As a business owner, we're always looking for good quality people and we have been very fortunate to have been able to get students from Suffolk Community to work for our company. And I'd like to have you support the projects that Dr. Pippin and the students and other business leaders have asked for. Thank you.

***Applause***

**P.O. LINDSAY:**

Thank you. Dr. David Quinn followed by Evon Walters.

**MR. QUINN:**

Good morning. My name is Dave Quinn and I'm the Library Director at the Grant Campus. Good morning. I'd like to thank you for your continued support in Suffolk County Community College and its Capital Projects in the past.

Today I'm here to ask you to help provide funds for a free-standing learning resource at the Grant Campus. College libraries, particularly community college libraries are in need of more space than ever before due to advances in technology and how students learn and study today. Now, you've heard very eloquently from our students about the shortages that we have in our current library. Just so you know, back when we moved into our new library 17 years ago in 1990, we built the best possible library we could based on a space that was actually at the time due to enrollment 25% below SUNY standards. Let me tell you how overjoyed I was, the faculty and the students were to move out of the basement of the Comsett Hall. When you move out of the basement after 15 years, believe me, you're jumping for joy.

By the late 1990's, the library that we have now is quickly showing its inadequacies due to steady growth in enrollment, the explosion of PC's and the Internet and strong emphasis on collaborative learning. Our current library has served our students and faculty well for a number of years, but the facility now is obsolete due to its original limited space and the fact that it was designed prior to the explosion of PC's and the Internet. Today our library can provide a proper learning environment to our 8,200 students. Now, I could give you numbers that could quantify this, but I think the students

have been very eloquent in their remarks. Let me just tell you some of the remarks I've heard about the library over the years.

Students have come up to me and said, "Where do you keep the rest of the books?"; "Honestly, the fire alarm went off because I was trying to find the second floor"; "Can I please use a PC in the library, because the academic open lab is so small I can't spread out my books and I have no place to hang my coat."

Now, what would a new learning resource do for us? A larger facility, which would be about double in size that we have now, would solve all these problems, plus the renovation of existing library space would provide much needed labs in classrooms. I ask you to help us provide a library that will demonstrate to our many students that the education they received at SCCC is second to none.

**P.O. LINDSAY:**

Could you wrap up, Dr. Quinn?

**MR. QUINN:**

Okay, I will. This time around, if you will fund us, we will -- with adequate space and our experience with a new generation of technology and students, we can build a facility that will meet the County residents needs for years to come. Thank you.

*Applause*

**P.O. LINDSAY:**

I Evon Walters followed by Charles Stein.

**MR. WALTERS:**

Good morning. My name is Evon Walters and I'm the Campus Dean for the Eastern Campus. On behalf of the students, faculty and staff, I'd like to first thank you for your continued support and for this opportunity to say a couple of words on the health and recreational facility.

This proposed project will be a key component in the campus' ability to position itself to better serve and engage its students. Additionally, from a community perspective there is an economic benefit associated with the campus' ability to offer and host a wider range of community programs. That would be quite similar to the 2000 opening of the Sports and Exhibition Facility at the Grant Campus. Having such a facility would position the campus to host a variety of athletic events, trade and consumer shows.

I respectfully and humbly ask that as you go into your deliberations that you give serious consideration to some of the demographic and infrastructure realities that is faced by the Eastern Campus; I will highlight two. Enrollment. We are an expanding campus in terms of student enrollment and program offerings. This past academic year, as you may be aware, we experienced record numbers for both the spring and fall semesters. Equally compelling from this group is the reality that 70% of the total student body is of traditional age meaning under the age of 24. And accompanying this reality is a heightened expectation on the part of these students in wanting to have that complete college experience of having a complimentary and vibrant set of core curricula and athletic offerings. Nationally, Suffolk County Community College is not immune to the increasing level of accountability as it relates to enhanced and student retention and graduation rates. It's a known research based fact that increased engagement increases student retention.

Finally, despite the realities of having no athletic facility, student generated interest over the years have resulted in the expansion of the number of physical education course offerings on the campus. Course offerings have grown from one wellness course that was offered in 1993 to over 40 sections over this past academic year. During this period of growth, our student experiences have been mixed. They include limited intramural program offering on the campus, being forced to travel off-campus to take some other course offerings such as weight training, other basic courses such as

swimming, self-defense or racquetball require our students, with their already complex schedules of work and family obligations, to contemplate driving to Selden. No basic facilities --

**P.O. LINDSAY:**

Could you wrap up, Mr. Walters? You're out of time.

**MR. WALTERS:**

Yes, definitely will. No basic facilities such as a locker room with a shower for students to take after participating. We ask for your support. Your investment in what clearly is a void and not a luxury. Our students, your students, deserve this. Thank you.

*Applause*

**P.O. LINDSAY:**

Charles Stein followed by Joanne Braxton.

**MR. STEIN:**

Good morning. I'm Charles Stein, Vice-President for Business and Financial Affairs at Suffolk Community College. I'd first like to take this opportunity to thank the Suffolk County Legislature for all of its past support of Suffolk Community College with Capital and Operating needs. The Legislature has continuously demonstrated its leadership and vision in supporting our college of excellence and the students in the County, residents as a whole. Thank you.

I'd like to just touch upon three major projects and those are the Health & Sports Facility at the Eastern Campus, the Grant Campus Learning Resource Center and the renovations to the Sigtikos Building at the Grant Campus.

It's important to note that with the assistance of this Legislature, by restoring these projects in prior years, the college has been successful in the current State budget process in getting these projects included in the State's new five year Capital Program. It was not easy getting this accomplished, as is demonstrated by the fact that not all community colleges had their projects included, seven were frozen out. We need these projects restored to the County's Capital Program and design funds advanced so that we can lock in the State funds and move forward on the projects. The Sigtikos Building project will follow the Learning Resource Center.

Please, I implore you, do not jeopardize the State funding that we've worked on for so long to obtain. Abandoning these three projects now would mean walking away from over \$28 million of State funding. Those seven colleges that were frozen out of the State's new five year plan could undoubtedly move to seize the funding being abandoned by Suffolk County. I urge you to give serious consideration for the standalone resolutions, for these three projects as well as the other projects at the County. Thank you for your time.

*Applause*

**P.O. LINDSAY:**

Joanne Braxton followed by Ellen Schuler Mauk.

**MS. BRAXTON:**

Good morning. My name is Joanne Braxton, I am the Vice-President for Planning and Institutional Assessment at Suffolk County Community College. One of my responsibilities at the college is to maintain safety and security measures. Dr. Pippins, the President of Suffolk County Community College, has always placed safety and security as a major priority during her Presidency, even before the incident at Virginia Tech. In wake of Virginia Tech where 32 students were killed, every college in the United States has dramatically changed how they address safety and security on their campuses. Safety and security is a top priority on all college campuses.

The halls of academia have changed. We are not merely educating for Art Appreciation, History, Physics, Socrates, Plato & Aristotle, we must be ever vigilant about the safety and security of our campus communities. The level of concern in the area of safety and security is unprecedented in higher education. Parents and students alike are not just asking about our libraries, faculty and facilities, but they now inquire about our safety and security measures as well as our emergency notification systems. Suffolk County Community College has made great strides in the area of safety and security. However, from all reports that were issued at the Virginia Tech incident, the focus of redundancy of the various types of communication, both passive and active, are paramount to notifying our campus community in the most expeditious manner.

The reduction and the delay and the safety notification Capital Project will place college community at risk and not being able to respond in an event of an emergency. The greater numbers of our college are as follows. We have more than 22,000 students, we have 2,953 full-time and part-time employees; these individuals are in classrooms and in offices and currently we do not have an active mechanism to alert them to an emergency within classroom and offices. This project must be restored for the safety of the residents of Suffolk County who work and attend classes at Suffolk County Community College. Our campuses are large, they are respectively 192 acres, 156 acres, a 207 acres, that's a lot of space that we must cover in the event of an emergency to notify our individuals who are there.

I urge you to reconsider the original funding request of \$2.5 million and moving the timing of the college's safety and security notification system which focuses on the redundancy of emergency notification system for students, faculty, administrators and visitors of Suffolk County Community College. I wish to thank you for your time. Thank you.

*Applause*

**P.O. LINDSAY:**

Ellen Schuler-Mauk and John Mera.

**MS. SCHULER-MAUK:**

Good morning. My name is Ellen Schuler-Mauk and I'm the President of The Faculty Association at Suffolk Community College and I represent 500 full-time faculty and over 1,400 adjunct faculty who teach the 23,000 students at all three campuses. I'm here today to ask you to support the Capital Projects of the Learning Center at the Grant Campus, the renovation of the space in the Sagtikos Building after the Learning Center is built and the Health & Sports Center at the Eastern Campus.

I want to thank you, members of the Legislature, for being such avid supporters of the community college. We've been proud to partner with you over not only the last three years but over the last 20, 25 years. You have recognized the needs of our students, you have shared the vision that the college has presented and I think together we've been able to be very proud of the kind of accomplishments that we've had at the community college.

Over the last three years you supported the Capital Projects that I've mentioned before and as a result of that they were able to be incorporated into the State's Capital Projects for community colleges. This is no small feat and we hope that with your support today that we will be able to actually realize these building projects. If we do not, we perhaps jeopardize not only the \$28,000 -- \$28 million that the State support would provide to the County for these projects, but we also jeopardize having these projects started perhaps within the next five years. So what had been a three year journey to actually realize the beginning of building an infrastructure that will accommodate our ever increasing student enrollment, we may now lose that opportunity for at least another five years. So I'm here today on behalf of the faculty and on behalf of our students to urge you to support these projects in the Capital Budget. Thank you.

*Applause*

**P.O. LINDSAY:**

Thank you, Ellen. John Mera followed by George Gatta.

**MR. McCONNELL:**

Good morning. John McConnell, South Yaphank Civic. I have no connection with Suffolk Community but --

**P.O. LINDSAY:**

John Mera I called. John Mera.

**MR. McCONNELL:**

Oh, I'm sorry. I thought you said McConnell.

**MR. MERA:**

Good morning and thank you for this opportunity. My name is John Mera and I represent a company called Crown Fire Supply. In June 28, 2004, this Legislature adopted rules for the servicing of automatic and portable fire extinguishers pursuant to Section 294 of the Suffolk County Code. To date, this code has never been enforced, I suspect because it is deemed to be discriminatory and unconstitutional.

This code was patterned after the Nassau County Code with one exception, recognizing that there are separate entities, those who service both the automatic and portable fire extinguishers and those who service portable fire extinguishers only. Nassau County issues a separate limited license to those companies servicing portable fire extinguishers only. It also permits portable license holders to outsource any servicing of the fire extinguishers such as recharging and hydrostatic testing to a facility licensed by the Fire Marshal providing the facility places their own record tags on the extinguisher. It also states that limited licenses are exempt from examination regarding service outside of their scope of responsibility.

This code was initially passed by Suffolk County to protect the consumer, but in reality only benefits a select group of fire inspection companies. I find it hard to believe that the intent of this Legislature was to pass a law that could only benefit a handful of fire extinguisher service companies and also find it to be a glaring contradiction that companies with facilities are permitted to service portable fire extinguishers while companies such as Crown Fire are not permitted to use these same companies to service their accounts.

I beseech you to reverse this travesty of justice by introducing the necessary amendments to the code which would protect those engaged in servicing only portable fire extinguishers their constitutional right to earn a livelihood. Thank you.

*Applause*

**P.O. LINDSAY:**

George Gatta followed by Liz Tesoriero. George?

**MR. GATTA:**

Good morning. George Gatta, Executive-Vice President of Suffolk County Community College. In addition to all of the testimony you've heard from our students, from the leadership of our Faculty Association, from our President, from the business community and for the fiscal reasons, I ask that the Legislature consider one other important aspect of these projects in our Capital Program and that is the impact of the projects on economic development and the economy of the County.

Over the past month, as we've discussed this issue with both the committee and individual Legislators, we've informed you, many of you of our work with and our consultation with Dr. Pearl Kamer, the Chief Economist of the Long Island Association and the former Chief Economist of the

Long Island Regional Planning Board. These projects have an impact far beyond just the college. For every \$1 million invested, 16 jobs are created within the County during the construction phase of these projects, and for every dollar, \$2.07 is generated in regional output when you look at the multiplier effect. When you add the State's share, the additional \$28 million that will add approximately \$116 million to the regional economy and it will create over 900 jobs in total. Those are just for the three projects that were not put forward by the County Executive, the Library Learning Resource Center, Health & Fitness Facility and the renovations to Sagtikos Arts.

When you add the other projects that are currently in the State, current State five year program, the 2003-2008 Program and the new program that we've been talking about this morning, the total impact of the County's \$34 million investment results in \$142 million impact on the regional economy, and increase in regional output, and the creation of eleven hundred jobs during the construction phase and equipping phases of these facilities. So for the economic development and economic impact, we ask your support for Budget Amendments four through ten. Thank you.

***Applause***

**P.O. LINDSAY:**

Okay, we have Liz followed by John Tay. Liz, would you pronounce your last name for me?

**MS. TESORIERO:**

Tesoriero.

**P.O. LINDSAY:**

Okay, thank you.

**MS. TESORIERO:**

I know you've seen it a few times.

**P.O. LINDSAY:**

I know, I've seen it a lot.

**MS. TESORIERO:**

I'm Liz Tesoriero, I'm the Director of Auditing Services in the Suffolk County Comptroller's Office. I'm here to address IR 1380.

1380 is a resolution relating to the awarding of a contract for auditing services for the Office of the Public Administrator. When this resolution first came before you for approval, I know concern was raised regarding the fact that only one firm submitted a proposal. I'm here to basically tell you that I was involved in this process and I work very closely with the Purchasing Office, the County Attorney's Office, the Public Administrator in drafting this RFP. There is nothing unique about the services or the technical aspects. The RFP was advertised, it was also -- I gave purchasing the contact information for five accounting firms, another three firms also requested the RFP packages; I can only surmise, it would be a guess as to why only one firm responded. But this is not a very high-end contract, we're talking about the award of \$7,500 a year for auditing services.

Anyway, these services do have to be provided. I can assure you that everything was above board and I would encourage you to approve it today.

**P.O. LINDSAY:**

Thank you very much, Liz.

**MS. TESORIERO:**

If you have any questions, I'll be glad to answer any questions.

**P.O. LINDSAY:**

No, we don't have the ability to ask questions under public portion. Thank you.

**MS. TESORIERO:**

Sorry.

**P.O. LINDSAY:**

I know I called John Tay and on deck is Dot Kerrigan. But before we get to that, it's eleven o'clock, I'm going to make a motion to extend the public portion.

**LEG. ALDEN:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Sixteen (Not Present:

**P.O. LINDSAY:**

Go ahead, Mr. Tay.

**MR. TAY:**

Yes, my name is John Tay, I'm a student at Suffolk Community College and I attend the Ammerman Campus, I'm an Engineering Science student.

The reduction in infrastructure would affect the roads and being that this is a commuter school, the roads are highly important and keeping students safe and getting to class. Delays for the planning for the Peconic Building and the Kreiling Marshal Hall Building, as I understand that the building was built originally in the 30's and renovated in the 60's and it's 50 years later now, that we could use that building to upgrade for new classrooms and that would help very much. We do thank you for the Science Building that will be built in the near future and again, thank you for your time.

*Applause*

**P.O. LINDSAY:**

Thank you. Dot Kerrigan followed by Richard, it looks like Janes?

**MR. NOLAN:**

Jones.

**P.O. LINDSAY:**

Jones, Richard Jones, I'm sorry. Go ahead, Dot.

**MS. KERRIGAN:**

Hi. Honorable Legislators and members of their hard working staff, thank you once again for listening to us here today. My name is Dot Kerrigan and I believe I speak for the residents of John J. Foley, their families, their staff and their families.

I am a nurse, not a public speaker. I love my job, it's hard work but it is satisfying and rewarding. As an employee of Suffolk County, I've never been so proud of being a nurse. I was here last Thursday ready and anxious to hear the findings of this report we've heard so much about. I did not get past the introduction without becoming angry. It states, "In 2007, Suffolk County selected HMM to conduct an operational study of John J. Foley." What is meant by Suffolk County? Is Steve Levy now synonymous with Suffolk County? It states, "The impetus for this study was to reduce operating losses"; prior studies have already been conducted and recommendations not implemented.

Many of the statements in this report I could have looked up on the Internet in ten minutes. That report repeatedly refers to the Berger Commission. Well, the Berger Report never mentions John J. Foley, it never mentions eliminating beds at Foley. HMM makes broad statements throughout their brief presentation; show us the facts, the breakdown and the real numbers. HMM states, "Long-term care in Suffolk County has shifted"; it has not. It has become more diverse, as diverse as the clients it serves.

At Foley we have a rehab floor. We also have quite a few residents who have completed rehab and would like to go to these community-based options HMM refers to, but there are long waiting lists for independent, community-based living. If this study has been going on for a year and staff was encouraged to participate, how is no one knew about it? They state staff was encouraged to communicate; I personally know no one who was approached. How is that possible? Page eleven of the slide show they presented under "Revenue Generating Recommendations" suggests that for six years we have not implemented the changes in the Medicaid reimbursement methodology, also called the add on 2002 rebasing. The County spent taxpayer dollars teaching three people at our facility to do this; why was it not done?

This oversight and other oversights under Executive Levy's watch have put a tremendous burden on the taxpayers of Suffolk County, his words. The report refers to wages and benefits at John J. Foley being the number one expense; they must mean benefits. They can't mean my salary, I was making more five years ago in the private sector. Benefits must be the issue. I believe the staff at Foley have the same benefits as any other County employees. In his letter accompanying the veto of 1436 legislation well thought out and considerate of the population at John J. Foley, the County Executive suggests that this resolution is fool hearty. I and many of your constituents believe otherwise -- I have two more sentences. We believe it would be fool hearty to add to the health care crisis, the unemployment, the foreclosure rate in Suffolk County. Please do not sustain this veto.

### *Applause*

#### **P.O. LINDSAY:**

Thank you, Dot. Richard Jones followed by James Claffey.

#### **MR. JONES:**

Yes. Hello, Legislature. Thank you for having me. Thank you for letting me speak. I just want to ask a question, how would anybody in this building feel if they got a letter or a phone call or anything saying that, "Your house is a burden on the County and we're going to have to take you out of your house"? I don't think it would be fair to anybody. This is how it is at John J. Foley, these people are being taken out of their homes. Please don't let that happen to us, please? Thank you.

### *Applause*

#### **P.O. LINDSAY:**

Thank you, Mr. Jones. James Claffey followed by Patrick Young.

#### **MR. CLAFFEY:**

Yeah, good morning. Jim Claffey, Long Island Community Foundation. We distribute about between nine and \$10 million of philanthropic dollars across Long Island, mostly in support of non-profits. I'm here to speak against 1479.

Others will explain how bad this database is, the tremendous number of discrepancies and errors it contains and the discrimination it's likely to bring about, adding only I think to the fear that already exists in this County because of so many anti-immigrant measures. Although they're denied all the time to be anti-immigrant, as one of your own said, when 75% of the testimony given on these

measures is about immigration on both sides of the issue, it's impossible to claim here that it's not about immigration.

It seems to me that the County really is on a bad trail these days. You're about to sell a public health facility which is going to add burdens to poor people and even the middle class and you're going to pass E-Verify which is going to add to this fear and discrimination for many people in the County, add a new burden to employers, precisely at a time when the economy is shaky. It just seems to me that you could do better.

I would love to come in here some time to speak about something positive that the Legislature is putting forward. For example, expanded ESL opportunities for immigrants that want to learn English that don't find classes available at times and places that work for them, I'd love to see that. I'd love to come in and support a bill that for all workers would defend rights -- living wage and right to organize and safety and health protections on the job, but these positive legislations don't seem to be coming forward.

I would like to take the County Legislature up on this ought-to-be-a law initiative of his where he's asking people to come up with suggested laws. I'd like to suggest one; I'd like to suggest that there be a law that says that there cannot be laws or ordinances or regulations of a negative nature until this County puts forward some positive pieces of legislation that really defend people.

*Applause*

If I could end on a note that I don't like to generally speak in these terms, but I must say I'm very disappointed in the author of this particular legislation. I would imagine that -- Legislator Cooper, I would have expected greater sensitivity to issues of discrimination from yourself and I find it very disappointing that you're the author of this bill. Thank you.

*Applause*

**P.O. LINDSAY:**

I let Mr. Claffey continue, but I would discourage any personal notes or attacks against any individual Legislator. Patrick Young followed by Daniel, it looks like McKiernan. Go ahead, Mr. Young.

**MR. YOUNG:**

Yeah, I think Mr. Claffey just expressed disappointment. I just want to talk briefly about IR 1479, a bill which we oppose, and make sure the Legislators understand that this is not applying Federal law to Suffolk County, there is no Federal law that requires the use of E-Verify. And I hope you understand now that contractors -- and we understand that there are bigger versions of this bill coming forward in the future -- that contractors are now going to have to enter into a Memorandum of Understanding with the Federal Government to use the E-Verify System. If they use it in an improper manner they can be fined by the Federal Government, they can be otherwise disciplined.

The bill is supposedly aimed at attacking employers who hire undocumented immigrants and it's touted as pro-labor. But the use of the E-Verify database on a mandatory basis has already been attacked by the AFL-CIO and a decision by the Federal Courts last week cast out on the very constitutionality of the requirement of using E-Verify. A Federal Judge has blocked an Oklahoma law, very similar to the Suffolk County law, which required employers to use Federal E-Verify for detecting undocumented workers. The law, similar to the proposal in Suffolk, seeks to make voluntary Federal programs mandatory for local businesses. In addition, it imposes local penalties for violation of Federal law. In her decision halting the implementation of mandatory E-Verify, Judge {Calfan} in Oklahoma, Federal Judge, wrote that, "The defendant's arguments, the state's arguments that the Statute represents nothing more than the State choosing with whom it wishes to contract is misleading. Without question, the State can within limits set guidelines controlling eligibility for contracts. However, the State cannot create or impose guidelines that conflict with the

Constitution or Federal law." In other words, making a voluntary program mandatory of the immigration field.

In November of last year, a different Federal Court blocked the so-called Social Security no match letters from being sent to employers by the Social Security Administration. If you're voting for E-Verify, you obviously know what that means, I don't know that all of you do. That was Social Security was going to send out a letter saying that people don't fit in the same database that E-Verify uses and therefore they are subject to being fired. The AFL-CIO brought a suit against Secretary {Churtoff} of Homeland Security challenging the use of what it said was a fatally-flawed database to mandate the firing of workers. As the court noted, the AFL-CIO said that the error rate was so high that it was able to, "Offer uncontroverted evidence that Homeland Security's planned no-match ruling will identify 600,000 members of the AFL-CIO as employees with mismatched names and Social Security numbers. The court, in issuing a preliminary injunction against Homeland Security, found that the issuance of no-match letters would result in the termination of employment to those who were lawfully eligible to work. Because about 8%, that's one in eleven of the people --

**P.O. LINDSAY:**

You're out of time, Mr. Young, if you could wrap up.

**MR. YOUNG:**

-- in the system are incorrectly identified as being ineligible to work. What you're going to mandate, if you mandate this, is that employers have to fire legally authorized workers if they appear as not matching the E-Verify database and I think you're going to find that this is something that's going to harm lawful permanent residents, United States citizens and employers in Suffolk County as well as the labor unions that you claim to be trying to protect. Thank you.

*Applause*

**P.O. LINDSAY:**

Daniel McKiernan followed by Dr. Luis Valenzuela.

**MR. McKIERNAN:**

Hello. My name is Dan McKiernan, I represent Suffolk County Community College. I'm not here to lecture you guys on how to do your job; you obviously know how to do that. I'm just here to inspire you with a vision of what's going on at this college.

It is this community, we do represent Suffolk County. I came to this college, I was a high school drop-out with a .81 GPA. There is no other school that would have taken me. I was convinced, not just by a high school administrator but my own father, that it was in my best interest to drop out of high school and take a trade. There's nothing out there for trade workers right now; there's no pension, there's no benefits and there's no consistency in work. I have a daughter. I went back to Suffolk County Community College, just hoping I could just get through an Associate's Degree. I no longer have a .81 GPA, I now have a 3.9 GPA and I'm the President of the International Honor Society at Suffolk Community College. I represent this college --

*Applause*

I represent this college all over the country now. A week from now I'll be flying out to San Francisco for the Honors Institute. I want to bring this vision to others of what's going on in this County and in this community that we are a model community. I have so many students that sit behind me right now that share the same vision, that this County is our responsibility, that everything that goes on in this County is our responsibility. Again, I'm not telling you where to put your money, I'm just telling you that if you invest it in this college, you are investing in every aspect of our community, that we are going out through community service and we are reaching out to the local high schools and to every problem that is going on within this County. This is not just your job. It's your job to make certain decisions, but it's our job as a community to help each other and we accept that

challenge. We are committed to our community, we just hope you remain committed, as you have in the past, to the our college.

As far as what needs to be done at this college, again, I came to this college just working to get through an Associate's Degree. I'm now working towards going on for my Bio-Chemistry Degree at Stony Brook University. I want to take the MCATS and I want to go to medical school. Our Kreiling Hall at Ammerman Campus, it's not congruent with what's going -- with the beauty that is contained within Suffolk County Community College. I'm sorry to say, it's embarrassing. I spend a lot of time in the Learning Center over there helping other students with their science classes and I feel like I'm in a time capsule, it feels like I'm in the 70's. I mean, no offense to those who grew up in the 70's, but it's not congruent with the new-age thinking and the new ideas in what we represent at Suffolk County Community College. We're cutting edge, we're innovative, we're creating and this building is completely outdated. We need change and we need change college-wide, not just on this campus. We represent the entire County, not just one campus; we are Suffolk County. Thank you very much.

*Applause*

**P.O. LINDSAY:**

Dr. Luis Valenzuela followed by Mary Finnin.

**DR. VALENZUELA:**

Good morning, distinguished gentlemen and distinguished ladies. I want to talk about 1479, but first I want to say something about 1105. I understand that you guys are contemplating going into Executive Session to discuss whether to appeal the Court's decision on 1105; we are asking that you have a public discussion about whether to appeal that decision. We want to know what's going on with our taxpayers dollars.

*Applause*

1479. You know, today is a day that Suffolk County is going to win the race with itself to the bottom; to the bottom, you're going to win that race. You know, last week I shared with you that there are studies, independent studies and government-commissioned studies; all those studies point to flaws with E-Verify. And incidentally, those studies are not old, you can look just six months back and find these studies. It's incredible to suggest that these studies are old.

I shared with you that not only the Kato Institute but also the Heritage Foundation have spoken out, have found in their studies fatal flaws with this program. The program that you guys are proposing is a magic bullet; in fact, there's not a magic bullet. I heard talk about E-Verify being the solution to discrimination against certain workers. Well, guys, all of these studies point to the fact that discrimination is one of the results of E-Verify. So do not be -- let us stray. It is not a magic bullet, it does not do what it intends to do. Not only are citizens going to be affected, immigrants who are here legally, children of immigrants. And let's make no mistake, since the target of anti-immigrant sentiment are Latinos, people with Latino names, people who appear to be Latino are going to be affected. This is not like going to the store and giving an ID card, you're checking up against databases that are flawed.

It is also not true that it is that easy. Employers are going to be faced with a significant burden. Small businesses are going to be faced with a significant burden.

**P.O. LINDSAY:**

You're out of time, please wrap up.

**DR. VALENZUELA:**

And the last thing I'd like to say is that any attack on workers is an attack on all workers. We need to have a Suffolk County that's inclusive rather than one that's divisive, and that's the race that

you're winning, dividing Suffolk County.

*Applause*

**P.O. LINDSAY:**

Mary Finnin followed by James Barrello. Mary Finnin? And James Barrello already spoke, so Donna LaCorte is on deck.

**MS. FINNIN:**

Good morning. My name is Mary Finnin, I'm a retired nurse, a resident and taxpayer of Suffolk County.

I just -- I want to address several things today. I support prior speakers on retaining the John J. Foley as a public rehab facility in Suffolk County and the exploration of the use of a place for our returning veterans to have a facility on the east end where they can receive services.

With regard to the Suffolk Health Plan, I have testified before, I am opposed to the sale of the Suffolk Health Plan. I just want to state that there's a Suffolk County Task Force that responded to the Berger Commission and in that it talks about the Suffolk Health Plan. That paragraph was put in by the chair of the committee who's appointed by County Exec Levy and it is the County Exec's paragraph, it wasn't discussed in-depth by our task force, do not read that as support by the task force for the sale of the Suffolk Health Plan.

I believe that it is the responsibility of government to protect the health and welfare of the public. And in that light, I want to address ongoing cuts in the services and the sale of services in Suffolk County which seems to be the mode of the day. I'm going to speak today about a memo that the Commissioner of Health sent to Legislator Romaine regarding the Q Nurses; these are nurses that are employed by the County, and I addressed this issue at the last I believe it was the Health Committee. But anyway, the nurses times were cut and it has a severe impact on the programs they serve.

The question that was asked at the committee was what is the impact of these cuts and the nurses staff? And the answer that came out just responded to hours that they work and the \$21,000 that they were going to be over budget. So I believe that the Q Nurses have always worked to meet the needs of programs and didn't -- they don't get vacation or sick leave as some other part-time workers do. It's a special category created in 1987. They do not get travel subsidies, step increases, longevity pay. They don't even get the current rate of pay which is the minimum salary for RN's at Grade 19, Step 2, the entry salary. They have been stuck at the same salary level since 2003 which is \$24.12.

Some of these positions -- we're talking about 13 nurses. Some of these positions are grant-funded and the salary was included in the calculations from when these grants were submitted and accepted. They have worked between --

**P.O. LINDSAY:**

Mary, you're out of time, if you can wrap up.

**MS. FINNIN:**

Okay. Between 10 and 20 years, nine of the 13 of these nurses have Bachelors in Masters Degrees in nursing. They work in the Women's Health Care Programs; Prenatal, Family Planning and the Women's Health Partnership for Cancer Care, and they work in the County-wide Immunization Program. So I'm just asking -- trying to put this in context for you. I will leave a copy of the information with the Clerk for your review. Thank you.

*Applause*

**P.O. LINDSAY:**

Donna LaCorte followed by Melissa Gallaso. No, Melissa Gallaso already spoke, too. Followed by Cesar Malaga.

**MS. LaCORTE:**

My name is Donna LaCorte, I am the Human Director for Bactolac Pharmaceutical. I am here representing the CFO of Bactolac Pharmaceutical who was called out of town last minute on meeting for business. She asked me to represent her and the company and to read the following into the record.

For the record regarding pending IR 1094 for voting to approve Bactolac Pharmaceutical to be within the boundaries of the Empire Development Zone. "Dear members of the Legislature, in August of 2007, Bactolac Pharmaceutical submitted an application to the Suffolk County Town of Riverhead Zone Administrative Board for consideration as an Empire Zone regionally significant project designation. The Zone Administrative Board supported this decision. The support was forwarded to New York State who in turn determined that Bactolac met the program criteria as regionally significant project."

"Since February of this year, I have attended several public hearings, Economic Development Committee meetings and full Legislative meetings in attempt to answer any questions and address any issues the Suffolk County Legislature might have had relevant to this resolution. I have addressed the issues expressed by the members regarding the consideration to use prevailing wage rates and allowing union trades to bid on the project. Several meetings have taken place, as you are aware, and as a result many union contractors have submitted proposals that have either been considered or are currently under consideration."

"The CEO and I had met on May 9th with nine union delegates at our office. At that meeting it was agreed that Frank {Nito} of the Sheet Metal Workers Local 128 would act as the liaison from the other unions and provide me with a list from each union of potential contractors. I in return committed to ensuring the bids would be sent to these contractors. Mr. {Nito} again visited my office on May 23rd at which time I reminded him to forward the promising listings. I would like to make the Legislature aware that our construction manager, LMJ Contracting, has had direct dialogue as evidence by the attached with Mario Mattera of the UA Local Plumbers Union and Frank Pellegrino of UA Local Plumbers and Pipe Fitting Union."

"LMJ Contracting has also received several bids from these trades and others for consideration. As I have mentioned before, this is an open bidding process and all contractors, union or non-union, will be considered without bias. Revised mechanicals have been submitted to all trades and will be under review the month of June. I respectfully ask that the Legislature vote on this resolution today, as we have been tabled for many months. We cannot delay construction of our new facility. Given the length of time that this process has taken, we had no choice but to proceed with our construction plans with the hope that we would have attained our RSP status by now. With each month that passes, our benefits under the program are diminished. Bactolac will not be able to achieve our expansion efforts on Long Island without the financial assistance of the designation. With the benefits of the designation" --

**P.O. LINDSAY:**

Could you wrap up, Ms. LaCorte? You're out of time.

**MS. LaCORTE:**

"The company will be adding 50 more -- payrolls will grow by 50% and we have expected 9.6 million for the facility and existing facility reservations. The efforts to remain in this industry are relying on the benefits of the designation of our growth and strategy with the workforce here. However, as the process of approval is stalled pending movement with the next phase of approval, I feel that a substantial amount of benefits will be lost without" --

**P.O. LINDSAY:**

Ms. LaCorte, you have to stop, you're out of time, long well out of time.

**MS. LaCORTE:**

Thank you.

**P.O. LINDSAY:**

Mr. Malaga followed by Jessie Rock.

**MR. MALAGA:**

Good morning, Presiding Officer Lindsay and Legislators. My name is Cesar Malaga, I'm the President of the Hispanic American Association.

I would like to thank Legislator Ricardo Montano for making sure that this Legislative body follows the law on the books and not circumvent to pass laws in a hurry against a certain group of residents. I would also thank all those Legislators that voted against IR 1105. If this law survives, which was signed by County Executive Levy in the dark. Those of you who voted in favor of 1105 will deprive many children who are U.S. Citizens of a decent meal or other necessities of life that these children deserve, like your children does. Their parents have the right to work and care for their families.

I provide three reports to you at the last hearing, I hope you were able to read, they are very important. One was about -- concerning the payment of \$9 billion per year in taxes by undocumented immigrants. The other was the fact that the U.S. Attorney Christopher Christie indicated that, "Being in this country without proper documentation is not a crime," unless the person reenters the country after being deported. On the last report I have given to you was about the needs of workers in this County. Without them, you will not have food in supermarkets or the food for sale would be unhealthy to eat. Landscape and construction in this County is in demand for workers.

The County Executive and some of you want to play Federal Government. There are International Treaties that prevent all -- that protect all individuals in this County -- country and we should treat them as humans with decency.

I suggested at the last hearing that the County should issue all undocumented immigrants a license to work in Suffolk County at the cost of \$100 per year. This County will be the first one in the nation to deal with undocumented immigrants. The County needs workers and the undocumented persons need to work to care for their families.

As to the IR 1479, the Federal records are not up-to-date I indicate to you, I work for the IRS and I saw how bad the Federal records are. You cannot use the Social Security Administration records to verify that the person you are hiring has the proper Social Security number. Those of us who work with computers know that to keep our record up to date takes time and money. The Federal Government, States and Counties do not have the money for such undertaking. As we say, "Garbage in, garbage out." Do not waste taxpayer's money with E-Verify or appeal IR 1105. Give undocumented the immigrants a license to work.

As for John J. Foley Nursing Home, do not sell the facility. Get the right people to administer the nursing home. You have politicians who prevent to run a profitable nursing home --.

**P.O. LINDSAY:**

You're out of time, Mr. Malaga. Could you wrap up, please?

**MR. MALAGA:**

You have companies ready to buy the facility because they know they can make money and generate lots of profits. Let's keep John J. Foley Nursing Home to care for the people of Suffolk County. Thank you very much.

*Applause*

**P.O. LINDSAY:**

Thank you. Jessie Rock followed by Steven Laskee.

**MS. ROCK:**

Good morning. My name is Jessie Rock and I'm a Suffolk County resident and also a member of the small business community and the Long Island Immigrant Alliance and I'm here today to talk to you about IR 1479 also.

Since its inception, the E-Verify Program has been plagued with problems, as noted by the government's own studies such as from the DHS, the GAO and SSA. The two main problems that I'm concerned about which have also been discussed this morning are about database errors which, among other negative impacts, result in U.S. Citizens being incorrectly identified as not authorized for employment. And there are also widespread instances in which employers engage in prohibited practices under the program such as unemployment -- pre-employment screening, adverse employment action based on a tentative non-confirmation, and also failure to inform workers of their rights under the program. I view this bill as hasty and would respectfully request that you do more study of the impacts of E-Verify before moving forward on this bill. Thank you.

*Applause*

**P.O. LINDSAY:**

Thank you, Ms. Rock. Steven Laskee followed by Erica Chase.  
Mr. Laskee.

**MR. LASKOE:**

Presiding Officer and members of the Legislature, it's Steven Laskoe, L-A-S-K-O-E. I'm speaking on behalf of and in support of public health in Suffolk County.

First to the issue of the John J. Foley Nursing Home. Somebody mentioned earlier about a time capsule and they felt like they were in the 70's. I started working in the health field in the 60's and when I go and speak to the folks who are working currently in the John J. Foley Nursing Home, I feel like I'm talking to people in the 60's because they care about what they're doing. They're not following the pattern that you see today in health care where caring has gone out of the system and it's become bottom line driven. These are people who truly are dedicated to what they do. They don't have the technology of the 60's, they have the technology of today. They know what they're doing, they should be given an opportunity to do it well. They should not be put in a position of cognitive dissidence where they are not supported to do their job. That is the way I feel about the John J. Foley Nursing Home.

As far as the sale of the health plan. If the County Legislature has decided in their wisdom that the County should not be in the business of Managed Care, fine; you've made that decision, if that's the case, you voted for, against, or in favor of selling the plan. I'm not going to stand here and say that you shouldn't do it, you should do it, that's not my point. My point is that the process was contaminated. The health plan was never put in a position to be successful. They were not staffed adequately, they were set up to fail.

What I see is also in dealing with the nursing home, back to the nursing home for a second, is that there was a resolution, and it really ties to the other and I'm going to tie it up with this. There was a resolution put forth in previous meetings of this body and it was passed, I received a letter from the Presiding Officer saying, "Thank you for coming and speaking and we passed that resolution regarding the nursing home 17-0," 17 of you decided that it was worth supporting this nursing home. And I was thinking in the interim, what would make you change your mind? What would make you change your mind? Power, politics, fear, is that what it would be, would it be fear, fear of

a consequence? Our County Executive is riding a wave, that wave that put him into office; there's something very organic about waves, they go in and they go out.

**UNKNOWN AUDIENCE MEMBER:**

Very good.

**MR. LASKOE:**

Thank you.

*Applause*

**P.O. LINDSAY:**

Thank you, Mr. Laskoe. Erica Chase followed by Tom Breeden.

**MS. CHASE:**

Hi. Good morning. My name is Erica Chase, I'm the Director of the Smart Government for Strong Families Coalition, a project of the Health and Welfare Council of Long Island. As you may remember, I testified a while back in regard to IR 1033, a prompt contracting law for not-for-profits. During my testimony I explained that the SGSF members were working on a document outlining objectives and recommendations that would hopefully serve as a guide as we partner to create a more streamlined delivery system of services provided by the not-for-profit sector. I wanted to take this opportunity today to inform you that our report is finalized and available to any Legislators that are interested in working with our coalition to implement our recommendations.

I would like to read just a few bits of the executive summary which is included in our report to give you a better idea of the coalition's concerns and mission. "Suffolk County has a long history of collaboration and partnership with the not-for-profit organizations, purchasing services from providers for a range of reasons including their expertise in design and delivery of service, established record of quality service, community integration, cultural sensitivity and customer satisfaction. Relationships between contracted human service organizations and Suffolk County government agencies have developed into collaborative and dynamic partnerships. However, in too many instances, procedural complications, inefficiencies, poor communication and lack of planning have compromised the abilities of not-for-profit human service contractors to deliver services to the citizens in need."

SGSF wishes to inform Suffolk County Government and the elected officials about issues within the County's procurement system that impact the delivery of human services. In conjunction with this effort, SGSF Coalition presents this report which offers recommendations for the three objectives. One is streamlined and efficient business processes; promoting best practice which include corporate compliance, agency accountability and organizational transparency; and three, planning and innovation."

"Working in partnership with the Office of Suffolk County Executive, Legislators and other concerned citizens, SGSF looks to create a more responsive and streamlined human service delivery system that will benefit all partners involved. It is the belief of this coalition that the following recommendations can serve as a starting point for further discussions to create a structure that can achieve a more efficient and effective system. The coalition looks forward to submitting additional recommendations as the process evolves."

As I stated, the report is available and I will leave them with the Clerk for your review. Thank you for your time and attention.

*Applause*

**P.O. LINDSAY:**

Thank you, Erica. Tom Breeden followed by Steve Epstein. Tom has been very patient, waiting in

the corner for all these hours.

**MR. BREEDEN:**

Good morning. I'm always pleased to address the sponsor of Suffolk Community College. I'm honored and I think back to when we were all much younger and I had wanted to be important, as no doubt you did. Fortunately, I failed and you succeeded, so you have hard choices to make and I do not.

I'm going to speak, as you already know, about the college's Capital Program. It's hard times in Suffolk County right now, not as hard as in many parts of the United States but it's hard times. The various bubbles break, the real estate bubble broke, there have been other problems and other hard times in the United States and sometimes people who have to make difficult choices like yourselves might look in history. When Thomas Jefferson spent \$15 million to double the size of the United States by buying the Louisiana Territory, he was certainly criticized at the time. When Alaska was purchased for two cents an acre, it was called Seward's Folly. When Franklin Roosevelt took over in the depths of The Great Depression, he borrowed money like crazy and built things. In fact, one of our students I was very proud to hear referred to Kreiling Hall, it was something from the 70's. In fact, it was built by Franklin Roosevelt's WPA in the 30's, it's still there and in fact it's difficult to renovate because it's so well built, it's like a bomb shelter on top of Earth.

So what I'm asking is you might -- and I'm speaking, of course, as an employee of your community college, but also as a taxpayer. The \$28 million we're asking you to appropriate will be matched by Albany, \$28 million. Since Suffolk County is roughly 8% of the population of the State, that means over two million of that money in Albany is already our money and I think you should get it. And I don't know what would be more irritating, if you don't get the two million we already sent up there or if you don't get the 26 million that other people sent up there. This would create, as Vice-President Gatta pointed out, jobs for blue collar people who are hard-pressed in this County. And I'm imploring you to fully fund the Community College Capital Budget. Thank you for your time.

*Applause*

**P.O. LINDSAY:**

Thank you, Tom. Steve Epstein followed by Debra Allonus (sic),.

**MR. EPSTEIN:**

Good morning. My name is Steve Epstein and I'm an Associate Professor of Communication at Suffolk Community College.

When I went into education over 35 years ago, I did not want to go to a community college. I aspired to teach at a major university; I succeeded, I taught at Columbia University for five years. After teaching there, I went to IBM and Simon & Schuster where I helped them develop technology solutions for the higher education industry. During my time there, I had an opportunity to visit colleges across the country and came to realize that real education happens at the community colleges in America.

So when I decided to come back to teach at college, I chose to teach at a community college. The students of mine at Columbia would succeed no matter what I did, no matter how much damage I could do. The students at a community college need great faculty, but they need the facilities to support great teaching. We bring to the college students that are under educated, students that are returning adults, students that are recent immigrants and need to hone their English-as-a-second language skills and students in great need of financial aid. We need the facilities to match the education of the teachers and the commitment of the administration by providing them with infrastructure they need to go to school. But moreover, I developed skills of the businessman and as was just said, I would not leave money on the table. The State government is ready to pay half the cost of this innovation; the renovation of facilities, the enhancement to meet the needs of our growing enrollment. And I would not go to look to buy a car and have somebody say, "I will pay

half," and turn that down. So I urge you not to turn down the money that is waiting to be spent in Suffolk County that will come back to educate the students of Suffolk County and will come back to enhance the economic development of Suffolk County. Thank you.

***Applause***

**P.O. LINDSAY:**

Debra followed by Charlene Obernauer. Go ahead, Debra.

**MS. ALLONCIUS:**

Good morning, Presiding Officer Lindsay and honorable members of the Legislature. My name is Debra Alloncius, I am the Suffolk County Association of Municipal Employees Legislative Director. I stand before you on behalf of Cheryl Felice and the 8,000 members she represents.

I, too, support the Suffolk Community College Budget. Suffolk Community College has probably seen many of us there. It needs to be maintained, it needs to be updated, it needs to be properly funded. We need to support the investment. We're supporting our future when we support this investment. And don't -- we can't be penny-wise, dollar foolish. Who could turn away 50/50 funding? With the programs that they keep coming up with, with all of the help that they're getting from blue collar jobs, we definitely need to support this.

Regarding IR 1480. After listening to the report that BRO did regarding the Suffolk Health Plan, I really think you have a hard choice on your hands now. But I do thank you because our members are protected and I want to just make sure that our members do stay protected there. But I can't help but agree with Steve Laskoe, we are absolutely dismantling the health care system and what are we going to do when it's gone?

And lastly, I stand before you regarding 1436. I thank everybody from the J.J. Foley Nursing Home who have gotten up here and so eloquently given you the information, the little pieces that they know of the puzzle; it's very important to put it altogether. However, we need you to override that veto because you don't have the report. You had a brief overview; the overview is not giving you enough information that you really can work with.

I'd like to also read a couple of quotes out of -- a printout on long-term living found on the Internet, dated March 5th, 08, talking about, "another important aspect of daily operations that's frequently overlooked or inadequately addressed by the administration is the use of overtime in the nursing home industry." Seventy-five percent of the cost in all nursing homes is labor intensive, so I think we're doing pretty good because I think we were below 75%. Health care professionals on all levels can participate in the facility's efforts to increase the efficiency as a means of improving care. Workers who are aware of operating costs and are also aware of how much they improve the facility's performance when they work according to well conceived plans informed by the wisdom of both nursing and the County make a lot more money. Everybody's got to come together here which is something that has not been done. And we applaud Mr. Lindsay for having the wherewithal to try to bring somebody in to do just that.

Again and again you have heard the people say they have never -- they never saw anybody come to them and ask for help. AME would have gladly sat down two years ago to work on that nursing home, to find a way to make this thing run. I just want to let you know, the quote that I was reading from here was written by Joe {Smauller} and Anthony Marone.

**P.O. LINDSAY:**

Could you wrap up, Debra? You're done? Thank you.

**MS. ALLONCIUS:**

I just hope we have everybody behind us. I think you really need that report in totality to make a proper decision.

*Applause*

**P.O. LINDSAY:**

Charlene Obernauer followed by Mario Mattera.

**MS. OBERNAUER:**

How's it going? My name is Charlene Obernauer and I'm from Jobs With Justice Long Island. And at Jobs For Justice we fight for the rights of working people and in order to fully support workers on Long Island, we stand opposed to IR 1479.

E-Verify has proven not only to unjustly criminalize documented immigrants whose status is checked, but also married women whose names have been changed. There's a high error rate when documented immigrant statuses are checked by their employers, and by the time a person can correct their records, it's already too late and they've lost the job. So just imagine that happening, right? You've gone through all of the steps necessary to become a legal immigrant of the United States which is apparently what everyone here supports, legal immigration, and then after you've gone through all these steps you're already criminalized and your rights are already being taken away just because you have maybe a Latino last name.

So in addition to these well reported errors that a lot of other people have spoken about within E-Verify, the cost of this program would require an estimated doubling of the budget and staff of the Social Security Administration. So we need to ask ourselves, is this money being spent to protect the worker's rights on Long Island? Because that's what we at Jobs For Justice are concerned with, the worker's rights on Long Island. With this flawed system that employers will use to check up on the status, how is this helping working people? We need to recognize that just like IR 1105, 1479 stands to divide workers so that we can't fight for our rights with a united front.

We're at a time in history where politicians are desperately trying to unite a country that is so divided. We need politicians such as yourself to work towards this unity with legislation that creates solution, not more problems. We need to create solutions that work and those solutions will not be found in criminalizing immigrants with documentation, nor will it be found in preventing immigrants without documentation from working. Both techniques hurt the economy and working people as a whole.

It's for this reason that Jobs For Justice stands opposed to 1479 and asks that other people who support workers on Long Island to do the same. I hope that next time you speak out at the Legislature, it's not to fight legislation that hurts workers but to support legislation that helps us all. We ask the Legislators once again to start drafting legislation that will help, not hurt, our economy and will respect, not degrade, all workers. Thank you.

*Applause*

**P.O. LINDSAY:**

Thank you. We have Mario Mattera followed by Roger Clayman.

**MR. MATTERA:**

Good afternoon, Mr. Chairman and all Legislators. Thank you very much for letting me speak today on this very hot day. Just quick, everybody was talking about the water problem that we have over at Suffolk Community College and everything like that; I've got plenty of plumbers that need work and we'd love to go there.

My name is Mario Mattera, I'm the Business Agent with Plumbers Local 200, a Suffolk County resident. I represent approximately twelve hundred members, 80% of them live in Suffolk County.

I'm here to speak about Resolution 1094, the Bactolac Pharmaceutical project. First of all, I would like to say Renee Reynolds of Bactolac, I've been in contact with her and I have a great rapport with her, she calls me up and contacts me about certain questions. She has an open door policy with me and I feel with my colleagues also. LMJ General Contracting Marc Siden; Marc Siden, actually, I've been working with him for the last year, it took me three years but you know what, with anything with hard work, you know, I finally got actually an open door policy with also with Mark also. I have three projects going on right now in Suffolk County and I have my contractors on those projects.

I would just like to thank all Legislators for helping with this very important project so that contractors get a chance to bid, all contractors get a chance to bid. It means a lot to us not just to say that it's just a non-union job, we need to make sure that everybody gets a chance to bid on this project. And I appreciate that very, very much with all the help of all the Legislators with this.

We need to keep our jobs here local, we need to have monies here stay local in Suffolk County. It's very, very important that, in other words, the money stay in Suffolk County and they don't go elsewhere, we need to keep our local economy strong and this is the way about -- this is a way of putting people to work and I am in favor of this resolution 1040 -- 1094. And I will keep in touch with all the Legislators and give you guys a head's up what's going on. I do not have the contract here with my contractor. But like I said, is the dialogue there? Yes. Do I have the job? No, but I really feel confident that I will just by the dialogue with Renee Reynolds and Marc Siden from LMJ.

And I know soon, soon enough we will be talking about 1105 again and I can't wait. Like I said, there's a lot of things that are going to be coming up with this, I'm appalled about such things, what happened and how much it cost the taxpayers to go out of committee with this and I'm going to tell you, I can't wait til 1105 comes back up again. And I think the person up on the horseshoe understands what I'm trying to get at.

E-Verification, I'm going to tell you right now, I'm all for that also. I think E-Verification, we need to make sure it needs to be strong as possible for the future of Long Island that in other words that everybody needs to make sure that taxpayer's money stay here in Suffolk County and is spent here in Suffolk County. Thank you very much.

*Applause*

**P.O. LINDSAY:**

Thank you. Roger Clayman.

**MR. CLAYMAN:**

Good morning. My name is Roger Clayman, I'm the Executive Director of Long Island Federation of Labor. I first would like to address the Capital Budget for Suffolk County Community College. It's all been very well motivated by students who mean really well and are doing a great job and by the faculty. We would urge you to find a way to support that budget, to work it into your proceedings. We know from working with the general -- with the Legislature in Albany that any kind of money, \$28 million more or less is difficult to come by. If you have an opportunity to avail yourself of that money, please do. The facility is greatly needed.

*Applause*

**MR. CLAYMAN:**

Secondly, on the E-Verify system with respect to any way that it may be applied to any kind of legislation that addresses the problems you've gone at from a number of angles. The figures that were cited previously by Patrick Young and others that related to the AFL-CIO lawsuit to block the no-match letters, these are accurate and that's exactly what happened.

I would hope that at some day we have a way of verifying citizenship status. It's important for reasons that you all know. At this point, what we have is an experiment where our members and

working people in general are being used as the guinea pigs for something that doesn't work. And as long as one of our members is harmed by a system that discriminates against them, we're against it. We can't selectively decide which of our members we're going to represent. At this point the system doesn't work. Maybe we're going to have to wait for a new administration in D.C. that honestly wants to tackle the problem and provide the kind of back-up that will allow the Social Security Administration to prepare a database that can be accessed and will work.

Just one quote, one statistic on a very hot day. The Inspector General of the Social Security Administration says that, "More than 70% of the discrepancies with the database relate to native-born U.S. citizens," and many of them are our members and we're concerned about them. Thank you.

***Applause***

**P.O. LINDSAY:**

Thank you very much, Mr. Clayman. All right, at this time I'm going to make a motion to go into Executive Session to discuss current litigation; the case is Montano vs. The County Legislature.

**LEG. HORSLEY:**

Second.

**P.O. LINDSAY:**

I have a second by Legislator Horsley. Go ahead, Legislator Romaine.

**LEG. ROMAINE:**

On the motion. Is this necessary to have Executive Session since most of the items in this case have been publicly discussed, publicly published and everyone is aware, I believe, of the items that are involved. I don't know understand the need for a public -- a private session when this is a public matter.

**P.O. LINDSAY:**

Any time we've involved in litigation, active litigation, it's the normal practice to go into Executive Session. It's one of the few instances, besides a caucus, where the Public Meetings Law allow you to go into closed session.

**LEG. MONTANO:**

On the motion.

**LEG. ROMAINE:**

The purpose of Executive Session is to discuss something to avoid being discussed publicly because of its confidential nature; there isn't too much confidential about this case.

**LEG. ALDEN:**

I don't know about that.

**P.O. LINDSAY:**

I don't know about that.

**LEG. ROMAINE:**

Okay.

**P.O. LINDSAY:**

Legislator Montano.

**LEG. MONTANO:**

Yes. I'm somewhat familiar with the Open Meetings Law. While the Open Meetings Law does allow

for Executive Session, it certainly does not mandate Executive Session on any matter. As a matter of fact, I have a copy of Section 1105 of the Open Meetings Law, but I do know that the purpose of the Open Meetings Law is to ensure that we have public dialogue and public discussion on all matters, but it did cut in certain exceptions for those, A, public bodies that want to go into Executive Session. I'm the plaintiff in this litigation and I'm, quite frankly, going to vote against --

**LEG. D'AMARO:**

Mr. Presiding Officer, point of order.

**LEG. MONTANO:**

Well, can I finish, Mr. D'Amaro?

**P.O. LINDSAY:**

We have a point of order. Go ahead.

**LEG. MONTANO:**

Go ahead, Mr. D'Amaro.

**LEG. D'AMARO:**

Yeah, just a point of order. You know, Legislator Montano is a plaintiff in this litigation and I don't think that ethically he can even participate in this motion to go into Executive Session. He clearly has an interest that's directly opposite to the interest of the defendants; in this case, the Legislature and yourself.

**LEG. MONTANO:**

Well, Mr. Lindsay, Mr. Lindsay also --

**LEG. D'AMARO:**

So I would ask for -- excuse me, sir.

**LEG. MONTANO:**

-- is a defendant in this and then --

**LEG. D'AMARO:**

I would ask --

**LEG. MONTANO:**

-- if those rules apply to me, they should apply to him.

**P.O. LINDSAY:**

Hold on. Hold on. Legislator D'Amaro has the floor with a point of order.

**LEG. D'AMARO:**

Yeah. So I would ask for a ruling from the Chair as to whether or not Legislator Montano is ethically precluded from even participating in this debate. And I would turn to our Counsel as well, if you'd like to advise.

**P.O. LINDSAY:**

You want to respond, Legislator Montano?

**LEG. MONTANO:**

Yes, I do. I'm a plaintiff to the proceeding and so -- Mr. Lindsay is also a defendant. So if I'm precluded, I see no reason why he should be included, and I see no reason why he as the Chair should rule on my status here. If you want to take this up, then I will ask my Counsel to come in and I would like an opportunity to call my Counsel and have him come here and discuss the issues. But the Open Meetings Law says very clearly that --

**LEG. D'AMARO:**

I'm going to ask for a ruling on that, Mr. Presiding Officer.

**LEG. MONTANO:**

Well, can I finish, Mr. D'Amaro, please? I didn't interrupt you. You said you wanted to continue, I let you finish, so let me finish.

**P.O. LINDSAY:**

Go ahead, make your statement. Make your statement.

**LEG. D'AMARO:**

You did interrupt me.

**LEG. MONTANO:**

And then I let you finish, so let me finish, Mr. D'Amaro.

**LEG. D'AMARO:**

Yes, sir.

**LEG. MONTANO:**

Section II says, "Attendance at the Executive Session shall be permitted to any member of the public body and any other person authorized by the public body," so that's written in the statute. So unless you can show me case law that says that I am not either a member of this public body or there's an exception to me because I'm a litigant, then I'm entitled to be here. So I would like to hear from whomever wants to make these legal opinions, but quite frankly, I want to have my attorney here so that we can discuss these. Since you raised the issue legally, then we ought to have an opportunity to discuss this.

As far as the Open Meetings Law goes, the purpose of the Open Meetings Law is to make sure that we have public discussion. So whether I'm included in this or not and whether I vote on this or not, I still will maintain that I as a plaintiff will waive my right to have this matter discussed in private and you should discuss it in public, whether I'm in there or not.

**P.O. LINDSAY:**

Okay, as far as asking for a ruling from the Chair. As you all know, I am not an attorney and I'm not versed in the efficacy of how attorneys operate. But I do know that when someone sues this body we're entitled to attorney/client privilege I think is the backbone of our legal society.

So I am going to rule that we have a motion and a second before this body, and if I get ten votes I intend to go into Executive Session.

And part of that is to preclude Legislator Montano because he is the complainant in this litigation. So we have a motion and a second to go into Executive Session. You want to comment, Legislator Romaine?

**LEG. ROMAINE:**

Yes, a brief comment. As a member of this body and as someone that served in this body in the 80's that was involved in a number of lawsuits, including the Shoreham lawsuit, this body voted to hire attorneys, this body as a body voted to become litigants, whether they were plaintiffs or defendants, as a body. I do not ever recall voting to hire the current attorney that's representing this Legislature, I do not recall voting to go to litigation, become a defendant, to litigate this case; I have no memory of this. That's why I am curious why I am in this position. Because I've been here before and every time I've been here before as a Legislator I voted to go there, or the majority of this body voted to go there. There has been no vote on this litigation by this Legislature.

**P.O. LINDSAY:**

If I could just reply to that. First of all, we were -- we are the person that's being sued. I was

served with papers on the morning I think of our last meeting or the prior meeting. We had to -- I think our Counsel was served with papers at a cocktail party after business hours to appear in court the next day. We had to scramble to get Counsel to represent us. And the purpose for going in to Executive Session is to brief you on pending litigation, not -- and then you'll have an opportunity to vote whether you want to appeal the current ruling of the lower courts, so you'll have the ability to vote on that.

We didn't vote on this because we didn't start this litigation, we're defending ourselves. And in any litigation that's ongoing that I've been here, the updates on those cases were always done in Executive Session.

**LEG. MONTANO:**

On the motion.

**P.O. LINDSAY:**

Last comment and then I'm going to take a vote.

**LEG. MONTANO:**

My comment.

**P.O. LINDSAY:**

Go ahead.

**LEG. MONTANO:**

I want to clarify something with respect to service. When this action was commenced, service was made upon the County Attorney when the Order To Show Cause was filed with the court which was the day before you were served, Mr. Lindsay. The County Attorney appeared through Counsel and stated on the record that they had a conflict and therefore they didn't want to make a comment. The Judge at that point asked me, and I volunteered, I said, "Well, if it's going to be an issue of service" -- by the way, I disagreed with the County Attorney, service does not go towards, you know, the issue of whether or not there's a conflict. Once the County Attorney was served, it was my position that the Legislature had been served because you've been served through your County.

Nonetheless, I was asked by the court to effectuate service by the next day, by 9:30 the next day. That's why Mr. Nolan was served that evening and that's why I called you after Mr. Nolan was served and I said, "I have papers for you. You have to be in court at 9:30 in the morning through your attorney." And you said, "Bring the papers to the Legislature in the morning, I will accept service," and that's how we worked it out.

So I wanted to clarify very clearly that the County Attorney was served, was served properly. Service is not an issue in this case and the County Attorney stated on the record that there was not a conflict because I'm a Legislator and they didn't want to accept the service and that's why it worked out the way it did. So take your vote.

**P.O. LINDSAY:**

Mr. Clerk, roll call on going into Executive Session.

**LEG. ALDEN:**

Can I ask respectfully for a five minute recess?

**P.O. LINDSAY:**

Okay, I'll grant you a recess.

**LEG. ALDEN:**

Thank you.

*(\*BRIEF RECESS TAKEN: 12:06 P.M. - 12:18 P M. \*)*

**P.O. LINDSAY:**

Mr. Clerk, you better call the roll.

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

**P.O. LINDSAY:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. COOPER:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. STERN:**

Yes.

**LEG. NOWICK:**

That's not -- what are you calling, the roll?

**MR. LAUBE:**

To go into Executive Session.

**LEG. MONTANO:**

No, no, it's attendance.

**MR. LAUBE:**

No, you want attendance?

**P.O. LINDSAY:**

Yeah.

**LEG. MONTANO:**

Yeah.

**P.O. LINDSAY:**

Yeah, attendance. I want attendance. We've been out on a break, I want to know who's here.

**LEG. COOPER:**

Change my vote to a here.

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

**LEG. ROMAINE:**

Present.

**LEG. SCHNEIDERMAN:**

Here.

**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:**

Here.

**LEG. NOWICK:**

Here.

**LEG. HORSLEY:**

Here.

**LEG. STERN:**

Here.

**LEG. D'AMARO:**

Here.

**LEG. COOPER:**

Here.

**P.O. LINDSAY:**

Here.

**MR. LAUBE:**

Seventeen.

**P.O. LINDSAY:**

Okay. When we went into a brief recess, there's a motion before us and a second to go into Executive Session to discuss pending litigation and to exclude Legislator Montano as the litigant to this lawsuit.

**LEG. MONTANO:**

On the motion.

**P.O. LINDSAY:**

We've already had the motion, we've had discussion, we're ready for a vote.

**LEG. MONTANO:**

On the motion.

**P.O. LINDSAY:**

What do you want?

**LEG. MONTANO:**

I believe that the motion is improper. The motion should be to go into Executive Session and then you'll take a separate vote as to whether or not you're going to exclude me. So it's a dual motion, I think it's improper.

**P.O. LINDSAY:**

Okay. I'll make a motion to go into executive session. Do I have a second?

**LEG. HORSLEY:**

Second.

**P.O. LINDSAY:**

All in favor?

**LEG. D'AMARO:**

Excuse me.

**LEG. MONTANO:**

Roll call.

**LEG. D'AMARO:**

Mr. Presiding Officer, before you call that vote. I disagree with that. I think it has to be one motion because I don't think that Legislator Montano, as the plaintiff in the lawsuit, can participate in the discussion or the vote itself.

**P.O. LINDSAY:**

Well, if the motion passes to go into Executive Session, I'm going to exclude Legislator Montano from the chair.

**LEG. MONTANO:**

By vote or by fiat?

**P.O. LINDSAY:**

No, no.

**LEG. D'AMARO:**

I'll take that as a ruling, Mr. Presiding Officer.

**LEG. MONTANO:**

By vote or by fiat?

**P.O. LINDSAY:**

I'm going to make a ruling from the Chair, you can call it whatever you want.

**LEG. MONTANO:**

I call that fiat. There are other words, but I won't say it here.

**P.O. LINDSAY:**

Okay, you don't have the floor. Okay, we have a motion to go into Executive Session.

**LEG. MONTANO:**

Roll call.

**P.O. LINDSAY:**

I'll call for the roll, Mr. Montano.

**LEG. MONTANO:**

I'm allowed to. I'm allowed to call for a roll.

**P.O. LINDSAY:**

If you don't mind --

**LEG. MONTANO:**

I do mind. I do mind.

**P.O. LINDSAY:**

I will exercise this chair.

**LEG. MONTANO:**

I do mind. I'm allowed to call for a roll call.

**P.O. LINDSAY:**

You do not -- you are not recognized. Roll call.

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

**P.O. LINDSAY:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. COOPER:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. STERN:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. BARRAGA:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. MONTANO:**

Abstained.

**LEG. EDDINGTON:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. VILORIA-FISHER:**

Yes.

**LEG. BEEDENBENDER:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. ROMAINE:**

Yes.

**MR. LAUBE:**

Sixteen (Abstention: Legislator Montano).

**P.O. LINDSAY:**

Okay, we're going into Executive Session. I'm excluding Legislator Montano, our Counsel, Mr. Nolan, and if -- actually, I don't want anybody else in the room, no Clerk, no Budget Review, no County Attorney.

*(\*Executive Session: 12:22 P.M.\* - 12:59 P.M.\*)*

**P.O. LINDSAY:**

Okay, we're ready, Alison?

**MS. MAHONEY:**

Yes, we are.

**P.O. LINDSAY:**

Okay, we've concluded our Executive Session. The majority of the Legislators have voted to appeal the court ruling. With that, I'll take a motion to recess until 2:30 for the Public Hearings.

**LEG. COOPER:**

Motion.

**LEG. ALDEN:**

Motion.

**P.O. LINDSAY:**

I have a motion and a second. All in favor?

**LEG. ROMAINE:**

Point or order.

**P.O. LINDSAY:**

Go ahead.

**LEG. ROMAINE:**

The vote to appeal the decision must be made in public session.

**LEG. ALDEN:**

I don't think so.

**P.O. LINDSAY:**

I don't think so.

**LEG. ALDEN:**

We haven't done that ever.

**P.O. LINDSAY:**

Never.

**LEG. ALDEN:**

That's not part of our rules.

**LEG. ROMAINE:**

Okay.

**P.O. LINDSAY:**

Okay, we have a motion to adjourn and a second. All in favor? Opposed? Abstentions? To recess, excuse me.

***(\*THE MEETING WAS RECESSED AT 1 P.M. \*)***

***[THE MEETING WAS RECONVENED AT 2:38 P.M.]***

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

**P.O. LINDSAY:**

Call the roll.

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

**LEG. ROMAINE:**

Here.

**LEG. SCHNEIDERMAN:**

Here.

**LEG. BROWNING:**

Here.

**LEG. BEEDENBENDER:**

Here.

**LEG. VILORIA-FISHER:**

Here.

**LEG. LOSQUADRO:**  
(Not Present)

**LEG. EDDINGTON:**  
Here.

**LEG. MONTANO:**  
Here.

**LEG. ALDEN:**  
Here.

**LEG. BARRAGA:**  
(Not Present)

**LEG. KENNEDY:**  
(Not Present)

**LEG. NOWICK:**  
Here.

**LEG. HORSLEY:**  
Here.

**LEG. STERN:**  
Here.

**LEG. D'AMARO:**  
Here.

**LEG. COOPER:**  
(Not Present)

**P.O. LINDSAY:**  
Here.

**LEG. SCHNEIDERMAN:**  
Tim, call me again.

**MR. LAUBE:**  
Fourteen.

**P.O. LINDSAY:**  
Okay. Mr. Clerk.

**LEG. SCHNEIDERMAN:**  
I'm here.

**MR. LAUBE:**  
I got you.

**P.O. LINDSAY:**  
We have a number of Public Hearings. Have they been properly advertised?

**MR. LAUBE:**

Yes, they have.

**P.O. LINDSAY:**

First up is *I.R. 1054 - A Local Law strengthening competitive procurement procedures and maximize savings for taxpayers*. I don't have any cards on this subject. Is there anyone in the audience that would like to speak on this subject? Seeing none --

**LEG. EDDINGTON:**

Motion to recess.

**P.O. LINDSAY:**

Motion to recess by Legislator Eddington, I'll second that. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Fifteen. (Not Present: Legs. Barraga and Cooper)

**P.O. LINDSAY:**

*1174 - Approving rates established for Davis Park Ferry Company*. I'm being told that we have to recess this. I have no speakers on this. Anybody in the audience want to speak on 1174? Not seeing any, I'm going to make a motion to recess, second by Legislator Eddington. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Twelve. (Not Present: Legs. Losquadro, Montano, Alden, Barraga and Cooper)

**P.O. LINDSAY:**

*1272 - A Local Law to protect children from accidental poisoning by requiring the proper storage of toxic chemicals in retail stores*. I don't have any cards on this subject. Is there anyone in the audience that would like to address us on this subject? Seeing none, Legislator Schneiderman?

**LEG. SCHNEIDERMAN:**

Motion to recess.

**P.O. LINDSAY:**

Motion to recess by Legislator Schneiderman, I'll second that. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Twelve. (Not Present: Legs. Losquadro, Montano, Alden, Barraga and Cooper)

**P.O. LINDSAY:**

*1315 - A Charter Law to make the County's leasing process open, competitive and accountable*. Again, I have no cards on this subject. Anyone in the audience like to speak to us on this subject? Okay.

**LEG. BEEDENBENDER:**

Motion to close.

**P.O. LINDSAY:**

Motion by Legislator Beedenbender to close.

**LEG. VILORIA-FISHER:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Thirteen. (Not Present: Legs. Losquadro, Alden, Barraga and Cooper)

**P.O. LINDSAY:**

**1343 - A Charter Law to change the Legislative Term of Office.** I have no cards on this subject. Is there anyone in the audience that would like to speak on this subject? Seeing none, I see the sponsor isn't here. I'm going to make a motion to recess. If he comes in, if he wants us to reconsider, we can reconsider. Do I have a second to recessing?

**LEG. D'AMARO:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Fourteen. (Not Present: Legs. Alden, Barraga and Cooper)

**P.O. LINDSAY:**

**I.R. 1348 - Extension of license for North Ferry Company, Incorporated, for Greenport Harbor service between Shelter Island Heights, New York, and Greenport, New York.** I don't have any cards on this subject. Is there anyone in the audience that would like to address us on this subject?

**LEG. ROMAINE:**

Motion to close.

**P.O. LINDSAY:**

Motion to close by Legislator Romaine, I'll second that. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Fourteen. (Not Present: Legs. Alden, Barraga and Cooper)

**P.O. LINDSAY:**

**1358 - A Local Law to reduce the emissions of pollutants from the County's diesel-fueled motor vehicles.** I don't have any cards on this subject. Anyone want to speak on this subject?

**LEG. HORSLEY:**

Is that 1358?

**P.O. LINDSAY:**

Yes.

**LEG. HORSLEY:**

I understand that the sponsor would like to make a motion to recess.

**P.O. LINDSAY:**

Okay. So Legislator Horsley makes a motion to recess.

**LEG. LOSQUADRO:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Fourteen. (Not Present: Legs. Alden, Barraga and Cooper)

**P.O. LINDSAY:**

*1377 - Increase and improvement of facilities of Sewer District No. 3 - Southwest*, the outfall pipe. I guess this is -- is nobody -- I have no cards on this subject. Anyone like to address us on this subject? Seeing none, I'll make a motion to close. Do I have a second?

**LEG. LOSQUADRO:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Fourteen. (Not Present: Legs. Alden, Barraga and Cooper)

**P.O. LINDSAY:**

*1457 - A Local Law to adopt a Full Cost Disclosure Policy for Land Acquisition Resolutions.* I have no cards on this subject. Is there anyone in the audience that would like to speak on this subject? Seeing none, I'll make a motion to, I guess -- I don't know what the sponsor wants to do. I'll make a motion to recess, and again, when he comes in, we'll reconsider it if he wants to close it. Do I have a second?

**LEG. BROWNING:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Fourteen. (Not Present: Legs. Alden, Barraga and Cooper)

**P.O. LINDSAY:**

*1476 - A Local Law to amend the qualifications for electricians and plumbers.* And I do have one card, Russell Calemмо.

**MR. CALEMMO:**

Are we on here?

**MR. LAUBE:**

You have to turn it on. There's a switch right there.

**P.O. LINDSAY:**

There you go.

**MR. CALEMMO:**

Qualified electrician they call me. Anyway, my name is Russ Calemмо. I reside and work in East Hampton, Long Island, New York. You know, it's funny. I'm looking around here and most political leaders and you lawmakers, we all sort of dodge bullets. It looks like the way we're dressed today, we're all kind of sweating bullets. It's a real hot day outside, so I'll get to our point here.

Regarding this amendment to our Local Licensing Law, not only does the industry at large support it -- I'm a member of the Suffolk County Electrical Contractors Association, I'm a member of the Nassau Electric League with New York Association, Contractors Association and many other industries involving the electrical industry. But one position that I'm involved with very seriously,

and I'm part of a great organization, is the Suffolk County Licensing Board. I've been there since 1985. We've done great work there for the County, protecting the consumers and making the integrity of the licensing that much stronger.

One of the things that we have gotten from the industry is, in fact, that we were concerned about the five-year work experience program. Not only has the electrical industry addressed this issue, it's an ongoing thing, and we've finally come to a head that we've had probably, I would say, right across Long Island, including Nassau County, Nassau Electric League, more importantly, the Electrical Inspectors. The reason for this change certainly is to protect the consumer regarding the work experience of the electrician applicant. Five years is a substandard based on all other industries, not only in Nassau, but New York State and other counties as well. Some are seven, and others are ten, we being the least.

Back in 1971, a gentleman by the name of Lou Tempera, who put together this, along with a quite a few of us, under the pressure of the County we were asked to try to make this a little bit easier. It was a time when young people were coming back from war, that they were able to work here in Suffolk County having an electrician's license. This has been going on since 1971, so we felt that it's about time we changed this. We've had a unanimous vote on this County licensing, again along with industry, and it's our job, basically, to protect the consumer. And by doing this, we feel that the electrical contractor will have a higher degree of integrity and work experience.

You have to understand, we have a code book that's fatter than a dictionary, and is probably easier to remember the dictionary, at least that's in some sort of alphabetical order than it is to remember our code book. The point is that we would appreciate if you consider this amendment very seriously, and we would hope that it goes by and gets done in plain English. Thank you very much and thank you.

**P.O. LINDSAY:**

Thank you, Russ. Is there anyone else in the audience that would like to address us on 1476? Seeing none, I'll make a motion to close.

**LEG. LOSQUADRO:**

Second, Mr. Chairman.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Fourteen. (Not Present: Legs. Alden, Barraga and Cooper)

**LEG. SCHNEIDERMAN:**

Tim, would you list me as a cosponsor for this?

**MR. LAUBE:**

Yes, sir.

**P.O. LINDSAY:**

***1481 - A Local Law amending Chapter 270 of the Suffolk County Code to expand the use of forfeitures to the misdemeanor crime of reckless driving.*** I don't have any cards on this subject. Is there anybody in the audience that would like to speak to us on this subject? Seeing none, I'll make a motion close.

**LEG. BROWNING:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Fifteen. (Not Present: Legs. Barraga and Cooper)

**P.O. LINDSAY:**

That concludes our Public Hearings for today. We will be setting the date for the following public hearings, Tuesday, June 24, 2008, at 2:30 p.m., at the Suffolk Community College Culinary Arts Center in Riverhead, New York. The 2008-2009 Suffolk County Community College Budget. IR 1499, A Local Law to require that Probation Department employees use County vehicles while conducting County Business; IR 1503, A Local Law to reduce paperwork requirements for volunteer not-for-profit organizations; IR 1506, A Local Law to prohibit deceptively-colored handguns; IR 1538, A Local Law to establish E-Verify requirements for occupational licenses; IR 1570 - A Local Law to require companies doing business with the County to certify utilization of the Social Security Number Verification Service to verify employees Social Security Numbers; IR 1571, A Local Law to require occupational licenses to utilize the Social Security Number Verification Services.

And also setting the date for the following Public Hearing of July 28th, 2008, at 10 a.m., at the Rose Caracappa Auditorium, Hauppauge, New York, the 2008-2009 Suffolk County Community College Budget.

Do I have a motion to set those following Public Hearings? Motion by Legislator Alden.

**LEG. ROMAINE:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Fifteen. (Not Present: Legs. Barraga and Cooper)

**P.O. LINDSAY:**

Okay. That concludes our Public Hearings. We have to go back to the Public Portion. Jennifer Tay. Is Jennifer Tay still with us?

**MS. TAY:**

Yeah, I'm here.

**P.O. LINDSAY:**

Okay. Followed by Theresa, looks like Sanders.

**LEG. BEEDENBENDER:**

She's coming around.

**MS. TAY:**

Good afternoon, hi. My name is Jennifer Tay. I'm a Registered Nurse. I serve at John J. Foley Skilled Nursing Facility on the Dementia Unit. And it was actually very heartwarming today to hear all these people come up from Suffolk County Community College, because I am one of the graduates from there, too, at a very crucial time in my life, where I have four young children. I am now in a position to be able to provide for them, thank you to Suffolk County and to the Suffolk County Community College, so I really -- it's just such a great feeling to see all these people come up here. I am very grateful. I would not be here today, I would not have my Registered License -- Registered Nurse License, if it weren't for the support of our community and Suffolk County

Community College, but that's not why I'm here -- partly.

I'm here, because last week I came to a meeting where we were waiting anxiously for a report from HM&M. They were in our facility, apparently this report was taking place for approximately a year, and this was, you know, really close to my heart because it's going to determine the future of our facility and all the people that work there and all of the residents. And I don't know, but in the years -- the year that they were there, I never saw anybody from that company, so I'm curious. And my question is, how long were they in our facility? How much money did it cost to come up with that slide show, because I could have created that in PowerPoint, to project the 52 million dollar loss over three years by just dragging a -- sorry, that doesn't do it for me. I really want to know what's inside that report, and I'm sure you do, too. It's a shame that you waited all that time and our lives are hanging in the balance and they don't even have the figures? They have a slide show for you, which is inaccurate.

And I was also very disappointed because if that company was hired to come up with some real good solutions, why was it so slanted that -- how can they make a judgment or an opinion to say that we shouldn't be in the business? They're accountants. Their opinion doesn't count when it comes to providing care to people, because maybe it does cost more for our residents. We have a lot of cases where their medicine may be more expensive than a typical nursing home. So I'm sure there are many cases in our facility where it would cost more than your typical nursing home.

I guess what I'm trying to say is that you really -- we really can't use that report, which brings me back to how much did it cost to come up with that report? I would think that you would have to scrutinize it very closely.

And lastly, but most importantly, they said that suggestions made by that firm were put into place. These are the three things that I know of. Soda, hot chocolate, and pudding was cut from the residents' trays. That was a savings of \$20,000 a year. Staffing was cut. Now, it doesn't take a brain surgeon --

**P.O. LINDSAY:**

Would you wrap up, Jennifer?

**MS. TAY:**

If they wanted this facility to run efficiently, I would think one of the suggestions would have been to release the SCINs and save money on the agency nurses that have been coming in. I hope that you will read between the lines of that report. Thank you.

*(Applause)*

**P.O. LINDSAY:**

Theresa Sanders. Is Theresa Sanders still in the audience? No Theresa Sanders? Okay. Elaine Fox, M.D.? You can't speak for --

**AUDIENCE MEMBER:**

Good afternoon. Dr. Elaine couldn't come and she just left her thing for me to give to the Clerk.

**P.O. LINDSAY:**

Thank you very much. John McConnell? No John McConnell. Roger Clayman. That must be a duplicate card because he spoke already. Kevin Gershowitz.

**MR. GERSHOWITZ:**

Good afternoon. Thank you for your attention. It's been a very long road for us in the scrap metal side. For two years we've been discussing scrap metal legislation with this body. Before you today

we have two bills, 1129 and 1437. We are opposed to 1129 and we are in favor of 1437. 1129 places burdens upon our industry that cannot be complied with. And there's a difference between cannot and choose not and I want to make that clear. We cannot. We can't do tag-and-hold, it physically doesn't work. We cannot do the article tracking system.

1437 places burdens upon our industry too, yet these are burdens that we can comply with and we choose to comply with. Placing burdens that can't be complied with makes no sense. It's, again, putting a round peg in a square hole, or the opposite. 1129 will cost industry more than seven million dollars to comply with each and every year. It will upset the flow of the recycling process. It will create harsh and undue burdens and uncompliant burdens upon local businesses with no benefit. It will send a message that Suffolk County is not a business friendly County, as 1129 will create severe competitive disadvantages for those businesses operating in the County.

There's recently enacted State Legislation from January 14th and there's additional State Legislation sponsored by our local Assemblyperson that is close to passing. And with all of this, we want to express our support for 1437. 1437 is not watered down, it's a compromise, and a compromise means that not every side gets exactly what it wants. From an industry point of view, we were not 100% happy with everything proposed in 1437, but there are things that we can comply with. 1437 is tough, it's firm, it's stern, it's clear, it's direct, it's patently simple to comply with and enforce. Ask yourself, when has an industry said, "We want more regulation, we want more recordkeeping requirements, we want extremely stiff fines, we want penalties placed upon us for noncompliance"?

In the first 30 days that this is enacted, the County Police Department should be able to generate \$500,000 in fines from those companies not complying, bringing an industry into compliance. Once again, 1437 is the compromise legislation, it's good legislation. And I ask all of you today, let's not delay the two years any longer, let's move it forward. Thank you.

***(Applause)***

**P.O. LINDSAY:**

Philip Fava.

**AUDIENCE MEMBER:**

Not here.

**P.O. LINDSAY:**

Not here. Lisa Votino-Tarrant.

**MS. VOTINO-TARRANT:**

Hello. My name is Lisa Votino-Tarrant. I am a Suffolk County resident, and I am speaking on behalf of Long Island Wins against IR 1479. Long Island Wins sent a letter yesterday to every Legislator here with a list of compiled research on how inherently flawed the Federal E-Verify System is. We included information from the United States Government Accountability Office, the Office of the Inspector General, of the Social Security Administration, a report prepared at the request of the U.S. Department of Homeland Security, and four organizations which research immigration. All of these assessments found the E-Verify System to be faulted and deficient.

The Social Security Administration worries that there is not nearly enough funding on the Federal level for the system to take on the burden of additional municipalities mandating the use of the system. Additionally, the E-Verify System has not been able to work out major bugs and causes discrepancies that would further burden the SSA.

The President of the National Council of Social Security Management Association was more critical, saying that most extension proposals being considered could require a doubling of the budget and staff of SSA. If such legislation is passed and does not include the necessary funding for these

increased workloads it could cripple SSA's service capabilities and negate any progress that we are working to achieve in addressing the disability backlogs.

The report prepared for the Department of Homeland Security concluded, most importantly, the database used for verification is still not sufficiently up to date to meet the Illegal Immigration Reform and Immigration Responsibility Act of '96 requirement for accurate verification, especially for naturalized citizens. That is a huge problem.

The discrepancies being reported consist mostly of married women, like me, who have a married name and a professional name or naturalized citizens who have gone through the long and lengthy immigration process. Both groups are entitled to equal employment rights, yet the E-Verify System could deprive us of exactly that. And now some of you think it is a good idea to bring this broken system here. We should not be fixing one broken system with another broken system.

When people said 1105 was not about immigration, I gave you the benefit of the doubt. There is no doubt in my mind this time. IR 1479 seeks to solve a perceived problem in the worse way possible, by creating more problems the County doesn't need. The casualties here are law abiding citizens looking for employment. Any Legislator who votes yes on this bill is clearly doing so armed with information from the Federal Government that tells you my rights have a strong chance of being violated. You will be complicit and knowingly violating a productive law-abiding U.S. citizen's rights. You will be voting to implement a system that is guaranteed to hurt your constituency and I hope you will see the practical side of this argument and not fall victim to anti-immigrant hysteria, demanding quick solutions that are guaranteed to fail and hurt others in its wake.

*(Applause)*

**P.O. LINDSAY:**

Patricia -- Patricia Bruno. Is Patricia Bruno here? Edward Pruitt? No. Pete Quinn. Must be hot if Pete went home. Rose VanGuilder. No. Dr. Carmine F., I think, Vasile. No. Ken Meyer. Okay. Ken Meyer here.

**MR. MEYER:**

Good afternoon and thank you. My name is Ken Meyer, Senior Vice President of Clare Rose, Incorporated. We are a Budweiser and Heineken distributor for all of Long Island.

**P.O. LINDSAY:**

Did you bring any with you?

**MR. MEYER:**

Not cold, not cold, but I did stay here through the heat. I would just like to say that we are in favor of Bill Number 1129.

For the past 26 years, Clare Rose, Incorporated has been recycling because of a New York State bottle bill that was passed. Okay. Over the past few years, with the increased value of the scrap, the aluminum, and the recycling that we handled, we have been severely impacted. Not only Clare Rose, but so has {Bowling Brothers}, the Miller Distributors, the Coors Distributor, Coke and Pepsi.

What's happening is many of the aluminum cans that we recycle or that we get back from the local chain stores where they have what we call DIPCO machines, where you place your can, the can is crushed, you get your nickel back. But we, as the wholesalers, have to not only pay that nickel back to the retailer, a two-cent handling fee and a 25-cent fee to the people from the DIPCO machines. What happens after they are flattened and put into a bag, they are stored in trailers until some of us who pick them up for the recycle and scrap value, that's how we get some of our money back. However, what's happening with the price of aluminum that's gone anywhere from 60, 80, 90 to a dollar-one a pound, there are people that are breaking into trailers behind King Kullen, Pathmark, Waldbaum's, stealing these bags of cans and taking them to local recyclers and getting the scrap

value. So not only do we lose because we've already paid, you know, the King Kullens, the Waldbaum's and the Pathmarks for that can, the redemption and the handling fee, now we also lose the scrap, you know, that we get back and we bundle and we sell to either Anheuser-Busch or their recycling or sell to Alcoa.

So, with this bill, I know, and hearing today it may be a little cumbersome, but we in our industry are losing thousands of dollars, because stuff is -- because cans that are being double redeemed. So if people become accountable, or if somebody came into my facility with 50 bags of flattened cans, I would have a question as to where they came from. And I would invite anyone here, if they would like to see our facility, I'd be more than happy to show them how we operate and how it can affect all of us in Suffolk County. Thank you very much for your time.

*(Applause)*

**P.O. LINDSAY:**

Thank you very much, Mr. Meyer. Michele Lynch.

**MS. LYNCH:**

Good afternoon, Presiding Officer Lindsay and the Legislature. My name is Michele Lynch and I am a resident of Suffolk County. I am here representing 1199 SEIU, which has over 250,000 members in New York. In Suffolk County and Nassau County we represent 20,000 healthcare workers. I am speaking against bill 1479, which will require 16,000 County employees to use E-Verify. It imposes a new requirement on County employers, different from Federal requirements.

This is a new unfunded mandate for Suffolk businesses. The E-Verify system has been widely criticized for its high number of inaccurate false positives. E-Verify is just the latest effort to make employers the enforcers of American immigration. You have to ask yourself, how much do you trust the Federal Government to maintain an ever free data base trustworthy enough to stake your job on. Because of the disparity in costs and the disparity in liability exposure between applicants who are U.S. citizens and those who are resident aliens, I believe the current E-Verify system puts pressure on employers to give preference to applicants who look like they will check the box on the I-9 indicating they are U.S. citizens.

Prior to the Democratic County Executive and this Democratic Legislative majority, meaningful legislation was able to be passed for the residents of Suffolk County. We passed, for example, the Living Wage bill, Fair Share No Health Care. Now there's talk about selling or closing the John J. Foley Nursing Home, selling the Suffolk Health Plan, closing or cutting Suffolk Health clinics, and it's almost July. I would like to see this Legislature pass meaningful legislation that creates changes for the residents of Suffolk County. Thank you.

*(Applause)*

**P.O. LINDSAY:**

Thank you, Michele. Mike DePaoli. I don't see Mike. Is he still here? No? Domenico Romero.

**MR. ROMERO:**

Good afternoon. My name is Domenico Romero and I'm the Director of the Long Island Civic Participation Project. We're a member of an organization that works in partnership with labor unions to improve the life conditions of residents in Long Island. I'm here to speak against resolution IR 1479 for all the reasons that most people have already mentioned about it. Besides the anti-immigrant perspective that seems to be part of this bill, what is astonishing is how the bill -- how the E-Verify System is likely to affect mostly American native born citizens.

A study from the Department of Justice, as has been mentioned before, has shown that 70% of the

people affected by the mistakes of this system affects mostly citizens. And that is what is going to happen here in Long Island, and that is why you won't find anybody supporting this bill who has actually seen the results of this -- it's going to have on the residents of the County. That is why I hope that those of you who didn't know about the system before now have the chance to learn about it and vote against this bill. It is not necessarily -- it is going to affect not only those who you think don't deserve to be working in this County, but also a lot of people who are already supporting you. So, please, look at the facts, stop the rhetoric, and stop IR 1479. Thank you very much.

*(Applause)*

**P.O. LINDSAY:**

Cheryl Keshner.

**MS. KESHNER:**

Good afternoon. My name is Cheryl Keshner. I'm speaking today on behalf of the Empire Justice Center, a statewide organization which protects and strengthens the legal rights of people in New York State who are poor, disabled, or disenfranchised. Our program advocates for systemic change, provides training and support to other advocates, and also provides free, direct legal representation from our offices in Rochester, Albany, White Plains and Central Islip. The Empire Justice Center opposes the passage of IR 1479.

During this time of economic uncertainty, workers need job protections and safeguards against employer abuse and discrimination. This bill will provide no such protection for workers, and, in fact, our fear is that it will have the opposite effect. Rather than opening doors to worker opportunity, IR 1479 will create further obstacles to obtaining and maintaining employment for all workers, and particularly for those who are or appear to be foreign-born.

The E-Verify System, as many have testified already, is deeply flawed and has a high error rate. At a Congressional hearing in June, 2007, the Government Accounting Office detailed the many weaknesses it had found with the E-Verify System, including its inability to detect identity fraud, as well as Department of Homeland Security delays in updating databases. Thus, those lawful residents whose immigration status may have changed or whose information may not have been entered into a central database, would likely be unfairly refused employment. Due to database errors, foreign born workers, including those who have become U.S. citizens, were found to be 30 times more likely than native born U.S. citizens to misidentify as not being authorized for employment. A disproportionate number of women also, who may have changed their names either through marriage or divorce, could be penalized because their names and Social Security numbers do not match.

This December 2006 report by Social Security Administration's Office of Inspector General, as other people had mentioned, also found a multitude of inconsistencies between the databases of the U.S. Citizenship and Immigration Services and the Social Security Administration. The Inspector General cited 17.8 million records in the Social Security Administration's database which had discrepancies with name, date of birth, or citizenship status. About 13 million of these records belong to U.S. citizens. According to the National Immigration Law Center, between October 2006 and March 2007, approximately 3,200 foreign-born U.S. citizens were improperly denied employment using the E-Verify System.

I'm going to skip a little bit, because I know time is limited. There's also a significant privacy problem posed by the system. Anyone posing as an employer could access basic pilot E-verify and all its data. Employees who run this program are not screened by the Department of Homeland Security. Workers privacy and personnel information could be jeopardized due to the fact that Department of Homeland Security databases do not meet industry standards for protecting private information. By implementing the E-Verify Program in Suffolk County the Legislature will be putting thousands of workers at risk of wrongful termination and would also create a bureaucratic nightmare for those 17,000 County contractors faced with a choice of discharging workers or facing sanctions if

found to be in noncompliance.

**P.O. LINDSAY:**

Cheryl, you're out of time.

**MS. KESHNER:**

Okay. Let me just wrap it up, okay? Over the last few years, Suffolk County seems to have gained a reputation for being a County of intolerance from the attacks on immigrants in Farmingville to the ICE raids against undocumented immigrants, to the recent passage of 1105. The message seems to be that immigrants are not welcome here. Whether documented or undocumented, immigrants perform jobs that are vital to our economy and support our local business.

The Empire Justice Center believes Federal Immigration Law preempts local governments from imposing employer sanctions against businesses that hire unauthorized workers. If IR 1479 is passed --

**P.O. LINDSAY:**

That's it, Cheryl.

**MS. KESHNER:**

Okay. Let me just say that the Legislature has to spend a lot of money on legal challenges, and if IR 1479 is passed, there will be additional legal challenges.

**P.O. LINDSAY:**

You're done.

**MS. KESHNER:**

I am going to also --

**P.O. LINDSAY:**

You're done.

**MS. KESHNER:**

Can I just submit this into the record?

**P.O. LINDSAY:**

Give it to the Clerk.

**MS. KESHNER:**

Okay. I gave a copy of my statement, but people want positive alternatives and I am going to submit those as well.

**P.O. LINDSAY:**

You're done, Cheryl.

**MS. KESHNER:**

Thank you.

**P.O. LINDSAY:**

Four minutes plus, you're done. William Condon.

**MR. CONDON:**

Good afternoon, Presiding Officer Lindsay, Ladies and Gentlemen of the Legislature. Thank you for an opportunity to speak before you today on Bill 1479. My name is Bill Condon. I am the first Vice Chair of the Suffolk County Conservative Party, and I'm here to speak to you on behalf of our

County Chairman, Ed Walsh, and our entire Party in support of bill 1479, which has been proposed by Legislator Jon Cooper.

I've listened to some of the folks who've come out here and spoken against the bill, some intimating perhaps it might be discriminatory, others threatening legal challenges. That shouldn't deter you from doing what's right and what's right for the taxpayers.

For the past decade illegal immigration has been a growing problem in our community that has now reached epidemic proportions. Our taxpayers, your taxpayers, are literally paying the price for this still growing problem. Several months ago, Legislator Beedenbender stepped forward with Bill 1105 under heavy criticism. Legislator Beedenbender stayed the course, although that bill did not pass for other reasons.

**LEG. BEEDENBENDER:**

It did pass.

**MR. CONDON:**

Missing from that bill was a real mechanism to enforce it, which we now have. Legislator Cooper's bill includes the E-Verification System, which has been shown to be over 99% accurate here in 2008, not in 2006, in 2008, and that is according to Homeland Security Chairman Michael Chertoff, in vetting illegals attempting to use stolen and/or fraudulent Social Security numbers.

Jim {Stadinlau}, who has been acknowledged in multiple courts on the State and Federal levels as an expert witness on E-Verification, supports this process as the most reliable current mechanism of identification and enforcement. E-Verify is already up and running in a third of the United States and more are considering it everyday as it becomes more reliable with time. In fact, all companies doing business with the Federal Government are required to use E-Verification, and we submit to you that Suffolk County shouldn't be any different.

Using E-Verify in conjunction with the Department of Homeland Security is a sound and effective way to control the many contractors and other businesses that seek to evade the existing laws and taxes by hiring illegals. We commend Legislator Cooper for getting behind this initiative and we strongly support the passage of Bill 17 -- 1479 as the only effective and fair alternative to controlling illegal immigration in Suffolk County.

Let me make it plain. We do not seek to discriminate, we seek fairness and accuracy on behalf of the people who pay the taxes that make our government run and make our economy run. E-Verify will allow us to accomplish this goal. I submit to you, Ladies and Gentlemen of the Legislature, and I speak on behalf of the entire Conservative Party of Suffolk County, we owe it to our taxpayers and their families to pass Bill 1479. Thank you.

*(Applause).*

**P.O. LINDSAY:**

Thank you, Mr. Condon. Kari Weidenburner? Is she still here? No? Kari Weidenburner? No? Thomas Muench. Thomas Muench. No? Michael O'Neill.

**MR. O'NEILL:**

Good afternoon. I think that speaker just before me clearly demonstrated how bad this law is. He quotes, this supposed expert, {Statenhauser}, who is a paid organizer for {FAIR}, one of the most -- well, it's considered a racist anti-immigrant organization by the Southern Poverty Law Center. He's no expert of anything. He calls himself -- before he called himself an expert on driver security, and -- but the Conservative Party is pushing him for an office, so all that was nonsense. But I came here to speak against the selling of John J. Foley Nursing Home.

It seems that our County Executive is in a headlong pursuit to win approval from this Legislature for effectively competing with providing its residents with health services that rival many Third World

countries. Suffolk County does not have one public -- County public hospital. Its mental health services are primitive to nonexistent. There's not one single dental clinic in all of Suffolk County. That alone is a shameful fact and I don't doubt that each of you feel that shame.

It's astounding to watch this Legislature -- this Legislature pat itself on the back saying it wants to protect the American worker by its 1505 and 1479 on the very same day that it will seek to break up a union at John J. Foley. It will seek to have its workers be paid less, have less benefits, less protections from their union that has worked tirelessly to build their protections.

I urge this Legislature not to stoke our County Executive's ego and not to use the needs of the very poor and the very needy to balance his budget. Of course you could sell the Great River Country Club, which would bring in a great deal more money, and there's four other County golf courses, but I doubt if you will. You know that privateers are chomping at the bit to get the Suffolk County HMO that they know they can make money off of, as well as I think as you do, because of our single-payer system; that is, the government pays and the HMO jumps in and takes -- is the middleman. And the Medicare/Medicaid is not going to pay this private company any more than it pays the County.

**P.O. LINDSAY:**

You want to wrap up, Mike? You're out of time.

**MR. O'NEILL:**

Right. I want to go into that, I think it's shameful that the "Q" nurses are being dumped, and I truly believe it's sexist, and because they serve the health needs of women and children. And I hope you will not go through with the disgraceful idea of selling out this County's residents by moving the tobacco monies into a fund, not to serve the health needs of its residents as it was dedicated for, but to serve, again, the vanity of a County Executive who will -- who is dismantling the poor health services we have to balance a budget. Thank you.

*(Applause)*

**P.O. LINDSAY:**

Okay. That concludes all the cards that I have on for the public portion. Is there anyone else in the audience that would like to address us under the public portion? Seeing none, I'll make a motion to close the public portion, seconded by Legislator Beedenbender. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Sixteen. (Not Present: Leg. D'Amaro)

**LEG. COOPER:**

Mr. Chair, I would like to make a motion to break for a brief recess, if we could, ten-minute recess.

**P.O. LINDSAY:**

Could you make it five? I mean, we've got a lot of business, okay?

**LEG. COOPER:**

Yes, we'll try.

**P.O. LINDSAY:**

Five minutes.

**LEG. ALDEN:**

We're not going to do the override first?

**P.O. LINDSAY:**

Yeah, I was going to -- well, he made the motion.

**LEG. ALDEN:**

Jon.

**P.O. LINDSAY:**

What I was going to do now is I was going to go through a series of business to try and --

**LEG. ALDEN:**

Send people home.

**P.O. LINDSAY:**

Yeah. I wanted to do the Foley override.

**LEG. COOPER:**

That's exactly why I was --

**P.O. LINDSAY:**

All right. All right, five minutes.

***[THE MEETING WAS RECESSED AT 3:24 P.M. AND RESUMED AT 3:46 P.M.]***

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

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

**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:**

Yeah.

**LEG. NOWICK:**

Here.

**LEG. HORSLEY:**

Here.

**LEG. STERN:**

Here.

**LEG. D'AMARO:**

Here.

**LEG. COOPER:**

Here.

**P.O. LINDSAY:**

Yes.

**MR. LAUBE:**

Seventeen.

**P.O. LINDSAY:**

Okay. I'm going to jump around a little bit. I know we have people in the audience all day today that have been very, very patient, so I'm going to try and accommodate them with some votes going -- pardon?

**LEG. LOSQUADRO:**

Could we just do the Consent Calendar?

**P.O. LINDSAY:**

Yeah, I could do the Consent Calendar. You want to do the Consent Calendar? Okay. We have a motion on the Consent Calendar. Do I have a second?

**LEG. ALDEN:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Seventeen.

**LEG. LOSQUADRO:**

Sorry.

**P.O. LINDSAY:**

That's okay. So getting back to what I was saying, so the first thing I'm going to do is I'm going to take up the *veto of the consulting for the John J. Foley Skilled Nursing Facility* and I am going to make a motion to override the veto.

**LEG. COOPER:**

Second.

**P.O. LINDSAY:**

Seconded by Legislator Cooper. Is there any discussion? Any discussion? No discussion? Roll call.

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

**P.O. LINDSAY:**

Yes.

**LEG. COOPER:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. STERN:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. BARRAGA:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. EDDINGTON:**

Yes.

**LEG. LOSQUADRO:**

Yes to override.

**LEG. VILORIA-FISHER:**

Yes.

**LEG. BEEDENBENDER:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. ROMAINE:**

Yes to override.

*(Applause)*

**MR. LAUBE:**  
Seventeen.

**P.O. LINDSAY:**

Okay. Next, if you go into the red packet, there is two Certificates of Necessity. The first one I want to take up is **1585 - Authorizing the County Executive to execute an agreement for the sale of the Suffolk Health Plan**. And you also have a bill on your agenda having to do with this. The reason for the CN is when this bill was before Health Committee, it was actually Legislator Barraga had questioned the gentleman, and, I'm sorry, I don't remember your name, that was purchasing the health plan, and the issue came up of three years as opposed to a five-year contract that they would -- they would go along with using the health center. And in no uncertain terms, it was stated on the record, that the company that's buying the HMO was in full -- would be in agreement with -- sign an agreement to use the health centers for five years. And after some consultation, the Executive's Office also agreed to it, and we just couldn't change it, so it came back via CN. So that's the long explanation.

I'm going to make a motion on 1585, or maybe Legislator Barraga --

**LEG. LOSQUADRO:**  
I'll second that.

**P.O. LINDSAY:**  
Would like to make the motion.

**LEG. BARRAGA:**  
Yeah.

**P.O. LINDSAY:**  
Legislator Barraga would like to make the motion because it was his idea. Seconded by Legislator Losquadro. On the motion, Legislator Viloría-Fisher.

**LEG. VILORIA-FISHER:**

Thank you, Mr. Chair. Mr. Zwirn, I just want to put it on the record that one of the issues that I had was that I didn't see anywhere that there would be a continuation of the funding of our Public Health Nurses Program, where they do outreach and go into people's homes and pay those visits in order to have disease management, preventive medicine, etcetera, for those who can't leave their homes, or for foster children just entering new homes, and I believe that you have some information on that for me.

**MR. ZWIRN:**

They will negotiate such a contract. They've made that representation. I have a letter to that effect. So they will still be part of the health centers.

**LEG. VILORIA-FISHER:**

Okay. And did you say you had a copy for me?

**MR. ZWIRN:**

I have a letter I'll make available to you.

**LEG. VILORIA-FISHER:**

Thank you very much. Thank you, Mr. Chair.

**P.O. LINDSAY:**

Legislator Kennedy.

**LEG. KENNEDY:**

Thank you, Mr. Chair. As I had stated in the committee, I raised some concerns and objections. The ones that I had spoken about were the issues of violation of the Taylor Law. I also spoke about the assignability of the contract. I know we did have some representation from Farrell Fritz, one of the outside representatives.

I also just wanted to put on the record the prospective purchaser has been cited by the State Insurance Fund as well for failure to prompt-pay. So, from my perspective, this is not something that needs to go forward at this point without further review or scrutiny. Nevertheless, I'll leave it at that.

**MR. ZWIRN:**

If I might, just with respect to the Taylor Law issue. Labor Counsel, County Attorney just mentioned to me, has reviewed it, and, in his opinion, there is no violation of the Taylor Law.

**LEG. KENNEDY:**

Through the Chair.

**P.O. LINDSAY:**

Go ahead.

**LEG. KENNEDY:**

Who is that Labor Counsel, Mr. Zwirn? Either that, or perhaps I can have a conversation with the County Attorney.

**MS. MALAFI:**

Rich Zuckerman from Lamb and Barnosky is the County's outside labor counsel, and we gave him the facts and he said no violation.

**LEG. KENNEDY:**

Well, if you go into I believe it's Article 14 in New York State Civil Service 25206, I'd respectfully disagree because, in this case, even though the marketers may not be employees covered under AME, which is actually the negotiating unit, at the core level contractually we're facilitating a private entity to invite and approach to municipal employees to actually be induced to convert to private. And that, in fact, is a violation of the basic Taylor Law. So I would respectfully disagree. Thank you.

**P.O. LINDSAY:**

Legislator Montano.

**LEG. MONTANO:**

Ms. Malafi. Ms. Malafi, I just want to be clear on what you said. You said that -- what I heard was that you spoke to Rich Zuckerman, who's your Labor Counsel, and you gave him the facts; is that correct?

**MS. MALAFI:**

Yes.

**LEG. MONTANO:**

What does that mean? Does that mean that you had an oral discussion with him about this bill or did he review it? I mean, what does it mean that you gave him the facts? I don't get it.

**MS. MALAFI:**

He was told that a contract to sell the Suffolk Health Plan contains a clause that the buyer is permitted to contact and hire any Neighborhood Aid employed by the Suffolk Health Plan, and that the employee has a right to agree to even talk to them or to be hired or just to listen, and that

there's no Taylor Law violation in that.

**LEG. MONTANO:**

All right. So you essentially read him that section over the phone and got the opinion from him, is that what you're saying?

**MS. MALAFI:**

Jeff Tempera, the -- from the Office of Labor Relations in the County Executive's Office, spoke with him direct.

**LEG. MONTANO:**

So Jeff spoke with him and this was done orally between Jeff Tempera and Rich Zuckerman?

**MS. MALAFI:**

Orally and by E-mail.

**LEG. MONTANO:**

Okay. Do you have copies of the E-mails?

**MS. MALAFI:**

Yes, I do.

**LEG. MONTANO:**

I haven't seen them. You got them? All right. It was an oral conversation. Thank you. If you have those E-mails, I'd like to see them.

**P.O. LINDSAY:**

Okay. Anyone else?

**LEG. SCHNEIDERMAN:**

Well --

**P.O. LINDSAY:**

Legislator Schneiderman.

**LEG. SCHNEIDERMAN:**

First, I should say I would prefer this to go through the committee process so it could be carefully studied. We had just overrode --

**P.O. LINDSAY:**

It did go through the committee process.

**LEG. SCHNEIDERMAN:**

It's by CN now.

**P.O. LINDSAY:**

Yeah, but the only reason it changed is during the Committee process the original dealer came over to us, had --

**LEG. SCHNEIDERMAN:**

It's slightly different.

**P.O. LINDSAY:**

Had an agreement for three years to use the Health Centers with two one-year options.

**LEG. SCHNEIDERMAN:**

Okay. So that's a different -- okay.

**P.O. LINDSAY:**

Legislator Barraga asked the owner of the company that's buying the HMO and the Administration why can't you make it a solid five years?

**LEG. SCHNEIDERMAN:**

Right, I was here for that.

**P.O. LINDSAY:**

They talked and they were able to do that. That's what the CN is about.

**LEG. SCHNEIDERMAN:**

Right. I heard that question asked at the Special meeting that we had, so yes.

**P.O. LINDSAY:**

Right.

**LEG. SCHNEIDERMAN:**

The other issue I raise, since we just overrode a veto to do kind of a full, independent study of John J. Foley and now we're talking about another County asset, Suffolk Health Plan, it seems to me that we should have had an independent review, particularly looking at management issues. Possibly this is something that through changes in management we could have made this more profitable and now we're not going to have that opportunity. We're taking what is essentially a not-for-profit and turning it into a for-profit, although owned by not-for-profits.

I have some concerns down the road, and I understand and the County's financial situation, this is something we almost have no choice, but down the road, I hope it doesn't come back to bite us in higher costs or lesser reimbursement rates for some of the procedures that are happening at our Health Centers. It seems like a good company, but I do have some concerns, but it seems like we don't have much choice in it.

**P.O. LINDSAY:**

Legislator Romaine.

**LEG. ROMAINE:**

Yes. Sale of the Health Plan, Suffolk County Health Plan, is disturbing. And I'll tell you, the first time that it hit my radar, it was when we were dealing with the Operating Budget. This should have been presented to us as it is now and we're having a debate, but we all know, don't debate, this is included in the budget. If we don't vote for it, we're going to create a hole. I don't like that method of doing business. I don't like policy decisions placed in a budget that creates structural deficits unless we have a predetermined vote, because our vote, essentially, when we didn't object to this in the budget, we said, "Oh." I objected to it and at the time, they said, "Don't worry, it's going to come back to us." But does anyone think that it's going to come back to us and we're going to be able to find the 15, 16 million dollars that this is purported to do?

My concern is that the sale of the Foley Nursing Home will be presented in the budget the same way, and then you'll be told in 2009 when we get the budget in October, "Well, you know, it will come back to you, come back to you, but, by the way, if you don't sell it, you'll create a structural deficit for 2009." I'm going to object to the methodology of the presentation of this, because this is kind of predetermined.

The other thing is, in the beginning discussing this, there was a lot of discussion, "Hey, Health Plan is in the red, it's, you know, a drag on the County." Well, we find out that the Health Plan is in the black, is actually making money. Then we find out that it would even make more money if we had hired the recruiters and not left them vacant. And then we find out that the Executive simply

transferred the Medical Director of the HMO to another job in the Health Department, because he already knew, fix was in, sale was on. We don't need to spend too much time or introspective on this.

Then I'm concerned about the IBNRs, Incurred But Not Reported discrepancies, between the financial statements of the HMO and what was included in our Operating Budget. Now, I know BRO has been looking at that, but that struck me as odd.

There's a lot of questions I have. First of all, I want to thank Legislator Barraga for making a very telling comment at the Health Committee, which I'm not a member, but I happened to attend this past meeting, because he was able to increase from three to five years the amount of time that Neighborhood Network would continue to contract with the Health Centers. Because let's get -- let's understand this, there are 15, 16, 17,000 people enrolled in Suffolk Health Plan in Medicaid. Their primary source of medical treatment is through the Health Centers.

If Neighborhood Network, at the end of three years or even five years, we should understand what we're doing, because at the end of that time, if they built a network up, because they're looking to recruit our recruiters to come to work for them, as John -- Legislator Kennedy clearly pointed out, which may be a violation of the Taylor Law. But let's say they did that and they recruited and they built enough of a network in Suffolk County that they would say after five years, "Why should we deal with the health centers? Make them come to our facilities instead". Well, you take 15, 16, 17,000 people out of the Health Centers, you're going to financially disable the health centers and all we've done is, well, we've postponed it from three to five years, but the potential is very great that we will be closing Health Centers along with John J. Foley, as well as the sale of the Health Plan. This troubles me.

There's too many inconsistencies. And I think my colleague on the South Fork is exactly right. We should have had an independent study of this, not put in the budget the way it was. We should have hired someone that this Legislature as a collective body had faith in. I'm still wondering how the people got hired for the John J. Foley Nursing Home. I don't remember voting for monies for that study in the budget. I'm still wondering how that RFP got done and I'm still looking into that, but that's another matter. But we could have hired someone to do an independent study of this and come back to us and spell out all the issues.

I'm going to be watching the 2009 Budget, because I hope the John J. Foley Nursing Home doesn't come in there, the same method that this was done. This methodology is the wrong methodology for careful study and review. I still have outstanding doubts about the sale of this Health Plan, and because of those doubts, I will be casting a negative vote on this. Thank you, Mr. Presiding Officer.

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

**LEG. ALDEN:**  
Through the Chair to Budget Review. For the record, how much cash is this going to provide to Suffolk County, and do we expect that cash to be available by the end of the year?

**MS. VIZZINI:**  
According to the Fiscal Impact Statement, it's a total of 17.9 million dollars. Cash is a relative term that -- the budget had anticipated -- the budget had anticipated 16.1 million. This transaction is estimated to give us 1.8 million in addition to what we expected.

**LEG. ALDEN:**  
Now, the use of the money, this is needed to balance the budget for 2008?

**MS. VIZZINI:**

Yeah. The '08 budget was predicated on receiving at least the 16.1 million, which is a combination of transferring the reserve from the Suffolk Health Plan and the anticipated proceeds from the sale.

**LEG. ALDEN:**

Do you anticipate any surplus or fund balance from the '08 budget?

**MS. VIZZINI:**

Are you talking about in the Suffolk Health Plan there is --

**LEG. ALDEN:**

No, I'm talking about our overall budget.

**MS. VIZZINI:**

Yes, the 2008, there will be an anticipated fund balance. Part of the problem is it will be considerably less than the fund balances that we have had in the past several years. I think we're projecting in the area of about 75 million in total.

**LEG. ALDEN:**

So, in essence, though, this money is not going to be really used to plug a gap in '08. This money is going to fall to a fund balance that will go towards '09.

**MS. VIZZINI:**

Well, you are going to have a fund balance at the end of '08. If you -- the '08 budget anticipates this as revenue.

**LEG. ALDEN:**

Through the Chair. Ben -- I guess he's speaking for the County Executive. Does this have any impact on the planning for a new Bay Shore Health Center?

**MR. ZWIRN:**

The Bay Shore Center. You know, I know we've been looking for a site there for a long time and I think they continue to look for a site. I think part of the problem is that, as you know, we found a couple of sites in the past and it just -- it didn't work out.

**LEG. ALDEN:**

But part of it, this really was a boost to our Health Centers, and if this is going to go a different route now, it won't impact the search for a new Health Center site for Bay Shore?

**MR. ZWIRN:**

No.

**LEG. ALDEN:**

Thanks, Ben.

**P.O. LINDSAY:**

Anybody else? Anybody else? No? Legislator Schneiderman.

**LEG. SCHNEIDERMAN:**

Just for BRO. Are there trends or are there changes going on in the State level that will fundamentally change the profitability of, or potentially change the profitability of the HMO in terms of changing eligibility of people, Child Health Plus, Family Health Plus. Because basically the HMO, the patients at our clinics all are -- I assume most of them are Medicaid or Medicaid qualified, so the State is guaranteeing the payments and the HMO is basically surviving or making its profits on the spread between the reimbursements to the County and what the State is giving them for the same procedures. Are there changes in terms of what the State is paying for various procedures, as well

as the amount of people who may be eligible that could really fundamentally change the numbers that we could miss out on in the future?

**MS. VIZZINI:**

You're asking me, so I'll attempt to respond, although probably the Health Department, and there are many people from the Department here present who might give you a more specific answer. But the Health Plan receives its revenue from Medicaid, as well as Family Health Plus and Child Health Plus. The extent to which those Medicaid rates would increase in the future is just not known at this point in light of the State's fiscal circumstances. Part of our stated problem is that our cost to do business is a little bit more in certain areas than the Medicaid rates cover. There is a small boost, I believe, in the Family Health Plus line in the State budget, but I'd have to confirm that for you. And generally, what the State has done in the past is broaden eligibility for people to qualify for these health programs, so you'd have to have certain assumptions and do some projections in that regard.

**LEG. SCHNEIDERMAN:**

Thank you.

**P.O. LINDSAY:**

Okay. Anybody else? All right. Call the roll.

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

**LEG. BARRAGA:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. COOPER:**

No.

**LEG. D'AMARO:**

Yes.

**LEG. STERN:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. KENNEDY:**

No.

**LEG. ALDEN:**

Abstain.

**LEG. MONTANO:**

Pass.

**LEG. EDDINGTON:**

Yes.

**LEG. VILORIA-FISHER:**

Yes.

**LEG. BEEDENBENDER:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. SCHNEIDERMAN:**

Pass.

**LEG. ROMAINE:**

No.

**LEG. COOPER:**

Change my vote to a yes.

**P.O. LINDSAY:**

Yes.

**LEG. MONTANO:**

No.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. MONTANO:**

What do you got?

**MR. LAUBE:**

Thirteen.

**P.O. LINDSAY:**

Okay. We're in the packet. There's only two CN's.

**MR. LAUBE:**

Fourteen. (Vote Amended to 13)

**P.O. LINDSAY:**

Let's do the other one right away, too, because, again, Mr. Heaney, I believe, is here, and it's ***(1526)Confirming the appointment of Suffolk County Commissioner of Economic Development and Workforce Housing, Patrick Heaney.*** I should point out that Mr. Heaney attended the Economic Development meeting and went before the Committee. Although the resolution wasn't in yet, they saw him voluntarily, they had a nice discussion, and although there was no vote on it, it seemed that everybody was in agreement. Would you concur with that?

**LEG. HORSLEY:**

I would concur.

**P.O. LINDSAY:**

And being that the position's been vacant for so long, the Administration would like to get Mr. Heaney to work tomorrow. Mr. Heaney would like to go to work tomorrow.

**MR. ZWIRN:**

Supervisor Heaney is here today, Mr. Presiding Officer.

**LEG. HORSLEY:**

I'll make a motion.

**P.O. LINDSAY:**

Motion by Legislator Horsley.

**LEG. HORSLEY:**

Motion to approve.

**LEG. D'AMARO:**

Second.

**LEG. SCHNEIDERMAN:**

On the motion.

**P.O. LINDSAY:**

On the motion, Legislator Schneiderman.

**LEG. SCHNEIDERMAN:**

I would just like to speak on behalf of Mr. Heaney. I had the pleasure of working with him over the years. I was the Supervisor of the Town of Southampton and, as the adjoining Supervisor in East Hampton, I

Attended many meetings where he chaired and did a phenomenal job. In fact, he took over for me as the Chair of the East End Supervisors and Mayors Association and I really think he did an extraordinary job on regional issues.

I'm certainly pleased and applaud the County Executive for picking a Commissioner or a recommended Commissioner from the East End. I think that goes a long way. I can't think of somebody more qualified on economic issues than Mr. Heaney, who did a tremendous job at Gabreski Airport in terms of the planned development district at that airport, as well as within his own -- within his own Township in terms of economic development. To have somebody as bright and qualified for this position gives me great honor to support Mr. Heaney for this.

**P.O. LINDSAY:**

I'm sorry. I'm at the next order of business already. Anybody else have -- yes, Legislator Romaine.

**LEG. ROMAINE:**

Yes. I know Supervisor Heaney. I've known his work as a Town Councilman, his work before that as member of one of the Boards of Southampton, I know his work as Supervisor. I know what he's done in Southampton with the business community. I usually don't commend the County Executive, but I want to break with precedent in this opportunity and commend the County Executive for a very wise choice, someone that I believe people --

**LEG. SCHNEIDERMAN:**

I hope you're not jinxing this.

**LEG. ROMAINE:**

For someone that I believe can work with people of all parties, a demonstrated leader, someone I have tremendous confidence and ability and I'm sure as all Legislators begin to work with this gentleman they'll find out that one, he is a gentleman; two, he is extremely knowledgeable; and three, he's the man to get this job done. Thank you very much.

**P.O. LINDSAY:**

Skip, this is like a regular love-fest, do you know what I mean? Okay. Enough accolades. Legislator D'Amaro, go ahead.

**LEG. D'AMARO:**

Yes, Mr. Presiding Officer. Just I was also a member of the Committee where Supervisor Heaney

came and presented himself and I just want to echo what my colleagues are saying here today. I had an opportunity to have a dialogue with him and speak with him about his past experience. He brings an awful lot to the table for Suffolk County in the areas of economic development. And, sir, in anticipating the vote here I wish you the best of luck.

**MR. HEANEY:**

Thank you very much, Legislator.

**P.O. LINDSAY:**

We have a motion and a second. I'm not going to call the role. All in favor? Opposed? Abstentions?

**LEG. SCHNEIDERMAN:**

Mr. Clerk.

**MR. LAUBE:**

Seventeen.

**LEG. SCHNEIDERMAN:**

Mr. Clerk would you list me as a cosponsor?

**LEG. ALDEN:**

Yeah, cosponsor. You are going to need luck. You are going to have to deal with us now.

**MR. HEANEY:**

Listen, you forgot the most important person. My wife is going to be so thrilled to have me out of the house you have no idea. Thank you very much.

**LEG. SCHNEIDERMAN:**

Thank you very much.

**P.O. LINDSAY:**

Okay. I want to go to the Capital Budget now. It's the thick document in front of you. And I'm going to ask Ms. Vizzini to go through the working groups efforts to modify it.

**MS. VIZZINI:**

Thank you, Mr. Presiding Officer, and thank you to the members of the working group. What you have before you is an index that summarizes each of the items in the omnibus, as well as giving you a summary of the stand alone resolutions, numbered three through ten.

This particular omnibus, if it is passed, actually reduces the 2009 proposed Capital Budget by \$3.4 million in serial bonds, which will provide some relief to the increasing trend in debt service. Over five years the then adopted 2009-2011 Capital Program will actually be less, \$38 million less than our current 2008-2010 five year program.

One of the features in the omnibus is sewers. We have included \$150,000 for the construction and rehabilitation of the very necessary rehabilitation of the Southwest Sewer District outfall -- what did I say?

**LEG. BEEDENBENDER:**

One-hundred and fifty million.

**MS. VIZZINI:**

One-hundred and fifty million.

**LEG. BEEDENBENDER:**

Deal.

**MS. VIZZINI:**

We've also provided funding to attract Federal and State assistance and encourage private/public partnerships in the construction of sewer infrastructure, revitalizing downtown economies, such as, but not limited to, Kings Park, Patchogue, and Shirley-Mastic.

Those of you who are very familiar with the escalating costs in energy, not only residential but commercial and here in the County, our energy costs have increased 10% each year since 2003. We've included funding to conduct a buildings assessment and energy optimization initiative and this will ultimately reduce that line item for energy in the General Fund.

We've included start up funds for a private/public partnership demonstration to convert fats, oils and grease, and I love this acronym, Wayne, FOG, into alternative fuel to reduce our reliance on oil in County facilities.

The Board of Elections building is 49 years old and has still not undergone any sort of renovation. There is planning funds and some construction monies to address that problem.

There's funding for a construction contingency so that the Riverhead County Center project can be completed without further value engineering. There's reprioritization and funding for traffic safety, traffic calming and sidewalks for pedestrian safety.

The omnibus includes conforming 85 capital projects to the BRO ranking based on the new ranking form adopted by the Legislature in Resolution 461 of '06. It also formalizes the reporting mechanism whereby the -- there is a written report, status report, now required from the Commissioner of Economic Development advising the Chair of Economic Developing, Higher Education and Energy as to the actions of the Downtown Revitalization Citizens Advisory Panels.

And finally, the Fiscal Impact Statement is provided for you on page 1.43. Over the three years of the Capital Program, there will be a net increase of \$49.8 million in serial bonds, and this could have the potential to increase the average property tax bill by a \$1.90 or \$24 over the life of those bonds, assuming we move ahead on the bonds in all three years.

**P.O. LINDSAY:**

Any questions for Ms. Vizzini? Yes, Legislator Romaine.

**LEG. ROMAINE:**

Yes. What is the impact on the Multifaceted Program in the omnibus?

**MS. VIZZINI:**

Multifaceted is part of the reduction and only in 2009. We reduced Multifaceted by 8.4 million, leaving 4.5 million in '09 and there still continues to be 13.3 million in 2010 and 2011.

**LEG. ROMAINE:**

I thought it was 8.83 that it was reduced by.

**MS. VIZZINI:**

Correct. That's correct.

**LEG. ROMAINE:**

Next question. The omnibus taken as a whole, is that greater as a whole or less than the proposed budget by the County Executive?

**MS. VIZZINI:**

It's greater than most of which is related to the sewer bonds.

**LEG. ROMAINE:**

And how much greater is the omnibus than the County Executive's?

**MS. VIZZINI:**

The -- over the three years, this omnibus is \$118.6 million more than the recommended budget, of which 103 is for sewers. Over the five years, it's 169.4 million more, of which 153 million is sewers, having no direct impact on the General Fund property tax levy.

**LEG. ROMAINE:**

Right. But about \$170 million more. I just want to know what I'm going to hear about. Thank you.

**P.O. LINDSAY:**

Legislator Schneiderman?

**LEG. SCHNEIDERMAN:**

Ms. Vizzini, when you were talking about the impact per taxpayer, did that exclude the sewer outfall pipe, which is in a separate district?

**MS. VIZZINI:**

The impact on the -- from the sewer outfall pipe will be on the Southwest Sewer District residents offset by Assessment Stabilization Reserve Funds.

**LEG. SCHNEIDERMAN:**

Okay. So there is no real impact on that piece to the overall County taxpayer. So the impact you spoke of the dollars, some odd --

**MS. VIZZINI:**

That's on the General Fund property tax.

**LEG. SCHNEIDERMAN:**

On the General Fund. Does not include the sewer out fall debt service.

**MS. VIZZINI:**

It does not.

**LEG. SCHNEIDERMAN:**

Okay.

**P.O. LINDSAY:**

Legislator Alden.

**LEG. ALDEN:**

Let's just further explore. 09's budget is, as you just stated, less than the proposal by the County Executive?

**MS. VIZZINI:**

Three point four million, yes.

**LEG. ALDEN:**

So that shows some responsibility or an attempt at responsibility on the part of the Legislature to control our capital or our cost of capital in the County. The major point, and that's in future years or subsequent years, whatever it's labeled, \$150 million for this Southwest Sewer District, the outfall pipe?

**MS. VIZZINI:**

The total for the outfall is 150. It's spread in \$50 million increments, 2010, 2011 and subsequent years.

**LEG. ALDEN:**

Let's just explore that a little bit. Right now there's studies, and then I guess they were either ignored or just were chosen to be ignored, in the original proposal, but if that pipe collapses, what's the cost to the County residents? And then, you know, it's speculative, but unfortunately, all over Suffolk County sewage is brought to Southwest to be disposed of, to be treated and disposed of. If that outfall pipe, and there's evidence that indicates the outfall pipe is in the process of failing, if it actually has a catastrophic failure, we're stuck with no sewage treatment for most of the County, isn't that correct?

**MS. VIZZINI:**

Well, there's significant economic and significant environmental impact should the outfall pipe fail. There is -- we recently appropriated six million dollars for emergency pipe in the event that it does fail. So the inclusion of these funds would mitigate the need to experience either the environmental, the environmental clean up and the associated economic problem of not being able to conduct normal business.

**LEG. ALDEN:**

Let's face it. There's millions, tens of millions of gallons flowing into Southwest everyday and I'm sure the DEC is not going to tell us to take the untreated sewage and pump it into the Great South Bay. So we're stuck with either hauling it away at hundreds of millions of dollars worth of cost, or we can budget intelligently for the possible replacement of a pipe that looks like it's failing or that every test that's been performed on it has indicated that it fails or is in the process of failing. Plus, similar pieces of this pipe that were used all over the world have actually failed at this point.

**MS. VIZZINI:**

That's correct, and that testimony was provided to us by Public Works. And there were three consultant studies; all of them have been consistent that the pipe needs to be replaced.

**LEG. ALDEN:**

Isn't that study going to look at the possibilities of other types of treatment for this sewage?

**MS. VIZZINI:**

Yes, it is. There is -- there are some alternatives -- some alternative treatment methods as well.

**LEG. ALDEN:**

Thanks.

**P.O. LINDSAY:**

Anyone else? Legislator Romaine.

**LEG. ROMAINE:**

Just a quick question, possibly the representative of the County Executive's Office can answer it. I'm curious why the County Executive excluded the money for the Southwest Sewer District outfall pipe from his capital proposal, if there was a purpose for that, or what his thoughts are on that.

**LEG. ALDEN:**

And, Legislator Romaine, would you suffer just one quick interruption? Just what the time line, a proper question would be what the time line was to study the failure or the possible failure of that pipe, because our Department of Public Works has been in ongoing investigation of that pipe.

**MR. CHIUSANO:**

Carmine Chiusano from the County Exec's Budget Office. It wasn't that we chose to ignore the possibility of a problem with the outfall pipe, the issue was that there's three million dollars that is being appropriated this year to look at the various alternatives and come to some sort of conclusion

as to which is the best alternative and what the cost associated with that alternative would be. Again, the evaluation and the preliminary design and stuff would probably take in the area of maybe 18 months before that comes to fruition, and then in 2010 there would have to be a final design, which we included two million dollars in 2010 to actually do final design of the outfall pipe, whatever the chosen alternative or best alternative would be.

There was also money put in this year for an emergency situation that should something happen to the pipe, that we would be prepared to address an emergency situation. But, right now, we are looking -- I mean the DPW is looking at various alternatives of which there are various costs associated, and at some point in the future that full cost would have to be appropriated probably in one year, not over three years. So, until we have more information as to the selected alternative and what the cost associated with that is going to be, then we would address budgeting it, including it in the Capital Budget.

**P.O. LINDSAY:**

Okay. Legislator Romaine -- are you --

**LEG. ROMAINE:**

Carmine, while that sounds like a reasonable explanation, bottom line is that under that explanation you probably won't be replacing the pipe until about 2010, 2011. Do you think --

**MR. CHIUSANO:**

That's probably a true scenario because by the time all the analysis, design, evaluation and engineering is done, that seems like a reasonable possibility.

**LEG. ROMAINE:**

Now we've had three consultant reports and all of them seem to suggest that this pipe will fail that much sooner, and you said you've budgeted some money in case that emergency occurred. I'd hate to see it occur, I'd rather deal with it before it occurred, but how much money have you budgeted for the emergency?

**MR. CHIUSANO:**

I believe there would be about 400 or \$500,000 just to buy emergency pipe and have it in place.

**LEG. ROMAINE:**

And how long would it take to -- let's say the --

**MR. CHIUSANO:**

And they're going to sort of do an RFP to select a contractor and have that in place, and at the point that something does occur with the pipe, they would have everything in place to act immediately.

**LEG. ROMAINE:**

So let me just review the facts and as I try to understand them. We've had three consultant reports done by DPW. Each one of these consultant reports say that the pipe, the outfall pipe that goes through the Great South Bay and then under Fire Island and out to the ocean, is about to fail. The County Executive has budgeted no money for this failure, but has budgeted about \$500,000 for an emergency, and if the pipe bursts and sewer is emitted into the Great South Bay, possibly contaminating the bay, it would take some time to respond to this emergency? I'm just trying to understand the thinking of the Executive in excluding this from the Capital Budget because I know usually what happens is the Legislature puts things back and then the Executive blasts the Legislators as big spenders. So I'm trying to think of his, at least in this item, what his thinking was and how he would address this.

**MR. CHIUSANO:**

Well, like I said, they're still evaluating the alternatives. I don't know how many studies have actually been done --

**LEG. ROMAINE:**

I've heard three from someone --

**MR. CHIUSANO:**

-- but there is some conclusion that there is a problem with the pipe. But now they're evaluating the alternatives, and the alternatives to select the best alternative is under evaluation now. And it's going to be a while before they come to conclusion on that, plus once they have a selected alternative, they do have to do a final design, which would also take I'm -- this is not my expertise, but it probably would take a year. So right now, we don't have the exact alternative that it is going to go forward or the cost associated with that alternative.

**LEG. ROMAINE:**

Well, I really want to focus on this, because this is \$150 million. The Executive chose not to include this. I'm trying to understand his thinking. Does he think that this pipe will last until he intends -- when is he intending --

**MR. CHIUSANO:**

I don't think anyone really knows the answer to that. I mean, basically the studies say that there has been problems with this pipe and that there could potentially be a problem with the pipe. But also keep in mind that the water -- if the pipe, if something did happen, the water that's going out there is treated. I'm not saying it wouldn't raise environmental concerns, but the water that's going through the pipe is treated.

**LEG. ROMAINE:**

I'll tell you what my problem is. It sounds like the Executive chose not to include this because it was a big ticket item and figured that because of the studies the Legislature might act responsively and include this money and then he could beat them up as big spenders.

The other thing that concerns me is the whole policy of the outfall pipe, which I've discussed in Public Works Committee. I mean, we are treating water and then we are taking this water that is treated, gray water if you wish, and we are pumping it out to the ocean. Millions upon millions of gallons a year instead of thinking about the environment and determining whether we can get treatment to such a level that we can do tertiary recharge and replenish our aquifer. Because in the long run, in terms of water policy in this County, we are depleting the aquifer in western Suffolk to such a point that we will have to depend on all the land that many of the western Legislators feel nervous about buying on the East End to serve the West End because we're shipping all the water from the underground aquifer out through the outfall pipe out into the ocean instead of working to treatment levels that can be -- allow it to be recharged tertiary recharge and replenish our aquifer. So it's not only the cost of the outfall pipe, but it's the lack of planning in dealing with sewage treatment environmentally and getting back into tertiary recharge.

When this outfall pipe was built, I remember in the 70's, there was a huge discussion and efforts to replenish the streams that began to dry up the minute people began to flush their toilets and it didn't go back into the aquifer through cesspools but went to the sewage treatment plant and then got shipped out to the ocean.

We have so many different policy issues here that the failure to adequately plan and the failure to include and postpone leaves us with no option. And now the only option that the Executive would ask us to take a look at is well, if it breaks we do have \$500,000 for emergency funding, but we'd have to do an RFP and we'd have to figure out what to do and, you know.

I just sense here we all know around this horseshoe all issues of government are issues of money. And by setting out a budget we're essentially setting out services that government should rely on. I'd like to support the Executive. I'd like to support his budget, but I'm trying to understand his thinking here. Somehow I just don't see it as clearly. I'm going to stop at this point and thank the Presiding Officer for his indulgence.

**P.O. LINDSAY:**

Thank you very much. Legislator Alden.

**LEG. ALDEN:**

I just want to pick up a little bit where Legislator Romaine left off, and I think it would have been a little bit more prudent to actually put something in there, because the alternatives that we looked at, the least expensive one was over \$100 million, and the most expensive was getting close to a half a billion dollars. So to prepare ourselves for the inevitability, and it is inevitable that something is going to happen to this pipe, that it's actually reaching its useful life anyway or close to it, we have to put something in subsequent years at least to prepare, and use as a planning document so that we don't go crazy with all kinds of other projects and start loading up a budget with things that maybe have to be put off as you would on a wish list rather than things that we know are going to be expensive and cost the people. That would have been one hell of a surprise if there was no discussion on it and a year from now that pipe collapses and all of a sudden a bill to \$150 million at a minimum is handed to the people in the Southwest Sewer District and to the other members of Suffolk County that are taxpaying citizens.

So I think we owe it to the people of Suffolk County to be open and aboveboard with the actual cost of our Capital Program. And like I said, that's just a -- it's basically a wake-up call and we've done things differently. For instance, how did we do the jail? We actually appropriated money years in advance. And I'm talking about years and years before we actually did the construction we appropriated money so it wouldn't be a surprise to the taxpayer, all of a sudden here you go, here's a bill for a half a billion dollars.

So I think this could have been handled -- like I would have liked to see it handled a little bit differently, but I think that you'll probably join with us now that the Legislature has included it in subsequent years so it is not a shock and we're a little bit prepared that two or three years from now, when we're preparing our Capital Budget, we've got to leave some leeway or room in there to replace a \$150 million pipe.

**MR. ZWIRN:**

If I might just respond. I think the County Executive is trying to do this in a prudent way and try to get an idea of what the costs are going to be and what the plan would be before, you know, just throwing money at any particular number. I understand what you're saying and we did this with the jail. We tried to keep an even keel with respect to our debt service by spreading it out over some time. But we've also been criticized, you know, by members of the Legislature, including Legislator Romaine, that you've got this enormous pipeline debt. So if you appropriate money, you know, \$50 million and you don't spend it right away, it's sitting there and all of a sudden you say now you've got another 50 - \$100 million of pipeline debt sitting there.

I'm not disagreeing with the fact that you want to keep things level. But I think the County Executive's position was we've got some money in there for planning, let's -- we've already talked to the Federal government, we've asked for our Federal representatives to be aware, put this on your radar, we may be coming back to you for some Federal help.

**LEG. ALDEN:**

But, Ben, I agree with you except for the fact that it's a planning document also. We are not appropriating one dollar out of this. Every one of these has to come back as a resolution, but we all should be aware, including the people that live in this County, should be aware there's a \$150 million project out there. That if this pipe fails, it's going to come due sooner, that bill comes due sooner rather than later. So as we prepare for our subsequent years I think it's only fair that everybody is aware it's a huge project.

**MR. ZWIRN:**

Fair enough.

**P.O. LINDSAY:**

Legislator Beedenbender.

**LEG. BEEDENBENDER:**

I just want -- I don't think anybody from DPW is -- is Ben Wright here, Ben?

**MR. ZWIRN:**

No. Tom LaGuardia is here.

**LEG. BEEDENBENDER:**

The only point I wanted to make, in the Working Group when we had these discussions about the outfall pipe, I know there was some discussion back and forth, the DPW did say that they're not committed to one particular way to do this. They talked about looking at recharge, they talked about laying a pipe on the Sound -- the bay bed. They talked about burying it underneath. They talked about recharging it to all different areas. So I don't think we have committed to one particular.

**LEG. HORSLEY:**

We haven't.

**LEG. BEEDENBENDER:**

But we do know that regardless which way we go it's going to cost a whole lot of money. And as in a planning document, the working group thought it was -- saw fit to include this in our planning document so we could see this is a big ticket item that we're going to have to pay for. So I don't think we have committed to one particular thing yet. I think DPW has looked at all the options, and Legislator Romaine does have some good points about the recharge, and DPW is still looking at those. So I just want to put that on the record.

**P.O. LINDSAY:**

Legislator Horsley.

**LEG. HORSLEY:**

Yes, just briefly to follow-up on Legislator Beedenbender's comment there. I think we are acting prudently by putting the 150 million in the budget, but I want to correct something that Legislator Romaine said before we go too far, when he mentioned that, you know, there's going to be sewage out in the bay. There will never be sewage out in the bay. That's my district and it's going to alarm people. It's treated -- it is treated water.

**LEG. ROMAINE:**

Treated. Sorry.

**LEG. HORSLEY:**

Though I agree that any future projects we should absolutely look at tertiary, third {raid rung} tertiary treatment. So I think we are acting in the best budgetary and budget tearing mode here by putting \$150 million here. We know it's going to fail at some point in the future. It may not happen for several years. I was at CEQ the other day with Ben Wright who addressed CEQ to -- he's already starting the processes of taking us to the next step of what are we going to do with the outfall pipe, where are we going to go with it. So I think we are acting in the best manner and our budget is sound and we should leave it at that.

**P.O. LINDSAY:**

Thank you. Okay. Nobody else wants to speak, so we have a motion, Madam Clerk? Do we have a motion on it?

**MS. ORTIZ:**

I don't have a motion here.

**P.O. LINDSAY:**

You don't have a motion yet. I'll make a motion to approve number one. If you look at the index to your left, you'll see everything is -- that's marked one is included in the omnibus.

**LEG. BEEDENBENDER:**

Second.

**P.O. LINDSAY:**

Seconded by Legislator Beedenbender. Call the role. Roll call.

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

**P.O. LINDSAY:**

Yes.

**LEG. BEEDENBENDER:**

Yes.

**LEG. COOPER:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. STERN:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. BARRAGA:**

No.

**LEG. ALDEN:**

Yes.

**LEG. MONTANO:**

Pass.

**LEG. EDDINGTON:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. VILORIA-FISHER:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. ROMAINE:**

No.

**LEG. MONTANO:**

No.

**MR. LAUBE:**

Fourteen (Opposed: Legislators Romaine, Montano and Barraga).

**P.O. LINDSAY:**

Okay. It passes.

If you go to page four of five in the index, halfway down, you'll see a three; that's the start of the stand-alone resolutions. The first one has my name on it as a sponsor and it's about a skateboard park in Sayville. I had money appropriated a couple -- or in the budget a couple of years ago for such a facility that never went forward, and we used the money as an offset. However, I'm going to withdraw this resolution at this time because we had some very -- a very productive meeting with the Deputy County Executive Morgo the other day about having such a facility built by a private entrepreneur and some kind of leaseback arrangement made with him that we wouldn't have to lay out any capital funds. So I'm very encouraged that that might actually work. So, at this point in time I'm withdrawing 7112.

**LEG. ALDEN:**

Mr. Presiding Officer.

**P.O. LINDSAY:**

Yes.

**LEG. ALDEN:**

I have a procedural question.

**P.O. LINDSAY:**

Yes.

**LEG. ALDEN:**

When do we actually have to have our Capital Budget for '09 approved?

**P.O. LINDSAY:**

June 30th.

**LEG. ALDEN:**

Okay, so --

**P.O. LINDSAY:**

Processes is we usually approve an omnibus, some stand-alones the first meeting in June. The Executive, if he chooses, vetoes certain parts of that -- of that resolution and then we have a second meeting in June the opportunity to override or sustain those vetoes.

**LEG. ALDEN:**

So, as an example, if I forgot to put in about 40 or \$50 million worth of projects for my District, I

could actually, under the Suffolk County law, if I get them in within the next week or so, we could vote on them by the end of June?

**P.O. LINDSAY:**

You could dream.

**LEG. ALDEN:**

In Islip we like to dream big, but that would be --

**P.O. LINDSAY:**

June 30th.

**LEG. ALDEN:**

Permissible?

**P.O. LINDSAY:**

June 30th, am I right, Mr. Counsel?

**LEG. ALDEN:**

And then when would the submission date be?

**MR. NOLAN:**

The end date is June 30th. I know that traditionally we establish a schedule when budget amendments have to be in by. Of course, we're past that now. This is the day when we do the amendments, but the amendments that are in we have to complete them by June 30th under the Charter.

**LEG. ALDEN:**

Okay. When's the filing date if I want to put an amendment in?

**MR. NOLAN:**

Let me just ask Budget Review. These are not -- wasn't there a schedule established for budget amendments?

**LEG. ALDEN:**

This is a future budget. I know that we have four times for the '08 Capital Budget and those are hard and fast. This is --

**MS. VIZZINI:**

This is our opportunity to amend and adopt the '09-2011 Capital Program. The next opportunity would be once we get into 2009.

**LEG. ALDEN:**

No, but I have until June 30th.

**MS. VIZZINI:**

Well, that's according to the Charter you have until June 30th to finalize your business.

**LEG. ALDEN:**

And when is my filing deadline? I can't put it in June --

**MS. VIZZINI:**

Well, theoretically --

**LEG. ALDEN:**

June 29th?

**MS. VIZZINI:**

It was anticipated that we would be addressing this today so the filing deadline for stand-alone resolutions lapsed. If you're talking about whether or not we could reopen it I suppose there's an opportunity to do that.

**LEG. ALDEN:**

Well, if the Charter says June 30th, then we have until June 30th, I would think. But what would be the, you know, I just want to get on the record what the filing date would be.

**MR. NOLAN:**

Well, the Charter, the Administrative Code is silent as to when the budget amendments have to be submitted by. Year after year we establish a schedule when they're supposed to be in by. We're past that now, but, you know --

**MS. VIZZINI:**

Friday was the --

**LEG. ALDEN:**

That schedule's arbitrary and capricious. Now I'm just looking for a solid --

**MS. VIZZINI:**

Well, it's prepared by the Budget Review Office and the Presiding Officer's office in order to finish the work at hand. As it was I was required to ask for a waiver because we were not able to complete everything that we needed to do within the required 48-hour notification period.

**LEG. ALDEN:**

Okay. Just give me some guidance. When should I have these, because I am going to put something in probably, but what date would I have to put it in? Maybe probably.

**MS. VIZZINI:**

Well, as long as it's within the confines of the Charter.

**P.O. LINDSAY:**

If I might interrupt. I mean, we've done this and now whatever we pass here today goes to the Executive Branch and they have an opportunity to sign, veto, whatever, and then we get a chance to bite at that apple again when it comes back to us. So I don't know how --

**LEG. ALDEN:**

But that might be past the June 30th Charter date. Because the County Executive has how many days to send it back to us?

**MR. NOLAN:**

He'll have 15 days to veto the budget amendments we're acting on today.

**LEG. MONTANO:**

Then when do we get to override?

**MR. NOLAN:**

We have ten days from then to override it.

**LEG. MONTANO:**

So we need a special meeting?

**MR. NOLAN:**

You would need a Special Meeting.

**P.O. LINDSAY:**

But you still have the deadline of the 30th. Forget all of the time sequences, it still has to be done by the 30th.

**MR. NOLAN:**

We have to complete our work by the 30th.

**P.O. LINDSAY:**

Right.

**LEG. ALDEN:**

All right. So I'm taking from this that -- when would --

**P.O. LINDSAY:**

The amendment period is long past.

**LEG. ALDEN:**

But if the finalization period is to June 30th, then we can consider amendments.

**P.O. LINDSAY:**

Well, what you have before you is the omnibus, which you just passed, and a bunch of stand-alones.

**LEG. ALDEN:**

Right.

**P.O. LINDSAY:**

I don't know how you'd modify any of them.

**LEG. ALDEN:**

Well, the Charter states June 30th.

**P.O. LINDSAY:**

Right.

**LEG. ALDEN:**

That's when it has to be finalized for '09.

**P.O. LINDSAY:**

But you're in the middle of this process now where we have to send something to the Executive. He has a certain amount of time to decide if he's going to sign, veto or pocket-veto, whatever he's going to do with it, and then we have actually a shortened period of time to consider those vetoes or whatever.

**LEG. ALDEN:**

Now the 30th is the date that a finalized Capital Budget -- so it would have to go through the whole process, the County Executive's process also?

**MR. NOLAN:**

No. We have to be done by June 30th.

**LEG. ALDEN:**

Us.

**MR. NOLAN:**

We do. If he ends up -- we could, and I discussed this with the County Attorney's Office earlier, because I was asked to nail this down, theoretically, we could go into July if there are vetoes, but, of course, as we just said, there would have to be a Special Meeting called to come back, because we don't have a meeting scheduled for July, and we'd have to do it within ten days of when the vetoes are delivered to us.

**LEG. ALDEN:**

I thought we modified the Charter.

**MR. NOLAN:**

We excluded the budget processes from that law.

**LEG. ALDEN:**

Okay. All right.

**P.O. LINDSAY:**

Legislator D'Amaro.

**LEG. D'AMARO:**

Yes. Thank you, Mr. Presiding Officer. Before BRO answers the question about subsequent to today, can any Legislator file a piece of legislation affecting this budget, the recommended budget of the County Executive? I just want to give you -- give maybe to Counsel my thought here, that it's my understanding that the Presiding Officer's Office issued a timeline for this process; is that correct?

**MR. NOLAN:**

Yes, they always do.

**LEG. D'AMARO:**

Okay. Now, that timeline is issued under -- by the Presiding Officer with authority by our rules; is that correct?

**MR. NOLAN:**

I don't know if that is set by the rules. This is a traditional practice where a schedule is set.

**LEG. D'AMARO:**

Let me ask you this: If it's not in the rules specifically, is there general authority given to the Presiding Officer to issue rules and regulations or procedures that govern the internal workings of the Legislature?

**MR. NOLAN:**

Let me take a look at the Presiding Officer's powers under the rules.

**LEG. D'AMARO:**

Right.

**MR. NOLAN:**

And let --

**LEG. ALDEN:**

This is a Charter question.

**LEG. D'AMARO:**

Right. And the reason why I bring that up is that I'm not against, if you have the authority, for any

Legislator to file a bill at any time. The point I want to make, though, is once we have the Presiding Officer's Office issue the timeline, if that's pursuant to our rules, then whether or not that precludes a further -- does the Charter then override that and allow any Legislator to introduce legislation anyway? It seems to me that that would contravene, if not a specific, at least an implicit rule that we follow with respect to this whole process. My point is that if this Legislature's going to decide whether or not we can now put in another budget amendment to the recommended budget, is that something that's permitted by Charter? Or when the Presiding Officer's Office issues a timeline pursuant to our rules, then we're going to need an actual ruling and a vote?

**P.O. LINDSAY:**

Could I just simplify this whole thing?

**LEG. D'AMARO:**

Sure. Well, I didn't think that was complicated, I just think we need --

**P.O. LINDSAY:**

Well, I think it's getting real complicated; all right? And we could be here hypothetically debating this until midnight. The point is we have an omnibus that was worked on by six Legislators. They came to agreement on it. We just approved that. We have a whole list of stand-alones by -- sponsored by a number of Legislators. And what I propose to do is vote them up or down, or whatever you're going to do with them, and then if you want to try and modify it, you know, deal with Counsel, we'll meet again on the 24th, because I don't know the answers to some of the questions you're asking. We've never, in the years I've been here, have never went down this road before.

**LEG. D'AMARO:**

All right. So the only question I have then is, and I don't want to prolong this, is when I leave here today --

**P.O. LINDSAY:**

Right.

**LEG. D'AMARO:**

-- can I introduce a bill tomorrow with respect to this recommended budget?

**P.O. LINDSAY:**

Well --

**LEG. D'AMARO:**

Is that a yes or a no.

**LEG. ALDEN:**

You just got the same answer I got, "I don't know, maybe."

**P.O. LINDSAY:**

Yeah, but when, I mean --

**LEG. D'AMARO:**

I say no, to tell you the truth, but --

**P.O. LINDSAY:**

You know, it should have been -- if you were going to do something with any kind of a bill, you know, at best, it should be a late-starter tonight if it's going to be considered on the 24th. I don't know how you do this, unless someone wants to call a Special Meeting. I don't know what you're

trying to do and I don't know how to do it, and Legislator Kennedy is going to try and clarify it. Oh, God help us.

**LEG. KENNEDY:**

Absolutely not. I'm going to make it clear as mud, Mr. Presiding Officer. No. I'm going to ask if -- is there an opportunity concerning one of these stand-alones. If, for whatever reason, I needed to get some more information on it that I don't have at this point, could I seek to table it rather than voting yes or no to it?

**MS. VIZZINI:**

Mr. Presiding Officer.

**P.O. LINDSAY:**

Yes. Yes, Ms. Vizzini.

**MS. VIZZINI:**

I think what's available to you now, or at least in terms of the past practice that George has referred to, is what is before you can be amended on the floor. That we have done in the past, if there's something that you want to add to one of the stand-alones or take away from one of the stand-alones.

**P.O. LINDSAY:**

I don't think that's what they're talking about.

**MR. NOLAN:**

I was -- in answer to Legislator Kennedy's question, I was going to say that if there's a budget amendment before us, we could theoretically knock it over to June 24th, deal with it then, if that's the wish of the body. Again, as we have said repeatedly, if there is -- if any of them pass on that date and then there's a veto, we'd have to do the overrides sometime in July.

**LEG. KENNEDY:**

Well, let me see if I understand it then. So let's just say, theoretically, I couldn't get my answer for another couple of days or so, and, in fact, then we wanted to take that one up on the 24th?

**P.O. LINDSAY:**

There is no couple of days. Today you could either say yes, no, or if you want to table, I guess you could make a motion to table, it's as simple as that.

**LEG. KENNEDY:**

Well, I may actually want to do that, Mr. Chair.

**P.O. LINDSAY:**

Okay.

**LEG. KENNEDY:**

I may actually want to do that.

**P.O. LINDSAY:**

Okay. Then we're in uncharted territory, if you want to table it, table it.

**LEG. MONTANO:**

If I may.

**P.O. LINDSAY:**

Legislator Montano.

**LEG. MONTANO:**

Am I on the list?

**P.O. LINDSAY:**

Yep.

**LEG. MONTANO:**

All right. I just want to make sure that I understand this. Today is June 10th. If we vote on these stand-alones today, the County Executive has until June 25th to veto; is that correct, Counsel?

**MR. NOLAN:**

You'll have 15 days from when they're delivered over there, which will probably be --

**LEG. MONTANO:**

From when they're delivered.

**MR. NOLAN:**

Yeah.

**LEG. MONTANO:**

How long does it take to deliver?

**MR. NOLAN:**

A day.

**LEG. MONTANO:**

A day. All right. So if we're looking at June 25th or 26th, the way I count it, that means that if he vetoes it, we have to come back here for a Special Meeting by July 5th to override; am I correct on that?

**MR. NOLAN:**

It could work out that way. The last couple of years, he's done his vetoes in time for us to do the overrides at our second June meeting.

**LEG. MONTANO:**

All right. But he's not obligated to do that.

**MR. NOLAN:**

No, he's not.

**LEG. MONTANO:**

All right. Now, if we -- following that logic, if you call it logic, if we table something to June 20 -- if we already passed the Capital Budget, so he has until the 25th or the 26th to veto it, we have to come back by July 5th. And then, if we pass something on June 24th, he has until July 4th to veto it. July 5th I think is a Saturday, and then we have to come back for a Special Meeting on July 19th. So we could wind up with two special meetings in July. I hope no one's going on vacation.

**LEG. HORSLEY:**

I was.

**LEG. MONTANO:**

"Was" is the operative word. Is that more or less the timetable?

**MR. NOLAN:**

I don't disagree --

**LEG. MONTANO:**

I mean, within a day or two.

**MR. NOLAN:**

I don't disagree with anything you said.

**LEG. MONTANO:**

Okay.

**P.O. LINDSAY:**

Okay. Back to the schedule.

**MR. NOLAN:**

If I could just say one thing.

**P.O. LINDSAY:**

Go ahead, Counsel.

**MR. NOLAN:**

The only thing that's in the Charter regarding our schedule, it says, "If the County Legislature does not adopt a Capital Program on or before the 30th day of June, the proposed Capital Program shall be deemed adopted as submitted," that's it. So I think what's evolved is this process where deadlines -- a deadlines has been developed to really impose some order on our Capital Budget process, which has worked, I guess, for as long as we can all remember, so I think that's the way it's evolved.

**P.O. LINDSAY:**

Okay. Going back to our schedule. ***2114 - Renovations of Kreiling, Ammerman Campus, \$3,480,000 from 2011 to 2010 for the renovation of Kreiling Hall on the Ammerman Campus after the new Science and Technology and General Classroom building is constructed and changes the project's rank from 61 to 52.*** Do I have any motions on this resolution?

**LEG. MONTANO:**

Which one is this? I'm sorry.

**MR. NOLAN:**

Kreiling.

**LEG. LOSQUADRO:**

I'll make the motion to table.

**LEG. MONTANO:**

21 -- which one?

**P.O. LINDSAY:**

Motion to table by Legislator Losquadro.

**LEG. VILORIA-FISHER:**

I'll second it, Mr. Chair.

**P.O. LINDSAY:**

Second?

**LEG. MONTANO:**

To table?

**P.O. LINDSAY:**

Second?

**LEG. VILORIA-FISHER:**

Yes.

**P.O. LINDSAY:**

By Legislator Viloría-Fisher.

**LEG. VILORIA-FISHER:**

On the motion.

**P.O. LINDSAY:**

Then that's the only motion we have is tabling, right? Okay. On the motion, Legislator Viloría-Fisher.

**LEG. VILORIA-FISHER:**

Thank you, Mr. Chair. I know that we're facing a tight schedule with a tabling motion on these issues regarding the Capital Program and the Community College. I've been working for a very long time to promote and support these Capital Projects at the College, and I have to express my deep disappointment that we have not been able to reach an agreement regarding preference, the Suffolk County Preference Law here, because we do have a law, and we expect all members of County Government to abide by the law. And we do want to see this 56 million dollars worth of projects to move forward and to benefit the workers of Suffolk County, the students of Suffolk County, and certainly to make our Suffolk Community College even better than it is today.

And so I am hoping that between today and the 24th, we can come to an understanding of how we can move forward with this, and adhere to those laws that we in Suffolk County have before us. If there -- if those laws are found to be imperfect, and that's been mentioned to me by several people from the College, then we need to revisit what might be the problems with our Preference Laws. I don't know the specific details. I was not part of the Working Group. I know that people have worked very hard to try to reach an agreement. I just can't see turning our backs on these Capital Programs, but I can't see that this would move forward today because of what seems to be an impasse in the discussions, and so this is why I am supporting the tabling motion and seconding it.

**P.O. LINDSAY:**

Anybody else? Okay. Roll call on the tabling.

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

**LEG. LOSQUADRO:**

Yes.

**LEG. VILORIA-FISHER:**

Yes.

**LEG. COOPER:**

No.

**LEG. D'AMARO:**

No.

**LEG. STERN:**

No.

**LEG. HORSLEY:**

No.

**LEG. NOWICK:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. BARRAGA:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. MONTANO:**

No.

**LEG. EDDINGTON:**

Yes.

**LEG. BEEDENBENDER:**

No.

**LEG. BROWNING:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. ROMAINE:**

Yes.

**P.O. LINDSAY:**

No.

**MR. LAUBE:**

Ten.

**P.O. LINDSAY:**

Okay. 2114 stands tabled. ***2118 - Renovation of Sagtikos Building, Grant Campus. Restores project to the Capital Program by including \$400,000 for planning in 2011, and \$4,800,000 for construction, and 900,000 for furniture in subsequent years.***

**LEG. LOSQUADRO:**

Same motion.

**P.O. LINDSAY:**

This project is eligible for 50% State Aid to renovate and reprogram and space vacated by the library once the Learning Resource Center on the Grant Campus is completed. Same motion, Legislator Losquadro, same second.

**LEG. LOSQUADRO:**

Everyone okay with same vote or no?

**P.O. LINDSAY:**

I don't know. Roll call.

**MR. LAUBE:**

This is to table?

**P.O. LINDSAY:**

To table.

**LEG. VILORIA-FISHER:**

Can we do the same vote?

**P.O. LINDSAY:**

No. I'm going to do another roll call.

**LEG. VILORIA-FISHER:**

Okay.

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

**LEG. LOSQUADRO:**

Yes to table.

**LEG. VILORIA-FISHER:**

Yes.

**LEG. COOPER:**

Pass.

**LEG. D'AMARO:**

No.

**LEG. STERN:**

No.

**LEG. HORSLEY:**

No.

**LEG. NOWICK:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. BARRAGA:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. EDDINGTON:**

Yes.

**LEG. BEEDENBENDER:**

No.

**LEG. BROWNING:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes to table.

**LEG. ROMAINE:**

Yes.

**P.O. LINDSAY:**

No.

**LEG. COOPER:**

No to table.

**MR. LAUBE:**

Eleven.

**P.O. LINDSAY:**

21 -- it stands tabled. *2120 - Gymnasium Health Fitness Center, Eastern Campus. Restores the project to the Capital Program by including \$1,000,000 for planning in 2010, and \$14,750,000 for construction, and 2,000,000 for furniture in 2011. This project is eligible for 50% aid to provide the gymnasium for the Eastern Campus.*

**LEG. SCHNEIDERMAN:**

Motion to table.

**LEG. LOSQUADRO:**

Same motion.

**P.O. LINDSAY:**

Same motion, same second. Roll call.

**LEG. SCHNEIDERMAN:**

Same vote I think now.

**LEG. LOSQUADRO:**

Same vote.

**LEG. SCHNEIDERMAN:**

Same vote.

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

**LEG. LOSQUADRO:**

Yes.

**LEG. VILORIA-FISHER:**

Yes.

**LEG. COOPER:**

No.

**LEG. D'AMARO:**

No.

**LEG. STERN:**

No.

**LEG. HORSLEY:**

No.

**LEG. NOWICK:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. BARRAGA:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. EDDINGTON:**

Yes.

**LEG. BEEDENBENDER:**

No.

**LEG. BROWNING:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. ROMAINE:**

Yes.

**P.O. LINDSAY:**

No.

**MR. LAUBE:**

Eleven.

**P.O. LINDSAY:**

Okay. It stands tabled.

***2140 - Security notification, College wide. Deletes \$100,000 for planning in 2009 and adds 1,500,000 for equipment in 2011, to provide a total of 2.5 million dollars for security notification improvements on all three campuses of the Community College, and changes the project ranking from 43 to 57. Same motion.***

**MR. REINHEIMER:**

This resolution --

**P.O. LINDSAY:**

Yes.

**MR. REINHEIMER:**

This resolution conflicts with the Omnibus resolution.

**P.O. LINDSAY:**

It --

**MR. REINHEIMER:**

Conflicts --

**P.O. LINDSAY:**

Conflicts.

**MR. REINHEIMER:**

-- because the Omnibus added money in 2009. This would be deleting money in 2009.

**P.O. LINDSAY:**

I see.

**MR. REINHEIMER:**

So there's a conflict.

**P.O. LINDSAY:**

So it's a conflict, so we can't vote on it.

**MR. REINHEIMER:**

Correct.

**P.O. LINDSAY:**

Okay. *2149 - Infrastructure, College wide. Advances 8 million dollars from subsequent years to 2011, and adds an additional 6.2 million dollars in 2011 for infrastructure improvements to the Community College's three campuses and changes the project's ranking.*

**LEG. LOSQUADRO:**

Same motion.

**P.O. LINDSAY:**

Same motion, same second. Nobody wants to talk? Okay. I'm just going to -- same vote. Is anybody going to change their vote?

**LEG. ROMAINE:**

No.

**P.O. LINDSAY:**

Tabled. *2159 - Learning Resource Center, Grant Campus. Restores project to the Capital Program by including 1.6 million for planning in 2010, 25,000 for construction, 5.8 million for furniture in 2011. This project is eligible for 50% State aid to construct a new library with integrated state-of-the-art information technology, classrooms, faculty offices, student/faculty workspace, to house the campus' Fine Arts Department on the Grant Campus.* Same motion, same second, same vote.

**MR. LAUBE:**

Eleven.

**P.O. LINDSAY:**

Okay. *2181 - Partial Renovation of Peconic Building. Reschedules \$160,000 in 2010 from construction to furniture and equipment for the renovation of the Peconic Building on the Eastern Campus as requested by the College, and changes the project ranking.* Same motion, same second?

**LEG. LOSQUADRO:**

Yes.

**P.O. LINDSAY:**

Okay. Same vote.

**MR. LAUBE:**

Eleven.

**P.O. LINDSAY:**

Okay, tabled. Everybody, stay close in July.

**LEG. BEEDENBENDER:**

Moving speedily along.

**P.O. LINDSAY:**

Okay. We've got tabled resolutions. And 0011 has been withdrawn and there's a replacement resolution in your packet. *It's Motion Number 16 - Designating the Official Newspaper of the County of Suffolk.*

**LEG. LOSQUADRO:**

Motion to approve, Mr. Chairman.

**LEG. ROMAINE:**

Second.

**MR. NOLAN:**

It's to take it out of order.

**P.O. LINDSAY:**

Yeah. I'm going to -- I'm taking this out of order. It's a separate resolution, but it's really replacing the resolution, the tabled resolution. So, first, I'm going to make a motion to take it out of order.

**LEG. LOSQUADRO:**

Second.

**P.O. LINDSAY:**

Second.

**MR. LAUBE:**

Procedural Motion.

**MR. NOLAN:**

Procedural Motion 16.

**P.O. LINDSAY:**

I have a second to take it out of order. All in favor? Opposed? Abstentions for taking it out of order? Procedural Motion --

**MR. LAUBE:**

Seventeen.

**P.O. LINDSAY:**

Procedural Motion 16 should be in front of you now. Does everybody have it? Okay. I'm going to -- I'm just going to make a statement on the record. This is something that's been kicking around in one form or another since the beginning of the year, and it's usually something that's a pro forma resolution where each political party names newspapers for the coming year. The Minority Leader, Legislator Losquadro, has tabled this up until last month and made a motion to approve.

There has been a number of questions surrounding this particular newspaper, which led us on a quest that we had asked information of all papers that were designated as the official newspaper and the information trickled in. And on this particular one, we just got the final piece of the information during the meeting the last time we met, so we did not move on it.

I still have some serious questions whether this particular newspaper meets the qualifications as an official newspaper, but I do not know whether I am qualified to make that judgment. So with that having been said, we have a motion and a second. Do You want to respond?

**LEG. LOSQUADRO:**

I would just say that --

**P.O. LINDSAY:**

Or do you want to just vote?

**LEG. LOSQUADRO:**

I would just say, Mr. Chairman, that, to the best of my knowledge, all of the information that was requested has been submitted, and that this paper qualifies under all the criteria that was set forward. So with that, I make a motion to approve.

**P.O. LINDSAY:**

We had a motion and a second already.

**LEG. BROWNING:**

Bill, on the motion.

**P.O. LINDSAY:**

Legislator Browning, do you want to comment?

**LEG. BROWNING:**

Yes. Yes, I would. The last time, I abstained from voting. I will continue to abstain based on the fact that I had to retain Legal Counsel because of some issues I've had with the paper. So I don't think it's appropriate for me to vote for a paper that I would consider suing.

**P.O. LINDSAY:**

Okay. Mr. Clerk, would you, please, call the role?

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

**LEG. LOSQUADRO:**

Yes.

**LEG. ROMAINE:**

Yes.

**LEG. COOPER:**

Pass.

**LEG. D'AMARO:**  
Pass.

**LEG. STERN:**  
Pass.

**LEG. HORSLEY:**  
Pass.

**LEG. NOWICK:**  
Yes.

**LEG. KENNEDY:**  
Yes.

**LEG. BARRAGA:**  
Yes.

**LEG. ALDEN:**  
Yes.

**LEG. MONTANO:**  
Yes.

**LEG. EDDINGTON:**  
Pass.

**LEG. VILORIA-FISHER:**  
Pass.

**LEG. BEEDENBENDER:**  
Pass.

**LEG. BROWNING:**  
Abstain.

**LEG. SCHNEIDERMAN:**  
Yes.

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

**LEG. COOPER:**  
Abstain.

**LEG. D'AMARO:**  
Abstain.

**LEG. STERN:**  
Abstain.

**LEG. HORSLEY:**  
Abstain.

**LEG. VILORIA-FISHER:**  
Yes.

**LEG. BEEDENBENDER:**

Yes.

**MR. LAUBE:**

Eleven.

**LEG. EDDINGTON:**

Hey, you skipped me.

**MR. LAUBE:**

Oh, I'm sorry. Legislator Eddington, I did skip you.

**LEG. EDDINGTON:**

Yes.

**MR. LAUBE:**

And that's 12.

**LEG. EDDINGTON:**

I know I'm quiet.

**MR. LAUBE:**

Sorry about that, Legislator Eddington.

**P.O. LINDSAY:**

Okay.

**MR. LAUBE:**

There was a record number of passes.

**LEG. HORSLEY:**

Mr. Clerk, I'd like to change my vote to yes.

**LEG. MONTANO:**

Too late, it's already been called.

**LEG. LOSQUADRO:**

It's been called.

**LEG. MONTANO:**

It's been called.

**LEG. COOPER:**

Too late, Wayne.

**LEG. HORSLEY:**

Well, then too bad.

**LEG. ALDEN:**

I think there's like a 15-second period there where --

**LEG. NOWICK:**

It's like a delay.

**LEG. ALDEN:**

Caracciolo used to do it all the time.

**LEG. HORSLEY:**

I was -- Lynne was --

**LEG. NOWICK:**

Don't blame Lynne.

**P.O. LINDSAY:**

IR -- as far as -- you called the vote, that's it.

**LEG. HORSLEY:**

Okay.

**LEG. VILORIA-FISHER:**

It's over.

**P.O. LINDSAY:**

***IR 1094 - A Local Law amending the Suffolk County Empire Zone boundaries to include Bactolac Pharmaceutical, Incorporated.***

**LEG. KENNEDY:**

Mr. Chair, I'm going to make a motion to approve this bill today.

**LEG. MONTANO:**

Which one is this? I'm sorry.

**P.O. LINDSAY:**

1094. It's the second on the Tabled Resolutions.

**LEG. ALDEN:**

I'll second it then.

**P.O. LINDSAY:**

We have a motion by Legislator Kennedy, and a second by Legislator Alden. On the question? Does anybody want to talk about it?

**LEG. KENNEDY:**

Mr. Chair, if I can just state that we had several months of dialogue regarding this. If you'll recall, this involves an application for participation in the Empire Zone, floating Empire Zone. There had been a request on the part of various building trades for an opportunity to go ahead and have some dialogue with the applicants. We heard earlier today from a representative from the Plumbers Union, as well as from the Electricians Union, that, in fact, some of that has occurred at this point. And I have every indication at this point that, in this particular project, what had started out to be, say, a somewhat isolative process has now at least attempted to bring about what we had hoped would be there, which was an open and level playing field. So, in that respect, I commend the applicant, and I also commend Ms. Fahey for working on the Administration side to bring that about. And so that's the basis for my motion.

**LEG. MONTANO:**

What's your motion.

**LEG. KENNEDY:**

Motion to approve.

**P.O. LINDSAY:**

Approve. Okay anybody else? All right. We have a motion and a second. All in favor? Opposed?

I'm opposed. Abstentions?

**MR. LAUBE:**  
Sixteen.

**LEG. BEEDENBENDER:**  
Oh, wait. I'm sorry.

**LEG. BARRAGA:**  
Change my vote to a negative on that.

**MR. LAUBE:**  
Fifteen.

**LEG. BEEDENBENDER:**  
No. I'm in the negative as well. I'm sorry.

**LEG. EDDINGTON:**  
Me too.

**MR. LAUBE:**  
Thirteen.

**P.O. LINDSAY:**  
Okay. *1129 - A Local Law establishing crime prevention requirements for scrap metal processors.*

**LEG. EDDINGTON:**  
I make a motion to approve.

**LEG. SCHNEIDERMAN:**  
Motion to table.

**P.O. LINDSAY:**  
Do I have seconds?

**LEG. BEEDENBENDER:**  
I'll second the motion to approve.

**LEG. D'AMARO:**  
I'll second the motion to table, Mr. Presiding Officer.

**P.O. LINDSAY:**  
Okay.

**LEG. EDDINGTON:**  
On the motion.

**P.O. LINDSAY:**  
We have motions to -- yeah, on the motion, go ahead, Legislator Eddington.

**LEG. EDDINGTON:**  
I just want to just give an update. Initially, I want to make sure everybody's aware that this problem has arisen in Suffolk County over the last three years of burglary, and thefts are up

tremendously, and it's scrap metal specifically. This bill that we're talking about has the support of the County Executive, the Suffolk County Police Department, the Suffolk County District Attorney, the five East End Town Chiefs of Police, the Plumbers Union contractors, the Clergy in Half Hollow Hills where the church was ripped off twice. Today we had a major businessperson, Clare Rose, come and talk about their problems. And a similar bill is standing in the Nassau County Legislature by Legislator David Mejias. I've tried to work with the industry for now a year-and-a-half and last week I tried to come up with another compromise. But I don't believe the history of this bill has really been clearly stated, and so I'm going to take that opportunity now, because I'm going to ask this Legislature to vote eventually, like today, up or down, and make a statement for the Police Department or against.

This legislation was drawn up by the County Attorney at the request of the Police Department and the County Executive. This never was Jack Eddington's bill. I was asked to carry it as the Chair of Public Safety. I tried to make that clear to the industry. At one point, the industry's initial reaction was -- well, it's been consistently negative. They were opposed to any legislation.

County Executive Steve Levy asked would I be willing to meet with two local businesspeople, Kevin and Sam Gershowitz, that happened to have a major business in my area, and I said, "Absolutely." At that time, when we met on the 12th Floor, I want you to know that the first statement by Mr. Sam Gershowitz was, "I'll spend a million dollars to get rid of you and your wife." The County Executive literally jumped off his chair and said, "This is not about Jack Eddington, this is not Jack Eddington's bill, this is my bill." For some reason, I have not been able to get this across. Now, it does look personal when you threaten somebody, but I refuse to make this a personal initiative. This is a major person, a major business in my community, it does a service to Suffolk County. I will not ever allow it to become personal. However, the attempts have been made and continue to be made.

I toured the Gershow Recycling Plant. At that time, after meeting there, I said to Chief Rau, who was the proponent of this legislation, that it is impractical to tag and hold all that scrap metal. It would not be fair to the industry. At that time, Chief Rau said to me, "You're the first Chair of Public Safety that is arguing against a public safety initiative." And I said, "I'm going to do the right thing for the right reason." I then said, "Let's look at how we can change this." The Police wanted no changes. Immediately, I took out the tag-and-hold, even though you'll see representatives from the industry continue to refer to tag-and-hold. I took it out. I thought it wasn't unfair, I thought they made a good point.

I reached out to Kevin Gershowitz and communicated with him regularly for about a year, and with Legislator Losquadro. And it was, "The scope and target of the group is too small, you're just picking on the scrap metal people. Put in the auto recyclers and junk dealers," which I did. As soon as I did that, they came to me and said, "We can't pass this, it's too big. How are you going to enforce it?" I went, "Okay. That's using two sides of an argument." I then said, "All right. Let's look at that then. How can we work with this again?" I said, "All right. Let's not target all scrap metal, let's target nonferrous and ferrous, copper, bronze and aluminum, because that's really the biggest issue." "That sounds good." "All right, good, we'll do that." Then that became a problem, because we get so much of that in. I said, "Well, what if we do this. We'll make it fifteen hundred dollars or less," which is really like what you fit in a trunk or a pickup, not a major contractor bringing back a month's worth of scrap. That was good for about three days and then they no longer wanted that. And I said, "Now, the Police have insisted on electronic recordkeeping and reporting." The industry said electronic recording would cost too much, the little people would be out of business. Even though a couple of the major industry people do record their information electronically, the little people, the little businesses won't do it. We talked about that. I think even Legislator Barraga got into a dialogue at one point about how this would negatively impact the industry. At that point, I didn't know what else to do, because, again, I'm representing the Police as the Chair of Public Safety and they're insisting that this is an ever-increasing crime and it's labor intensive. There's seven or eight men and now they have to try to hit, within three days, 70 spots.

We're in the 21st Century. We know that electronics is a major piece here. Legislator Losquadro and Legislator Stern came in with other legislation, which requires the industry to, within one year, put all their information on an electronic database, which is what I was asking for all along. Thursday, I came to this area, I was not going to approve this out of Committee until we could -- I wanted one bill dealt with and then the other. I talked to Legislator Losquadro and I said, "Look, if the industry is willing to keep an electronic file, can't they E-mail the Police?" The Police can say, "Joe Smith, we've just picked up Joe Smith, he stole -- we have scrap metal in his car. We want to know if he sold any to any other place." I mean, I said, "Is this going to be a hard deal, an E-mail?" At that point, we had a tentative agreement. I know that we hadn't reached out to Legislator Stern yet, but I talked to the cosponsor. We thought we had an agreement. We were going to table both bills today and then move forward with an amendment. That disintegrated within about an hour, and we are now here at this point where I was willing to table this, if the other bill was tabled, and we could add some kind of reporting.

I have to represent the Police in this issue, otherwise, who's here to represent them? They've asked for help, because it's a labor-intensive job. We are in the 21st Century. If they have to -- if they're agreeing under this legislation to record it electronically, how hard is it to send an E-mail or respond to an E-mail? I don't know what else to say. What my problem with this whole thing is it's really tainted me on looking at this process, because it looks like in Suffolk County we have a new golden rule, those that have the gold make the rules, and I will never subscribe to that rule. Thank you.

**P.O. LINDSAY:**

Legislator Losquadro wants to go, but I think one of the things that you left out in your description is I asked both you and Legislator Stern to compromise these two bills into one bill.

**LEG. EDDINGTON:**

I reached out.

**P.O. LINDSAY:**

There is no doubt about it, that this is a major problem in our area, the theft of metal. And I think there's some value in both bills, and I've asked them to merge it into one bill and that didn't happen and I'm very disappointed in that. And I intend to table both bills until we can come up with one bill that works. Legislator Losquadro.

**LEG. LOSQUADRO:**

Thank you. Some of the representations that were made that changes were made along the way, this has always been about nonferrous metal. This has always been, to the best of my recollection, about under certain dollar amounts, although we did change some of that along the way. One of the fundamental differences here is what we're talking about in the bill that I've cosponsored with Legislator Stern, is we're talking about electronic recording, not electronic reporting, and that's a big difference.

The industry has been very clear in their discussions about the amount of additional manpower and the cost to industry, and we have a responsibility to commerce in Suffolk County. Just as we did in passing legislation regarding workers participating in an underground economy, well this is the same problem that we have here. We have an unlevel playing field and asking those who already follow the rules to add significantly to their cost of doing business I don't think is fair, but I am sympathetic with the problems that the Police Department has -- have in terms of their manpower.

The bill that is being put forward today by Legislator Stern and myself has an electronic recording requirement that has to be complied with within one year. I am certainly agreeable, as Legislator Eddington and I discussed, to moving forward at some point in the future with having electronic communication between the industry and the Police Department take place, but we have a year before they even have to comply with the electronic recording portion of this bill. So we have a year before that even takes place before we can evaluate the efficiency of that. After that and after we evaluate that efficiency, we can then work with the industry and the Police Department to move

towards some sort of resolution, some sort of compromise here that will give the Police Department the type of efficiency that they're looking for with being able to better position their manpower. And I think we are providing not only a hammer for the Police Department to go after those in the industry who are not complying, but we're going to provide a level playing field in which business can take place here in Suffolk County. That's why I do not support Legislator Eddington's bill. And I know he was carrying this, but, in my opinion, he's been carrying a flawed bill all along.

**P.O. LINDSAY:**

Legislator D'Amaro.

**LEG. D'AMARO:**

Thank you, Mr. Presiding Officer. Just very quickly, with respect to the bill under consideration right now, a couple of issues that I have with it. First is the fifteen hundred dollar threshold, which I listened to Legislator Eddington, I understand his -- or how that evolved, but I question it, because what it says to me is that if we agree that scrap metal and scrap metal related crimes are a problem here in Suffolk County, this bill is not really going to capture the folks that are doing this on a larger scale with a fifteen hundred dollar or less threshold, so I question that. You know, if someone goes out and steals, you know, \$20,000 worth of scrap metal and bring it to a scrap metal dealer, they're not required to become part of the reporting system, so I don't understand that. It seems arbitrary.

And I've spoken on this, I'll be very brief. The bill seems to set up a presumption of guilt. If you're an innocent person selling scrap metal, you go to your local scrap metal dealer, you hand in maybe the old pipes from underneath the sink that you took out. It's almost a presumption of guilt. You know what, you're going into a Police database, your name is being transmitted that day or in a couple of days for an investigation that hasn't even started yet, and I just question if we want to take that jump here in Suffolk County and make that type of information available from business.

Another problem I have with this bill is, and I've said this before, it seems to, in effect, deputize the industry. It's saying to the industry, "You know, we're Police, we have the Police power, we have a Police function, it's our job to investigate crimes and we're going to do that, we're going to try and prevent more crime, but, you know, since we're having a hard time trying to do that, we're now going to go to industry, we're going to deputize you, make you become a part of this reporting requirement, even though no crime is being committed. We want you to send in the names of innocent people into a Police database. Oh, and by the way, we want you to pay for that." That just seems patently unfair to impose that type of obligation on an entire industry.

I also had some issue with the tag-and-hold. The tag-and-hold is still in this bill, unless you put the required information into the data base, and I think the tag-and-hold is just not realistic. So, for those reasons, I don't intend to support the bill.

**P.O. LINDSAY:**

Legislator Stern.

**LEG. STERN:**

Yes. Thank you, Mr. Presiding Officer. I think one of the other issues that has not yet been addressed in this bill is that, first of all, the fines are set very, very low, and, unfortunately, is nothing more than the cost of doing business to a violator. And how does one prove intent in neglecting to keep very important identifying records? I think that puts another burden on the Police Department, on our Law Enforcement to have to try and prove a level of intent in order to levy any type of fine that would have any meaning in combating crime, which, by the way, we all understand is a growing problem. I just believe that there is a better way to combat it.

**P.O. LINDSAY:**

Okay. What motions do we have before us?

**MR. LAUBE:**

You have a motion to table and a motion to approve.

**P.O. LINDSAY:**

Okay. The tabling motion takes precedent. Roll call.

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

**LEG. SCHNEIDERMAN:**

Yes to table.

**LEG. D'AMARO:**

Yes.

**LEG. COOPER:**

Yes to table.

**LEG. STERN:**

Yes.

**LEG. HORSLEY:**

(Not Present)

**LEG. NOWICK:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. BARRAGA:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. EDDINGTON:**

No.

**LEG. LOSQUADRO:**

Yes to table.

**LEG. VILORIA-FISHER:**

No.

**LEG. BEEDENBENDER:**

No.

**LEG. BROWNING:**

No.

**LEG. ROMAINE:**

Yes.

**P.O. LINDSAY:**

Yes.

**LEG. HORSLEY:**

Legislator Horsley yes.

**MR. LAUBE:**

Legislator Horsley.

**LEG. HORSLEY:**

Yes.

**MR. LAUBE:**

Thirteen.

**P.O. LINDSAY:**

All right. It stands tabled. ***1181 - Authorizing acquisition of land under the old Suffolk County Drinking Water Protection Program for the South Bay Street Property, Town of Babylon.*** Legislator Horsley, what do you want to do with this? Legislator Horsley?

**LEG. HORSLEY:**

Yeah, I'm going to table that. It's got to go to Parks Committee first.

**LEG. ALDEN:**

Second.

**P.O. LINDSAY:**

Motion to table and a second. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Seventeen.

**P.O. LINDSAY:**

***1369 - Requesting Legislative approval of a contract award for centralized appointment scheduling services for the Department of Health Services.*** I'm going to make a motion to approve.

**LEG. STERN:**

Second.

**P.O. LINDSAY:**

Second by Legislator Stern.

**LEG. ALDEN:**

Motion to table.

**P.O. LINDSAY:**

Motion to table by --

**LEG. ROMAINE:**

Second.

**P.O. LINDSAY:**

By Legislator Alden.

**LEG. ROMAINE:**

Second.

**P.O. LINDSAY:**

Seconded by Legislator Romaine. On the question. Go ahead, Legislator Alden.

**LEG. ALDEN:**

Well, Ben, I guess you stepped up to the microphone to answer questions. At the last Legislative session and the one before that, I had asked if we could investigate the way they do it at the Patchogue Center, because they make ninety-something percent of all their scheduled appointments, they don't use this -- they use this service very minimally. And I was wondering if that model would be appropriate for all of Suffolk County, because it would save us -- it would save us almost a million dollars a year. And then there's some other problems with these people. For instance, when you call them and you find out that they're -- they're not even in Nassau County now. The people that were on the phone a couple of times were down in the Carolinas or Virginias. So that I find as a little bit of a problem.

**MR. ZWIRN:**

If I might, we would like to get this passed, because they handle hundred of thousands of calls, reservations at our Health Centers now, and everybody's concerned about the well-being of our Health Centers. This -- the only reason we're here today is because they were the sole responder. Nobody else responded, not a Suffolk County firm, not a Nassau County. These were the only guys that --

**LEG. ALDEN:**

But, Ben, actually, could you respond to what I asked, though, because I had asked for an examination of a different way of doing business. I don't think we're here because they're the only responders. We're going to spend a million dollars to do something that I think we can do, and the Patchogue Center does it in-house, so --

**DEPUTY COMMISSIONER MINER:**

With all due respect, the Patchogue Center does not do it in-house, they've used EZ-Call just like the other Health Centers.

**LEG. ALDEN:**

Right, for about less than 5% of their calls.

**DEPUTY COMMISSIONER MINER:**

That's not accurate.

**LEG. ALDEN:**

It's not?

**DEPUTY COMMISSIONER MINER:**

No.

**LEG. ALDEN:**

Have you been out there?

**DEPUTY COMMISSIONER MINER:**

I've been to both EZ-Call and to all the Health Centers, yes.

**LEG. ALDEN:**

And where is EZ-Call?

**DEPUTY COMMISSIONER MINER:**

EZ-Call is in Wantagh.

**LEG. ALDEN:**

And that's where the location --

**DEPUTY COMMISSIONER MINER:**

Yeah, it's Medfone.

**LEG. ALDEN:**

That's where all the operators are?

**DEPUTY COMMISSIONER MINER:**

Medfone, yes.

**LEG. ALDEN:**

And who are you, actually?

**DEPUTY COMMISSIONER MINER:**

Matt Miner. I'm the Deputy Commissioner of the Health Department.

**LEG. ALDEN:**

Okay. Thanks, Matt, for coming down. Have you verified that they've been in compliance all along with their contract? Because their contract requires "X" number of Spanish-speaking people. Their contract requires coverage for "X" hour to "X" hour, "X" number of days a week, and now we're going on, what is it, the second, third, fourth year that these same people have been contracted with Suffolk County?

**DEPUTY COMMISSIONER MINER:**

Margaret and -- Margaret Bermel and myself toured the facility out in Wantagh about --

**LEG. ALDEN:**

How many times in the past five years?

**DEPUTY COMMISSIONER MINER:**

I've only been employed for a year, but just once.

**LEG. ALDEN:**

No. You represented someone else toward it, so --

**DEPUTY COMMISSIONER MINER:**

Margaret and I have joined the Health Department about a year-and-a-half ago.

**LEG. ALDEN:**

Okay.

**DEPUTY COMMISSIONER MINER:**

Okay? We --

**LEG. ALDEN:**

So, in your year-and-a-half, how many times have you --

**DEPUTY COMMISSIONER MINER:**

We've toured it once, but we're -- Patient Care is in -- Division of Patient Care has had numerous conversations and meetings with EZ-Call as they update the schedule for various changes in procedures and formatting. So Division of Patient Care also supports that.

**LEG. ALDEN:**

Okay. So for a year-and-a-half, you've been there once to verify. Do you still accept --

**MR. ZWIRN:**

How many times have you been there?

**LEG. ALDEN:**

Do you -- what?

**MR. ZWIRN:**

How many times have you been there?

**LEG. ALDEN:**

I called them. I can't even find them. The person who was talking to me is in the Carolinas. They tried to set up an appointment for me in the Bay Shore Health Center, which hasn't been there, as you know, Ben, for more than six years, so I have no faith in that company. But, anyway, how many times -- now what data do you -- what data do you rely on for their compliance with their contract?

**DEPUTY COMMISSIONER MINER:**

We have the Division of Patient Care who represents all of the individuals who use the Health Centers, about 60,000 patients, 300,000 visits. They report and deal with the Health Center Administrators, as well as the Medical Directors and the staff there. Any feedback, any concerns are then immediately transmitted to Medfone, and any -- if there is updates in our procedures or scheduling, it's done through that office.

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

**LEG. ALDEN:**

If I'm spending a million bucks a year for a service, I'm going to make sure that they're putting the 35 or 50 operators that they've got, the number of Spanish-speaking, I'm going to make sure. I'm not going to rely on their own self-generated documents to justify paying -- me paying them a million bucks a year. You're telling me that you rely on their own generation of documents to pay a million dollars.

**DEPUTY COMMISSIONER MINER:**

No. No, sir, we rely on the Division of Patient Care, the health center administrators, the hospitals that run our health centers as well as our own County staff that run our health centers.

**LEG. ALDEN:**

Well, those people are contract vendees also.

**DEPUTY COMMISSIONER MINER:**

Not all on staff in Riverhead and Tri-Community.

**LEG. ALDEN:**

Now, how many times have they been to the center?

**MR. ZWIRN:**

Let him answer the question, please.

**LEG. ALDEN:**

How many times have they been to the center, this call center?

**DEPUTY COMMISSIONER MINER:**

We don't go to the center. The center calls and we deal -- a lot of it's done through the phone calls.

**LEG. ALDEN:**

How do you know that there's even more than one person there? You're paying for a million dollars.

**DEPUTY COMMISSIONER MINER:**

I toured it. I toured the facility, there are many people there.

**LEG. ALDEN:**

Did they know you were coming? Ah-ha.

**DEPUTY COMMISSIONER MINER:**

Yes.

**LEG. ALDEN:**

There's the problem; you haven't surprised visited.

**DEPUTY COMMISSIONER MINER:**

Sir, with all due respect --

**LEG. ALDEN:**

You haven't audited the place.

**DEPUTY COMMISSIONER MINER:**

-- they had an office there with a number of staff.

**MR. ZWIRN:**

This is -- I'm sorry.

**LEG. ALDEN:**

A number of staff? Give me a break.

**MR. ZWIRN:**

I mean, this is just -- how do you take this seriously? I don't know how you respond.

**LEG. ALDEN:**

Ben, we're paying a million bucks to get something done that I don't know if we're even getting it done. You're relying on their own generated documents to prove that they even give us anything.

**MR. ZWIRN:**

We know that people show up with reservations. When they're not answering the calls any longer, and that day is rapidly approaching --

**LEG. ALDEN:**

How do you know they don't answer the calls?

**MR. ZWIRN:**

When they're no longer employed by the County because this contract is not approved, we're going to have to come up with another plan and that -- could we direct the calls to your office and you make the appointments; can we do that?

**LEG. ALDEN:**

Well, Ben, if you want to pay me the million dollars, you can absolutely start directing the calls right now.

**MR. ZWIRN:**

But you said that's too much money, so we'll -- you know.

**LEG. ALDEN:**

No. You're saying you're paying them now, but that's degenerating it to -- this is getting to be ridiculous on your side.

**LEG. ROMAINE:**

Mr. Presiding Officer?

**LEG. ALDEN:**

I want to know if we're getting what we're paying for. So how many times -- and I just heard the answer, one time, maybe two people went one time on an announced visit to see if we were actually getting the number of people that we paid for.

**MR. ZWIRN:**

Aside from yourself, I mean, are all the Legislators here getting complaints on this from your constituents? I mean, I know Legislator Alden, apparently this is a big issue in his district, but I don't --

**LEG. ALDEN:**

It is a big issue.

**P.O. LINDSAY:**

Okay, I'm going to -- because some of the other Legislators have some questions. Deputy Commissioner Miner, you attempted to answer the questions. Legislator Romaine.

**LEG. ROMAINE:**

First let me just say --

**P.O. LINDSAY:**

The voice of sanity.

**LEG. ROMAINE:**

Well, I have great -- sometimes insanity, but I have great respect for our Deputy Commissioner Matt Miner, having dealt with him and Margaret Bermel, I know them to be serious and hard-working public officials. But this issue first came to us back in March and we were told it was an emergency, I think it was March 13th or something of that nature, because the contract was going to expire; or maybe it was the end of February, excuse me, the contract was going to expire March 31st. And at that time and every successive Legislative meeting, the Legislature tabled this resolution. And at that time, the Legislature -- Legislators collectively said, at least the majority said, "We'd like to take a look at whether we could do this in-house, whether we could use County employees."

**DEPUTY COMMISSIONER MINER:**

BRO looked at that, sir.

**LEG. ROMAINE:**

Did they?

**DEPUTY COMMISSIONER MINER:**

Yes.

**MS. BERMEL:**

They issued a report.

**LEG. ROMAINE:**

And?

**MR. ZWIRN:**

They issued a report; ask BRO.

**LEG. ROMAINE:**

And what does that report say, if I may ask. Thank you for alerting me to that.

**MR. ZWIRN:**

Our recollection was almost \$600,000 more to do it in-house, but I'll let Gail find the final numbers. But that might be something you would recommend.

**LEG. ROMAINE:**

Ben, you know how to lose a guy's vote faster than anyone else I know. Thank you.

**MR. ZWIRN:**

Yeah, I know, we had your vote right in the bag, right from the beginning.

**LEG. ROMAINE:**

I voted with you on the Capital, what are you talking about?

**P.O. LINDSAY:**

Go, Ms. Vizzini.

**MS. VIZZINI:**

Yes, we did issue a report to I think it was to all Legislators. Basically what we did was we used Neighborhood Aides and came up with a determination -- it was at the request of the Health Committee that we did this report. That using Neighborhood Aides, and one of the reason we did the Neighborhood Aides was we thought that perhaps the Neighborhood Aides who are being displaced by the sale of the Suffolk Health Plan might be the actual individuals or positions that could do the function. However, based on salaries using Neighborhood Aides and the same number of positions, 22 positions which is commensurate with what Medfone uses, and one supervisor, the cost is \$584,000 more than the contract with Medfone.

**LEG. ROMAINE:**

Could I ask a question now about the Neighborhood Aides that are being displaced by Suffolk Health Plan? My understanding in reviewing Suffolk Health Plan and the advocates for the sale was that all of these people would be taken care of; is that correct?

**UNKNOWN AUDIENCE MEMBER:**

Yes.

**LEG. ROMAINE:**

So if we're not talking care of them in this, where else are we taking care of them in raising that expense? Because someone raised that question. Because maybe, yeah, maybe this could be more expensive this way, but my understanding is the commitment, those who advocated the sale of this plan said that all of the Neighborhood Aides would be taken care of and no one would be laid off; is that correct? Correct me if I'm wrong.

**MS. VIZZINI:**

That's correct. No, all the occupied positions have been transferred or will be transferred. They're transferred in the budget, physically people are still, you know, closing out the health plan. No one is losing their job directly as a result of the sale of the Suffolk Health Plan.

**LEG. ROMAINE:**

And How many Neighborhood Aides work in Suffolk Health Plan, roughly?

**MS. VIZZINI:**

There were -- I think there were 14 positions.

**LEG. ROMAINE:**

Fourteen; so those 14 people are going to be picked up by other departments?

**MS. VIZZINI:**

Yeah, they've all been transferred either within Health or one to the Sheriff, one to DSS, it was all enumerated in our Operating Budget Review. If you use our existing staff, there's no additional cost, but if you compare it to the contracted cost. We also did a scenario, at the request of the then Chairperson to just half it, just half it.

**LEG. ROMAINE:**

At Legislator Mystal's -- former Legislator Mystal's request.

**MS. VIZZINI:**

Correct. And, you know, for no other reason, just to -- you know, if it was half, in order to mitigate the expense.

**LEG. ROMAINE:**

Right.

**MS. VIZZINI:**

But in discussions with the Health Department, it's questionable as to whether the job can actually be done with that level of staffing.

**LEG. ROMAINE:**

Have you done any evaluation of Medfone, the current contract holder? Have you done any evaluation of the services that they provide?

**MS. VIZZINI:**

No, we have not been asked to do that and we have not done that.

**LEG. ROMAINE:**

So there's been no -- let me ask maybe --

**DEPUTY COMMISSIONER MINER:**

Sure.

**LEG. ROMAINE:**

-- the Deputy Commissioner; has there been any independent review of the work performed by Medfone?

**DEPUTY COMMISSIONER MINER:**

Yeah. The bottom line is the patients are using the system and they're showing up at the health centers; we have over 300,000 visits or 280,000 visits to the health centers. The majority of those visits, other than the walk-ins, are done through Easy-Call. Eighty-five, 90% of the visits are scheduled through this Medfone, through Easy-Call, through the health centers; the system is working.

**LEG. ROMAINE:**

I'm sure the system is working, I'm just a little bit confused because maybe in my limited world, I know when I go to the doctor, you know, and I have -- I see the doctor for my appointment, usually before I leave, besides paying my co-pay, the gal at the desk will say, "Here's your next scheduled appointment," and I don't have to call in to find out. And my understanding is that the Health Department has that ability to schedule the majority, I would say the overwhelming majority to reschedule follow-up appointments without using a Medfone.

**DEPUTY COMMISSIONER MINER:**

That is done but we do a reminder call, just like your doctor may do a reminder call to yourself. I know my doctor calls me and reminds me that I have an appointment next Monday.

**MR. ZWIRN:**

Your doctor might not call you, though, I could understand that.

**LEG. ROMAINE:**

That's usually a robo call of some type.

**DEPUTY COMMISSIONER MINER:**

There is a person that calls and many of our patients --

**LEG. ROMAINE:**

We all know about robo calls.

**DEPUTY COMMISSIONER MINER:**

And many of our patients also use to schedule appointments. If there's new patients, it is done through the HICA System, we have accountability through the HICA system so we're not over-booking doctors so there's not as long of a wait as there is at the health centers.

**LEG. ROMAINE:**

Thank you very much.

**P.O. LINDSAY:**

Okay. There was another question over here, Legislator Browning.

**LEG. BROWNING:**

Yeah, I just wanted to know as far as languages, I know someone mentioned about English and Spanish; are there other languages that you're requiring them to have?

**P.O. LINDSAY:**

Yeah, speak Irish.

**LEG. BROWNING:**

Irish? I don't know, I can help you with that.

**DEPUTY COMMISSIONER MINER:**

There is a translation service. The Medfone speaks English and Spanglish, bilingual, but they have the capability of bilingual or of translation phone for other dialects.

**LEG. BROWNING:**

And as far as the -- how long is this contract for? And let's say AME was able to -- you know, the union was able to do this, is there something there that says you can move out of that contract?

**MR. ZWIRN:**

It's a three year contract and --

**LEG. BROWNING:**

And is there a clause that --

**MR. ZWIRN:**

You know, what we can do in the future is put an RFP out and send it to AME so they can respond as well. We gave them information, they said they didn't have enough time, but they withdrew their objections on the records, which originally that was the issue that we faced coming before the

Legislature. But as of July 1st this is pretty much done, and at that point we're going to have to go to a plan B. And if Legislator Alden doesn't mind that we make the phone calls to his office, that might be plan B.

**LEG. BROWNING:**

Is there also a clause that allows you to get out of that contract, say AME was able to do it?

**DEPUTY COMMISSIONER MINER:**

There's a standard termination clause, yes.

**LEG. BROWNING:**

And how long is that?

**MS. ALLONCIUS:**

Thirty days.

**MR. ZWIRN:**

Thirty days.

**LEG. BROWNING:**

Okay, thanks.

**P.O. LINDSAY:**

Okay, Legislator Alden has some other questions.

**LEG. ALDEN:**

Budget Review, when you did your analysis or comparative analysis, you based that on how many people working?

**MS. VIZZINI:**

Twenty-two.

**LEG. ALDEN:**

Twenty-two? And that's what's called for under the contract?

**MS. VIZZINI:**

Yes, 22 plus one supervisor.

**LEG. ALDEN:**

Okay, but we really don't know if they have 22 people on or one or two people on because we don't get personal verification of it.

Now, the analysis also, how much would they have to be paying their employees to be \$500,000 under our analysis or your analysis of what it would cost for a County? And then the other question is do you think this applies, the minimum wage law would apply to this contract vendee?

**MR. LIPP:**

Living wage.

**LEG. ALDEN:**

Living wage, rather.

**MS. VIZZINI:**

I don't know whether they use full-time or some combination of part-time employees.

**MR. ZWIRN:**

They have economies of scale because this is their business, so there is a -- you know, there are other ways that they save money on this. I don't know what their salaries are.

**LEG. ALDEN:**

Well, then in the same answer we could use economies of scale because we have other employees sitting in each one of those -- in everywhere except the Bay Shore Health Center, we don't really have a lot of employees sitting at the Bay Shore Health Center; actually we have zero.

**MR. ZWIRN:**

Well, the savings on there is tremendous.

**LEG. ALDEN:**

Is immense, right? Because we're talking about over a ten year period, we're talking about close to \$10 million here that we could save the County taxpayers.

**MR. ZWIRN:**

I'm just saying, I mean, I've made some light of this but as of July 1st we're going to have to come up with another plan. And I -- you know, we're going to have to send these people somewhere, so.

**LEG. ALDEN:**

Well, Ben --

**MR. ZWIRN:**

I know you're volunteering your phone number, but seriously we're going to have to have them call somewhere to make appointments.

**LEG. ALDEN:**

Ben, isn't there another model that pops into your head like, "Oh, if you go to a clinic it's a for-pay clinic," isn't that a model that would pop into your head? Doesn't that kind of fit in with what Suffolk County is doing with its clinics, except in Bay Shore? And they don't do it with a call-in system.

**MR. ZWIRN:**

Mr. Presiding Officer, I give up.

**P.O. LINDSAY:**

Okay.

**LEG. ALDEN:**

Well, actually, you shouldn't give up. But that's an analysis that I think we deserved to have looked at.

And the other thing is just, you know, to the Deputy Commissioner, I would like a response to the letter that I sent over to the Commissioner's Office. And that was my original complaint, that people from my district came in, they called up --

**MR. ZWIRN:**

We never saw the letter you sent, we never saw it.

**LEG. ALDEN:**

Well, then the Commissioner better dig it out.

**MR. ZWIRN:**

You never provided us a copy that the letter actually existed.

**LEG. ALDEN:**

I don't have to keep providing copy after copy.

**P.O. LINDSAY:**

All right, all right, stop the cross-talk.

**LEG. ALDEN:**

You should respond to, it's that simple.

**P.O. LINDSAY:**

Any other questions?

**MR. ZWIRN:**

If the letter exists.

**P.O. LINDSAY:**

We have a motion to table and a motion to approve; am I correct?

**MR. LAUBE:**

You are correct.

**P.O. LINDSAY:**

Okay. Motion to table takes precedent; roll call.

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

**LEG. ALDEN:**

Yes.

**LEG. ROMAINE:**

Yes.

**LEG. COOPER:**

(Not present).

**LEG. D'AMARO:**

No.

**LEG. STERN:**

No.

**LEG. HORSLEY:**

No.

**LEG. NOWICK:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. BARRAGA:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. EDDINGTON:**

No.

**LEG. LOSQUADRO:**

Yes.

**LEG. VILORIA-FISHER:**

No.

**LEG. BEEDENBENDER:**

No.

**LEG. BROWNING:**

No.

**LEG. SCHNEIDERMAN:**

Yes to table.

**P.O. LINDSAY:**

I have to vote to table because it's going to be defeated. Somebody else has to change their vote to keep it alive.

**LEG. VILORIA-FISHER:**

Make mine to table, a yes.

**P.O. LINDSAY:**

It stands tabled.

**MR. LAUBE:**

Legislator Lindsay, your vote is yes?

**P.O. LINDSAY:**

Table, yes.

**MR. LAUBE:**

Eleven.

**P.O. LINDSAY:**

I had ten.

**MS. ORTIZ:**

I have ten.

**MR. LAUBE:**

Ten.

**P.O. LINDSAY:**

Okay, ***1371-08 - Appropriating funds in connection with median improvements on various County Roads (CP5001) (County Executive).***

I'll make a motion to approve.

**LEG. BEEDENBENDER:**

Second.

**P.O. LINDSAY:**

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

**LEG. BARRAGA:**

Opposed.

**LEG. ALDEN:**

Opposed.

**P.O. LINDSAY:**

Okay.

**MR. LAUBE:**

Fifteen (Opposed: Legislators Barraga & Alden).

**P.O. LINDSAY:**

1371A, the accompanying Bonding Resolution. Same motion, same second. Roll call.

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

**P.O. LINDSAY:**

Yes.

**LEG. BEEDENBENDER:**

Yes.

**LEG. COOPER:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. STERN:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. BARRAGA:**

No.

**LEG. ALDEN:**

No.

**LEG. MONTANO:**

Pass.

**MR. LAUBE:**

Yes?

**LEG. MONTANO:**

Pass.

**LEG. EDDINGTON:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. VILORIA-FISHER:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. ROMAINE:**

No.

**LEG. MONTANO:**

No.

**MR. LAUBE:**

Fourteen.

**P.O. LINDSAY:**

Okay, it passes.

***IR 1380-08 - Requesting Legislative approval of a contract award for an audit of the Public Administrator's Office (County Executive).***

**LEG. ROMAINE:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Romaine

**MR. LAUBE:**

That was 13 (Opposed: Legislators Barraga, Alden, Montano & Romaine).

**LEG. D'AMARO:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Seventeen.

**P.O. LINDSAY:**

***1401A - Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$1,475,000 bonds to finance the cost of payment of settlement in a general liability case.***

I'll make a motion.

**LEG. BEEDENBENDER:**

Motion.

**P.O. LINDSAY:**

Who made -- Legislator Beedenbender makes a motion, I'll second it.  
On the question? Legislator Kennedy.

**LEG. KENNEDY:**

Mr. Chair, can I just ask if somebody can refresh my memory, I don't recall what this was on.

**MS. BIZZARRO:**

Presiding Officer, if I may speak?

**P.O. LINDSAY:**

Go right ahead.

**MS. BIZZARRO:**

Oh, thank you very much. Lynne Bizzarro, County Attorney's Office. IR 1401-08 was adopted at the last General Meeting, however the companion Bond Resolution was tabled until today. Unless the Bond Resolution is approved, no action could be taken with respect to IR 1401 and this lawsuit cannot be settled. This has to do with settlement of a lawsuit that was instituted against the County in connection with a December, 1997 vehicular accident which involved a County vehicle and a pedestrian.

In February of '05, after trial on the liability, the County was found primarily responsible for the accident; the County appealed that verdict and was unsuccessful. The damages portion of the trial was also tried to verdict. In January of 2008, the jury awarded the plaintiff \$1.5 million for past and future pain and suffering for multiple injuries; the County fully intended to appeal that award. However, notwithstanding that decision to proceed forward with an appeal on the damages portion of the trial only, it was determined by the County Attorney's Office that the matter -- that it would be in the best interest of the County if we settled the matter for 1.475 million. It's a very good number, it was presented to the Ways & Means Committee on April 16th, 2008 and the committee approved the settlement unanimously.

In the event this Bond Resolution is not approved at this meeting, the County will be forced to go forward with its appeal on the damages trial, on the damages portion of the trial. In the event it loses the appeal, the County will owe the \$1.5 million plus at least \$600,000 in interest assuming that a decision on the appeal is not rendered until we're imagining some time in the summer of 2009; we're giving the court some time, but that's not a bad timeline.

**LEG. KENNEDY:**

Can I just ask one question? You said it was a County vehicle and my recollection is it was a bus?

**MS. BIZZARRO:**

No, it was not a bus.

**LEG. KENNEDY:**

It was not a bus.

**MS. BIZZARRO:**

It was not a bus.

**LEG. KENNEDY:**

All right, I just want to move over to BRO for a second. What's the duration of this Bond?

**MS. BIZZARRO:**

Five years.

**LEG. KENNEDY:**

And what's the interest associated with the Bond? Ten percent, 20%; what are we paying on it?

**MR. LIPP:**

Actually, the way we've been issuing Bonds of late is level debt service on a weighted average maturity basis which means it would be factored in with the full amount of all other bonds, it would probably be effectively 20 years. That being stated, the 1.475 million would total 2.22 million over 20 years or 111,000 a year.

**LEG. NOWICK:**

What percentage -- (Inaudible).

**LEG. KENNEDY:**

Wait a minute, let me make sure I understand that. So in other words, we're looking at 1.4 as the amount tendered and we're going to pay 2.2 over 20 years for it; we're going to pay 600 grand?

**MR. LIPP:**

That's over 20 years, at present value is a different issue. The point to be made really, though, is doing level debt -- doing the weighted average maturity level debts service approach, which is what we've been doing the last few years, basically all bonds are going to be 20 years. They're in some cases we might be issuing once or twice a year less than 20 years, but it's typically a 20 year bond.

**MS. BIZZARRO:**

According to the Bond Resolution it's a five year bond.

**MR. LIPP:**

That's correct. But when we -- for instance, the last Bond issue we had was, say, 130 different particular Capital Projects, they look at the weighted average maturity of the projects, if the weighted average maturity is at least 20 years, then that's what the Bond issue is, so effectively everything implicitly is that amount of money, that amount of years.

**LEG. KENNEDY:**

Okay. Thanks, everybody. I really appreciate it.

**P.O. LINDSAY:**

Legislator Montano.

**LEG. MONTANO:**

Lynne, you said that there was a jury verdict on damages?

**MS. BIZZARRO:**

Yes.

**LEG. MONTANO:**

And when was that rendered?

**MS. BIZZARRO:**

January of '08.

**LEG. MONTANO:**

Is your time to file -- did you file a Notice of Appeal?

**MS. BIZZARRO:**

Yes, we did.

**LEG. MONTANO:**

So there's a Notice of Appeal pending.

**MS. BIZZARRO:**

Correct.

**LEG. MONTANO:**

Okay.

**MS. BIZZARRO:**

We have not perfected it yet.

**LEG. MONTANO:**

All right, I was going to ask you. When do you have to perfect the appeal?

**MS. BIZZARRO:**

I would say it's coming up soon, within probably the next month or so we would have to perfect.

**LEG. MONTANO:**

All right. I just -- I wasn't clear earlier. Your appeal notice is in.

**MS. BIZZARRO:**

Yes.

**LEG. MONTANO:**

You're looking to settle this so you can withdraw the appeal notice.

**MS. BIZZARRO:**

Correct.

**LEG. MONTANO:**

Gotcha. Okay.

**P.O. LINDSAY:**

Okay. Anybody else? All right, we have a motion and a second to approve, right?

**MR. LAUBE:**

Yes.

**P.O. LINDSAY:**

All in favor? Opposed?

**MR. LAUBE:**

Should this be --

**LEG. ALDEN:**

You've got to do a roll call.

**P.O. LINDSAY:**

I've got to do a roll call. Roll call; excuse me.

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

**LEG. BEEDENBENDER:**

Yes.

**P.O. LINDSAY:**

Yes.

**LEG. COOPER:**

What are we voting on? Yes.

**LEG. D'AMARO:**

Yes.

**LEG. STERN:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. KENNEDY:**

Yeah.

**LEG. BARRAGA:**

(Not present).

**LEG. ALDEN:**

Pass.

**LEG. MONTANO:**

Pass.

**LEG. EDDINGTON:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. VILORIA-FISHER:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. ROMAINE:**

No.

**LEG. ALDEN:**

No.

**LEG. MONTANO:**

No.

**MR. LAUBE:**

Thirteen.

**LEG. EDDINGTON:**

Legislator Lindsay?

**P.O. LINDSAY:**

Yes, Legislator Eddington. I recognize Legislator Eddington, go ahead.

**LEG. EDDINGTON:**

Thank you. I'd like to put a motion before the committee here, before the Legislature for the appointment of a new Deputy Presiding Officer of the Legislature, and I'd like to make a nomination.

**P.O. LINDSAY:**

You'd like to make a motion.

**LEG. EDDINGTON:**

A motion to nominate Legislator Viloría-Fisher from the 5th Legislative District, our past -- she had this position in the past, did an outstanding job and I'd like to nominate her.

**P.O. LINDSAY:**

We have a Procedural Motion No. 18, it should be in your packet.

**MR. NOLAN:**

Revised.

**P.O. LINDSAY:**

Revised, it's marked on the top. Okay, I have a motion. Do I have a second?

**P.O. LINDSAY:**

I'll second it.

**LEG. ROMAINE:**

Point of order.

**P.O. LINDSAY:**

Point of order, Legislator Romaine. First of all, we have to recognize taking it out of order; was that your point of order?

**LEG. ROMAINE:**

No, that wasn't. My point of order is I thought this should -- this type of resolution is a resolution and not a Procedural Resolution and would normally be referred to committee. When we do this at the Organizational Meetings, these are never Procedural Motions, these are actual resolutions.

**P.O. LINDSAY:**

Counsel.

**MR. NOLAN:**

At the Organizational Meeting it's typically done, at least while I've been here, it's actually done by a motion on the floor and then there's a second and then there's a vote, if somebody gets ten votes. I'm told that after the fact, to reflect what the body did, a resolution is prepared and filed so the Clerk has a record. So technically we probably didn't even have to do a Procedural Motion, but it was thought best.

**LEG. ROMAINE:**

It's not at the Procedural -- at the Organizational Meeting, it's usually IR 1 and IR 2 and so forth, Resolution No. 1, Resolution No. 2.

**MR. NOLAN:**

But it is not -- it is never assigned to committee. We're doing it as a Procedural Motion because it involves the Legislature only, nobody else, so it can be done via Procedural Motion to fill this vacancy.

**P.O. LINDSAY:**

Okay. I'm going to accept a motion from Legislator Eddington to take Procedural Motion 16 out of order and I'll second that.

**LEG. BEEDENBENDER:**

Eighteen.

**P.O. LINDSAY:**

Eighteen, excuse me. All in favor of taking it out of order? Opposed? Abstentions?

**LEG. ALDEN:**

Abstain.

**MR. LAUBE:**

Sixteen (Absent: Legislator Alden).

**LEG. MONTANO:**

Abstain.

**LEG. ROMAINE:**

Abstain.

**P.O. LINDSAY:**

Okay, two, three abstentions.

**MR. LAUBE:**

Fourteen (Abstentions: Legislators Alden, Montano & Romaine).

**P.O. LINDSAY:**

We have -- what?

**LEG. ROMAINE:**

I'd like to make a Procedural Motion to nominate John Kennedy as Deputy Presiding Officer of the Suffolk County Legislature.

**P.O. LINDSAY:**

Okay, okay.

**LEG. KENNEDY:**

Mr. Chair, I respectfully decline that nomination.

*(\*Laughter From Audience\*)*

And as a matter of fact, I will not vote for anybody for DPO in light of the \$150 million fiscal nightmare we're in right now.

**P.O. LINDSAY:**

Okay, Legislator Eddington makes a motion -- we have motion 18 before us, makes a motion by

Legislator Eddington and I second the motion that stands before us. Now, does anybody want to talk on the motion?

**LEG. EDDINGTON:**

I do.

**P.O. LINDSAY:**

Yes, Legislator Eddington.

**LEG. EDDINGTON:**

I wanted to nominate Legislator Viloría-Fisher for that position. I think she has the experience, she's shown us that she can do the job, she does it with integrity, class and responsibility and so I support her for that position.

**LEG. ALDEN:**

I'm just getting used to this seat.

**P.O. LINDSAY:**

That's wonderful.

**LEG. ALDEN:**

Where are you going to put me now, out in the hallway?

**LEG. LOSQUADRO:**

On the bench.

**LEG. ALDEN:**

I was helping you, Bill.

**P.O. LINDSAY:**

I was just grateful that I'll have somebody so I can go to the bathroom. We have a motion and a second. Does anybody else want to talk on the subject? Okay.

**LEG. SCHNEIDERMAN:**

Roll call.

**P.O. LINDSAY:**

Roll call.

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

**LEG. EDDINGTON:**

Yes.

**P.O. LINDSAY:**

Yes.

**LEG. COOPER:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. STERN:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. NOWICK:**

Abstain.

**LEG. KENNEDY:**

No.

**LEG. BARRAGA:**

No.

**LEG. ALDEN:**

Abstain.

**LEG. MONTANO:**

Abstain.

**LEG. LOSQUADRO:**

Abstain.

**LEG. VILORIA-FISHER:**

Yes.

**LEG. BEEDENBENDER:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. ROMAINE:**

Abstain.

**MR. LAUBE:**

Ten.

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

Thank you.

**P.O. LINDSAY:**

Page seven, *Introductory Resolutions for June 10, 2008:*

*1441-08 - Amending the 2008 Operating Budget and transferring funds for the Selden/Centereach Little League (Beedenbender).*

**LEG. BEEDENBENDER:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Beedenbender.

**LEG. EDDINGTON:**

Second.

**P.O. LINDSAY:**

Second by Legislator Eddington.

**LEG. ALDEN:**

On the motion.

**P.O. LINDSAY:**

On the motion, Legislator Alden.

**LEG. ALDEN:**

Through the Chair; Budget Review, is this an add-on?

**MS. VIZZINI:**

This is Omnibus money.

**LEG. ALDEN:**

That was --

**MS. VIZZINI:**

Designated for District No. 4, the outgoing Legislator did not designate all the district money. We put aside the amount that was not designated into the DPW rent line and this is \$10,000 that would be taken out of that line and identified for the Selden/Centereach Little League.

**P.O. LINDSAY:**

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

**LEG. MONTANO:**

Opposed.

**MR. LAUBE:**

Seventeen.

**MS. MAHONEY:**

He said opposed.

**LEG. MONTANO:**

No, no, no, I opposed it.

**MR. LAUBE:**

Sixteen (Opposed: Legislator Montano).

**P.O. LINDSAY:**

***1442-08 - Amending the 2008 Operating Budget to promote the Rocky Point Downtown Revitalization and Beautification Committee's family summer concert series (Losquadro).***

**LEG. LOSQUADRO:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Losquadro.

**LEG. D'AMARO:**

Second.

**LEG. BROWNING:**

Second.

**P.O. LINDSAY:**

Second by Legislator D'Amaro. On the question, Legislator Alden.

**LEG. ALDEN:**

Same question, Budget Review?

**LEG. LOSQUADRO:**

I can answer. It was my Omnibus money, one group was not able to utilize the money, we moved it to a different group.

**LEG. ALDEN:**

Okay.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Seven -- sixteen (Not Present: Legislator Cooper).

**P.O. LINDSAY:**

***1454-08 - Amending the 2008 Operating Budget and transferring funds for the contracted agency SOAR Foundation, Inc. (Stern).***

**LEG. STERN:**

Motion to approve.

**P.O. LINDSAY:**

Motion by Legislator Stern. Do I have a second?

**LEG. MONTANO:**

Second.

**P.O. LINDSAY:**

Second by Legislator Montano.

**LEG. ALDEN:**

Same question.

**LEG. STERN:**

Omnibus.

**MS. VIZZINI:**

It's Omnibus money, it's moving \$5,000 from Hills Foundation to SOAR Foundation.

**LEG. ALDEN:**

That's fine.

**P.O. LINDSAY:**

Okay. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Sixteen (Not Present: Legislator Cooper).

**P.O. LINDSAY:**

***1455-08 - Amending the 2008 operating budget and transferring funds to North Amityville Community Economic Council NACEC (Presiding Officer Lindsay).*** I'll make the motion.

**LEG. HORSLEY:**

Second.

**P.O. LINDSAY:**

Second by Legislator Horsley. And I believe it's the same situation; am I correct there?

**MS. VIZZINI:**

This is Omnibus money, it really is just changing it from Economic Development to Youth.

**P.O. LINDSAY:**

Okay. Did you have a question on this, no? All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Sixteen (Not Present: Legislator Cooper).

**P.O. LINDSAY:**

***1456-08 - Amending the 2008 Operating Budget to fund the Lake Grove beautification and Historical Society (Kennedy).*** Legislator Kennedy?

**LEG. KENNEDY:**

I'll make the motion to approve.

**LEG. NOWICK:**

I'll second.

**P.O. LINDSAY:**

Seconded by Legislator Nowick.

**LEG. ALDEN:**

Same question.

**P.O. LINDSAY:**

Same question.

**MS. VIZZINI:**

Yes, this is Omnibus money.

**LEG. ALDEN:**

Thank you.

**P.O. LINDSAY:**

All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Sixteen (Not Present: Legislator Cooper).

**P.O. LINDSAY:**

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

***IR 1411-08 - Adopting Local Law No. 2008, a Local Law amending the Suffolk County Empire Zone Boundaries to include Mini-Graphics, Inc. (SCTM No. 0800-181.00-03.00-001.013) (County Executive).***

**LEG. HORSLEY:**

Motion to approve.

**P.O. LINDSAY:**

Motion to approve by Legislator Horsley.

**LEG. KENNEDY:**

I'll second the motion.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Sixteen (Not Present: Legislator Cooper).

**P.O. LINDSAY:**

*1477-08 - Amending the 2008 Capital Budget & Program and appropriating funds in connection with the renovation/rehabilitation of water pollution control plants - College-Wide (CP 2109) (County Executive).*

**LEG. HORSLEY:**

Motion to approve.

**P.O. LINDSAY:**

Motion to approve by Legislator Horsley.

**LEG. STERN:**

Second.

**P.O. LINDSAY:**

Seconded by Legislator Stern. On the question, it gets back to a fundamental question, what assurances do we have that our Local Preference Laws are going to be adhered to?

**LEG. HORSLEY:**

I can't answer that.

**LEG. ALDEN:**

Also, through the Chair, to Budget Review. Is this part of a larger budget item? Isn't this like Phase II or something, or they're changing it from RPZ valves to something else?

**LEG. HORSLEY:**

Yeah, we had their --

**LEG. KENNEDY:**

Mr. Chair, we got testimony at length regarding this project at the committee and I believe the representative who addressed us at committee is here in the audience. If he might be able to step to the podium to answer some of our questions?

**LEG. HORSLEY:**

That's the man. He's good at this, too; he's a sewer man.

**MR. DeMAIO:**

Good afternoon. John DeMaio with the Community College.

**LEG. ALDEN:**

Then the question would be as the Presiding Officer brought up, are you going to follow the Local Preference Law with these projects?

**MR. DeMAIO:**

The contract was awarded to a Suffolk County contractor, Benson Contracting, for the construction.

**P.O. LINDSAY:**

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

**LEG. BARRAGA:**

Opposed.

**MR. LAUBE:**

Fourteen (Opposed: Legislator Barraga - Not Present: Legislators Schneiderman & Cooper).

**P.O. LINDSAY:**

On the accompanying Bond Resolution, 1477A, same motion, same second; roll call.

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

**LEG. HORSLEY:**

Yes.

**LEG. STERN:**

Yes.

**LEG. COOPER:**

(Not present).

**LEG. D'AMARO:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. BARRAGA:**

No.

**LEG. ALDEN:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. EDDINGTON:**

Yes.

**LEG. LOSQUADRO:**

Yes.

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

Yes.

**LEG. BEEDENBENDER:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. SCHNEIDERMAN:**

(Not present).

**LEG. ROMAINE:**

Yes.

**P.O. LINDSAY:**

Yes.

**MR. LAUBE:**

Fourteen (Opposed: Legislator Barraga - Not Present: Legislators Schneiderman & Cooper).

**P.O. LINDSAY:**

***1478-08 - Amending the prior capital authorized appropriations for installation of RPZ valves (CP 2301.310) (County Executive).*** That's the same project, right?

**MR. NOLAN:**

Actually what this is doing is there was a project funded in 1998 for RPZ valves, they didn't spend as much as was anticipated. We're actually decreasing the amount that was in the appropriating resolution of '98. That money is what provided the offset for the prior resolution.

**LEG. ALDEN:**

I have a question.

**P.O. LINDSAY:**

So we passed the prior resolution. If we don't pass this, we don't have the money to do the prior resolution; isn't that a little backwards?

**MS. VIZZINI:**

No, not really.

**LEG. ALDEN:**

We did a Bond, we just approved a Bond for the prior resolution.

**MS. VIZZINI:**

1477 did not technically need an offset. In the way the resolution was presented to you it's more than 50% aided, so it did not need an offset. However, the two resolutions are cross-referenced.

**P.O. LINDSAY:**

Okay. So same motion?

**LEG. HORSLEY:**

Yes, motion to approve.

**P.O. LINDSAY:**

Motion to approve by Legislator Horsley, seconded by Stern. All in favor? Opposed? Abstentions?

**LEG. ALDEN:**

Opposed.

**LEG. BARRAGA:**

Opposed.

**MR. LAUBE:**

Fifteen. Oh, excuse me, fourteen (Opposed: Opposed: Legislators Alden & Barraga - Not Present: Legislator Cooper).

**P.O. LINDSAY:**

Same motion, same second on the accompanying Bond Resolution; roll call.

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

**LEG. HORSLEY:**

Yes.

**LEG. STERN:**

Yes.

**LEG. COOPER:**

(Not present).

**LEG. D'AMARO:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. BARRAGA:**

No.

**LEG. ALDEN:**

No.

**LEG. MONTANO:**

(Not present).

**LEG. EDDINGTON:**

Yes.

**LEG. LOSQUADRO:**

Yes.

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

Yes.

**LEG. BEEDENBENDER:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. ROMAINE:**

Yes.

**P.O. LINDSAY:**

Yeah.

**MR. LAUBE:**

Thirteen (Opposed: Legislators Barraga & Alden - Not Present: Legislators Cooper & Montano).

**P.O. LINDSAY:**

All right, **Environment, Planning & Agriculture:**

***1405-08 - Authorizing the inclusion of new parcels into existing agricultural districts in the County of Suffolk (County Executive).***

**LEG. SCHNEIDERMAN:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Schneiderman.

**LEG. LOSQUADRO:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Fifteen (Not Present: Legislators Montano & Cooper).

**P.O. LINDSAY:**

***1440-08 - Accepting a donation of real property for open space purposes - a SCDHS Board of Review transfer of development rights (File No. C02-05-0059).*** I'll make a motion.

**LEG. BEEDENBENDER:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Fifteen (Not Present: Legislators Cooper & Montano).

**P.O. LINDSAY:**

***1462-08 - Authorizing acquisition of land under the Old Suffolk County Drinking Water Protection Program [C12-5(E)(1)(a) for the Manteen Property - Carls River watershed Addition/Town of Babylon (SCTM Nos. 0100-083.00-01.00-156.000 and 0100-083.00-01.00-157.000) (County Executive).***

**LEG. D'AMARO:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator D'Amaro.

**LEG. HORSLEY:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Fifteen (Not Present: Legislators Cooper & Montano).

**P.O. LINDSAY:**

***1463-08 - Authorizing acquisition of land under the Suffolk County Open Space Preservation Program for the Roverse Estate Property - Miller Place/Yaphank Road NP addition/Town of Brookhaven (SCTM No. 0200-213.00-02.00-011.000) (County Executive).***

**LEG. BROWNING:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Losquadro, seconded by Legislator Browning.

**LEG. ALDEN:**

Is this a new --

**P.O. LINDSAY:**

On the question, Legislator Alden.

**LEG. ALDEN:**

Is this the New Quarter Percent Program?

**MR. NOLAN:**

This is not the New Quarter Penny.

**LEG. ALDEN:**

It's not?

**MR. NOLAN:**

No.

**LEG. ALDEN:**

So which program is this?

**P.O. LINDSAY:**

The old Quarter Penny.

**LEG. ALDEN:**

No, it can't be.

**MR. NOLAN:**

Open Space Preservation Program is what it states, but it's not the New Quarter Penny.

**MS. VIZZINI:**

Mr. Kovesdy is going to make an inquiry, if you wanted to skip over it.

**P.O. LINDSAY:**

Okay, we have a motion and a second on that, right; is that correct?

**MR. LAUBE:**  
That is correct.

**P.O. LINDSAY:**  
Yeah, well, we're going to skip over it so hold that motion and the second.

*1464-08 - Authorizing acquisition of land under the Suffolk County Open Space Preservation Program for the Klein Property - Miller Place/Yaphank Road NP addition/Town of Brookhaven (SCTM No. 0200-188.00-05.00-010.000) (County Executive).*

**LEG. ALDEN:**  
Is this the same program?

**P.O. LINDSAY:**  
Same program.

**LEG. ALDEN:**  
Can we skip this one, too?

**P.O. LINDSAY:**  
Skip this one too.

*1465-08 - Authorizing acquisition of land under the Old Suffolk County Drinking Water Protection Program [C12-5(E)(1)(a) for the Casaga Builders, Inc., as contract vendee of the Strum street corp. Property - Lake Ronkonkoma addition, Town of Smithtown (SCTM No. 0800-171.00-04.00-043.000 (County Executive).*

**LEG. KENNEDY:**  
I'll make the motion on that, Mr. Chair.

**P.O. LINDSAY:**  
Legislator Kennedy makes a motion.

**LEG. NOWICK:**  
Second.

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

**MR. LAUBE:**  
Fifteen (Not Present: Legislators Cooper & Montano).

**LEG. KENNEDY:**  
Mr. Chair, can I just ask that I get added as a cosponsor?

**P.O. LINDSAY:**  
Sure.

**LEG. KENNEDY:**  
This is an initiative that was started with my planning steps.

**MR. LAUBE:**  
Done.

**P.O. LINDSAY:**

*IR 1466-08 - Authorizing acquisition of land under the Old Suffolk County Drinking Water Protection Program [C12-5(E)(1)(a) for the Manteen Property - Carls River Watershed Addition/Town of Babylon (SCTM No. 0100-083.00-02.00-004.000) (County Executive).*

Now, isn't this the same -- a different tax map number, same owner.

**LEG. HORSLEY:**

Same Carlls River, though.

**P.O. LINDSAY:**

Okay. Motion by Legislator Horsley. Seconded by Legislator D'Amaro?

**LEG. D'AMARO:**

Yes.

**P.O. LINDSAY:**

All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Fifteen (Not Present: Legislators Cooper & Montano).

**P.O. LINDSAY:**

*1467-08 - Authorizing acquisition of land under the Old Suffolk County Drinking Water Protection Program [C12-5(E)(1)(a) for the Audirsch Property - Carls River Watershed Addition/Town of Babylon (SCTM Nos. 0100-083.00-01.00-074.000 and 0100-083.00-01.00-075.000) (County Executive).* Same motion, same second. All in favor?  
Opposed?

**LEG. ALDEN:**

Just --

**P.O. LINDSAY:**

Oh, hold on; Legislator Alden.

**LEG. ALDEN:**

Budget Review, 1467, that's the Old Quarter Cent? So we already borrowed money for that?

**MS. VIZZINI:**

It's the remaining cash that's in the Old Quarter Cent Sales Tax Funded Program.

**LEG. ALDEN:**

Thank you.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Fifteen (Not Present: Legislators Cooper & Montano).

**P.O. LINDSAY:**

*1468-08 - Approving planning steps for the acquisition of farmland development rights - April 2008 (County Executive).*

**LEG. LOSQUADRO:**

Motion.

**LEG. SCHNEIDERMAN:**

Motion.

**LEG. ROMAINE:**

Motion.

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

Everybody woke up at the same time.

**P.O. LINDSAY:**

Motion by Legislator Schneiderman. Who was the second?

**LEG. LOSQUADRO:**

Second.

**P.O. LINDSAY:**

Second by Legislator Losquadro. And I guess that this must be a master listing or something because there's no specific property listed?

**MR. NOLAN:**

Well, there are properties listed, about 50 acres worth.

**P.O. LINDSAY:**

Okay, various locations. Okay, we have a motion and a second. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Fifteen (Not Present: Legislators Cooper & Montano).

**LEG. ROMAINE:**

Cosponsor, please.

**MR. LAUBE:**

Yes, sir.

**P.O. LINDSAY:**

***1469-08 - To reappoint member of County Planning Commission (Robert A. Braun, Esq.)(County Executive).***

**LEG. BEEDENBENDER:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Beedenbender.

**LEG. BEEDENBENDER:**

I'm with you, Bill.

**LEG. D'AMARO:**

Second.

**P.O. LINDSAY:**

Second by Legislator D'Amaro.

**LEG. KENNEDY:**

On the motion, Mr. Chair.

**P.O. LINDSAY:**

On the motion, Legislator Kennedy.

**LEG. KENNEDY:**

I would just like to ask the Chair of EPA if Mr. Braun did come and speak to the committee?

**LEG. BEEDENBENDER:**

He's eating M&M's, but yes.

**LEG. KENNEDY:**

He was there.

**LEG. BEEDENBENDER:**

Yes.

**LEG. KENNEDY:**

Okay, good.

**P.O. LINDSAY:**

The only thing with that is on reappointments we usually -- we don't usually ask them in.

**LEG. LOSQUADRO:**

You don't usually have them in there anymore on reappointments?

**P.O. LINDSAY:**

No, it's up to the Chairperson, but usually the practice is on reappointments we don't.

**LEG. KENNEDY:**

Okay. But nevertheless, it appears -- it sounds as if he attended anyhow.

**P.O. LINDSAY:**

Yep.

**LEG. SCHNEIDERMAN:**

He did come and he did appear in front of us.

**LEG. KENNEDY:**

Thank you.

**P.O. LINDSAY:**

He swallowed the M&M's. We have a motion and a second. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Fifteen (Not Present: Legislators Cooper & Montano).

**P.O. LINDSAY:**

**Health & Human Services:**

***1443-08 - Authorizing Estee Lauder Breast Cancer Awareness Program at H. Lee Dennison Executive Office Building and Cohalan Court Complex (Alden).***

**LEG. ALDEN:**

Motion to approve.

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

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Fifteen (Not Present: Legislators Cooper & Montano).

**LEG. D'AMARO:**

Cosponsor, please, on that, Tim.

**MR. LAUBE:**

Yes, sir.

**LEG. NOWICK:**

Tim, cosponsor.

**P.O. LINDSAY:**

1480 is -- no longer exists because we approved a CN.

**Parks & Recreation:**

***1379B - A Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$1,100,000 bonds to finance a part of the cost of the restoration of facades at the Suffolk County Vanderbilt Museum (CP 7441.110 and .310).***

**MR. NOLAN:**

I just want to explain that there's going to be a bunch of Bonding Resolutions coming up. These were Bonds that were defeated at the last meeting. The underlying Budget Amendments and appropriating resolutions were approved but the Bonds were defeated, so the Bonds have been refiled for new votes.

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

Motion.

**P.O. LINDSAY:**

Motion by Legislator Viloría-Fisher, I'll second it.

**LEG. ALDEN:**

On the motion?

**P.O. LINDSAY:**

On the motion, Legislator Alden.

**LEG. ALDEN:**

Legislator Beedenbender and I went over and actually looked at this, but my question is to Budget Review. Is there any kind of an offset on approved projects over at the Vanderbilt that really can't go forward? Like for instance, the seaplane hangar being changed into some kind of a forum for rentals, parties, weddings, things of that nature?

**LEG. HORSLEY:**

A party house?

**MR. REINHEIMER:**

Yeah, if I recall there's about \$10 million in previously appropriated funds for the Vanderbilt of which three million is for the Planetarium for the projector. And it's a Legislative priority, if you want to look at what's been appropriated and, you know, rescind and reappropriate for another project.

**LEG. ALDEN:**

Which projects are moving forward at this point?

**MR. REINHEIMER:**

Well, they're all moving forward to some degree, some faster than others. The Vanderbilt over the years has always had a number of projects in the pipeline. The seaplane hangar is advancing very slowly. They're in the process of buying the Goto or a replacement for the Goto Projector.

**LEG. ALDEN:**

Okay, the Goto projector, okay, that's fine, but go back to the seaplane hangar.

**MR. REINHEIMER:**

Yes.

**LEG. ALDEN:**

Have we appropriated any money for that?

**MR. REINHEIMER:**

Yes, we have.

**LEG. ALDEN:**

How much?

**MR. REINHEIMER:**

Yeah, there's about 2.4 million. There is 2.4 million that we appropriated and about 2.1 has not been spent as of date.

**LEG. ALDEN:**

And it doesn't really look like it's going to be spent, does it?

**MR. REINHEIMER:**

No, they're going forward with it, they're not going -- they're stabilizing it. It's not going to be as they originally envisioned with a second floor viewing area, it's going to be very basic at this point because --

**LEG. ALDEN:**

In your estimation, when do you think they're going to spend \$2 million there on the seaplane hangar?

**MR. REINHEIMER:**

I can't say, that's a question really which is better for Public Works. They do have a person that's on-site that works with the Vanderbilt, they should be able to give you a better idea of when the projects are actually moving forward, the bidding and all that process.

**LEG. ALDEN:**

There's actually a danger of some of the facades falling on people over here.

**MR. REINHEIMER:**

That's correct.

**LEG. ALDEN:**

But I would feel a lot more comfortable, especially with our situation for next year and tight budgetary considerations, with taking some of that appropriation and putting it on this 1.1 million where they seem to be almost ready to go with the restoration of the facades.

And that seaplane hangar, again, Legislator Beedenbender and I toured it, I don't think that's anywheres near at a point where it's going to go forward the next two, three years, somewhere in that neighborhood.

**MR. REINHEIMER:**

I agree, it's been very slow and it doesn't look like it's going to be functioning within the next year or so, you're correct.

**LEG. ALDEN:**

So the question to Ben -- are you still here?

**MR. ZWIRN:**

Yes.

**LEG. ALDEN:**

Oh, Ben, is there any chance of getting some of the appropriations from the seaplane hangar changed over to this appropriation for the facade?

**MR. ZWIRN:**

I --

**LEG. ALDEN:**

The seaplane hangar doesn't sound like it's going to go, but this facade, it actually -- big chunks of it are falling. So the public could be in danger and some of the revenue that the Vanderbilt Museum currently is generating could be in danger because of the condition of the facades.

**MR. ZWIRN:**

But that money that's been appropriated hasn't been authorized yet for those projects, so it's not -- we haven't borrowed that money yet. This money we're going to go out and issue a bond for this so they can do the work.

**LEG. ALDEN:**

But that's part of that overhang, that we've appropriated the money yet unissued debt. Is there any chance of getting that appropriation switched over to this?

**MR. CHUISANO:**

Yeah, no, you can't really switch over the appropriation. You have to use the appropriation and the Bond for the purpose it was intended. If you choose to and don't want to go forward with that project, what you could do is you could actually close out that project.

**LEG. ALDEN:**

Well, how do you use it as an offset then?

**MR. CHUISANO:**

You can't use it as an offset.

**LEG. ALDEN:**

You absolutely can't use anything that's been --

**MR. CHUISANO:**

No, if it's a prior appropriation from a prior year, you cannot use it as an offset, it would have to be used for the purpose that was intended and that it was bonded for.

**LEG. BEEDENBENDER:**

If I could jump in?

**MR. CHUISANO:**

The options that you have, you could strike it or close it out.

**LEG. ALDEN:**

Okay.

**MR. CHUISANO:**

But you can't move it to another project.

**LEG. ALDEN:**

Okay. Thank you.

**P.O. LINDSAY:**

Legislator Beedenbender, do you want to shed some light on this?

**LEG. BEEDENBENDER:**

Just two quick things. I was just going to say, I think what Legislator Alden is suggesting is not a strict offset in a bill, but if we're going to approve this we also rescind something else.

But the other thing I just wanted to mention, for anybody that goes out on the tour of the Vanderbilt Museum, do not follow the Director into the woods because when you do and you don't listen to Legislator Alden you end up with Poison Ivy like I got. So Legislator Alden --

**P.O. LINDSAY:**

Always listen to Legislator Alden, he is the voice of reason. Do not go in the woods.

**LEG. BEEDENBENDER:**

Well, we turned -- you know what? To be fair, he just turned around and walked the other way and I found myself in the woods with the Director covered in Poison Ivy, so.

**LEG. ALDEN:**

I did warn you.

**LEG. BEEDENBENDER:**

I didn't hear it and then you appeared out of the seaplane hangar.

**P.O. LINDSAY:**

He spoke very low, "Poison Ivy".

Okay, we have a motion and a second, because I'm getting silly, on 1379B; roll call.

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

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

Yes.

**P.O. LINDSAY:**

Yes.

**LEG. COOPER:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. STERN:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. BARRAGA:**

No.

**LEG. ALDEN:**

Yes.

**LEG. MONTANO:**

(Not present).

**LEG. EDDINGTON:**

No.

**LEG. LOSQUADRO:**

Yes.

**LEG. BEEDENBENDER:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. ROMAINE:**

Yes.

**MR. LAUBE:**

Fourteen (Opposed: Legislators Barraga & Eddington - Not Present: Legislator Montano).

**P.O. LINDSAY:**

**Public Safety:**

Okay, **1437-08 - Adopting Local Law No. 2008, a Local Law establishing crime prevention requirements for scrap metal processors, vehicle dismantlers, junk dealers and core buyers (Stern)**. I'm going to make a motion to table, like I said previously. I think there's something of value in this bill as well as the other bill and they definitely need to be merged. So I make a motion to table.

**LEG. EDDINGTON:**

Second.

**P.O. LINDSAY:**

Seconded by Legislator Eddington.

**LEG. STERN:**

Motion to approve.

**LEG. LOSQUADRO:**

Second, Mr. Chairman.

**P.O. LINDSAY:**

Motion to approve by Legislator Stern and seconded by Legislator Losquadro. Nobody wants to talk? Okay, roll call.

**LEG. STERN:**

On the motion.

**P.O. LINDSAY:**

On the motion, Legislator Stern.

**LEG. STERN:**

Thank you, Mr. Presiding Officer. You know, after much discussion, I just -- look, we all understand that this is a growing problem and we need to do what we can at all levels of government to get a handle on it. This is a proposal that I believe is going to have a much greater, more, I think, effective impact on this growing crime. In fact, if you do any type of research on what other municipalities are doing, other jurisdictions across the country and you put side by side many of the provisions in this bill with other legislation that is already passed in many other states, I think you would find -- I know that you would find that this is a very comprehensive approach to tackling this problem. It does it in many ways. It increases fines significantly and you would find that it has some of the tallest fines anywhere else in the country. And of course, I think we could all agree that the way you really have an impact on business and an entire industry is to hit them where it hurts in order to comply with the law and that, of course, is in the pocketbook. It expands definitions as to who is covered as a processor, as a dealer including vehicle dismantlers.

This legislation applies to all transactions. It doesn't have any type of a monetary limit and it doesn't have a requirement to prove by any type of intent that a scrap metal dealer has violated the requirements of keeping records. I think it strikes the right balance. I think that working with my colleagues and working with industry and with law enforcement, that this is the compromise, this is the bill that strikes the right balance and will have the appropriate impact on this growing problem. Thank you.

**LEG. EDDINGTON:**

On the motion?

**P.O. LINDSAY:**

Yep, Legislator Eddington.

**LEG. EDDINGTON:**

I guess my definition of compromise is different because I don't see how you can compromise with

yourself. I have reached out and said that I would be willing to compromise what -- after talking to the Police, because I'm representing the Police Department and our District Attorney who both have stated clearly they don't support this.

The other issue is that I had required the same fines in one version, but when I talked to our Counsel there was a problem with that and I'd like the Counsel to elaborate on that.

**MR. NOLAN:**

Well, this actually did come up at the last meeting. The conversation I had with Legislator Eddington regarding penalties was this. There is some State regulation in this area regarding scrap processors and junk dealers and the like, so there is at least out there a preemption issue. To try to keep our law at least consistent with what the State law was, I suggested to Legislator Eddington that we make the penalties in our Local Law consistent with those that are in the State law and that's what we did. So that was the concern and that's why we changed the penalties in Legislator Eddington's laws -- law.

**LEG. EDDINGTON:**

So that you're -- what we're getting is a legal opinion for our Legislature that that -- adding that higher fine will have -- cause a problem.

**MR. NOLAN:**

Well, potentially. I mean, obviously somebody would have to challenge the law and if they went after it on preemption grounds, one of the issues they might raise is that our penalties were inconsistent with what the State was imposing under their laws that require registration and then also record keeping.

**LEG. EDDINGTON:**

Okay, thank you.

**P.O. LINDSAY:**

Legislator Kennedy and then Stern.

**LEG. KENNEDY:**

Mr. Chair, I guess I pose to Counsel, too. George, you raise an interesting concept associated with preemption. But when a preemption action is brought, it's usually brought to go ahead and strike the whole matter. It's very rarely pick and choose amongst components of the law; isn't that correct?

**MR. NOLAN:**

Well, it can be either. It can be an area of preemption where the fact that the State has legislated an area, they've simply preempted the entire area and the locality cannot act and therefore the whole law will be challenged. Another way you can have a preemption issue is when there's aspects of the Local Law that are just directly inconsistent with what's in the State law, that's a different preemption issue.

**LEG. KENNEDY:**

Have you had a chance to look at both of these pieces of legislation side by side?

**MR. NOLAN:**

Well, yes.

**LEG. KENNEDY:**

Okay. Do you have any opinion as to preemption as to either or both of them?

**MR. NOLAN:**

Well, in terms of the issue of whether the field has been preempted by the State, both laws would

have the same problem. If a court -- if this law was challenged and a court was looking at it and they said, "Well, the State regulation is so pervasive, the local government should not have acted," that would be a problem for both laws.

**LEG. KENNEDY:**

Yeah, but we don't ever pay attention to preemption anyhow.

**MR. NOLAN:**

I never said you did.

**LEG. KENNEDY:**

Okay.

**LEG. ALDEN:**

Good answer.

**P.O. LINDSAY:**

Legislator Stern.

**LEG. STERN:**

Yeah, thank you, Mr. Presiding Officer. I have looked at this preemption issue in-depth, actually. And Counsel is correct, of course, when a State has entered a field and has a stated intent to preempt that field, then certainly we would be precluded from going forward. When you take a look at the New York State statute, particularly what was done most recently which is requiring government-issued ID, you know, as a part of the transaction, they left it basically at that. And there is proposed legislation at the State level right now that would establish a task force to see what, if anything, New York State should be doing in greater depth to deal with this issue Statewide.

So I think clearly New York State has shown that this -- that this field remains open and would allow a more local level of government to get involved. I think that's particularly true when you look at General Business Law, Section 69-H1. I don't believe that we are limited in our ability to impose a higher fine, there is case law on that, but I think we're over here -- you know, the New York State Legislative scheme delegates responsibility specifically to local government for the regulation of scrap processors and that could be found in General Business Law, Article 6C. So here New York State Law has left it open, I think it is our responsibility to come up with regulation that is meaningful in attacking this problem and I think State law allows us to do that.

**P.O. LINDSAY:**

Okay. We have a motion to table and a motion to approve; the tabling goes first. Roll call.

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

**P.O. LINDSAY:**

Yes to table.

**LEG. EDDINGTON:**

Yes to table.

**LEG. COOPER:**

No to table.

**LEG. D'AMARO:**

No.

**LEG. STERN:**

No.

**LEG. HORSLEY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. KENNEDY:**

No to table.

**LEG. BARRAGA:**

Yes.

**LEG. ALDEN:**

No.

**LEG. MONTANO:**

No.

**LEG. LOSQUADRO:**

No to table.

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

Yes.

**LEG. BEEDENBENDER:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. SCHNEIDERMAN:**

No to table.

**LEG. ROMAINE:**

No to table.

**MR. LAUBE:**

Eight.

**LEG. NOWICK:**

Tim, I'm going to change my vote; yes. Excuse me, no.

**MR. LAUBE:**

Seven.

**LEG. ALDEN:**

What is your vote?

**LEG. NOWICK:**

Please, it's getting late, I'm losing it.

**P.O. LINDSAY:**

Okay, so the tabling fails. You didn't have to change your vote, it failed anyway.

**LEG. NOWICK:**

I know that.

**P.O. LINDSAY:**

A motion to approve is before you now. Roll call.

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

**LEG. STERN:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. COOPER:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. BARRAGA:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. EDDINGTON:**

No.

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

No.

**LEG. BEEDENBENDER:**

No.

**LEG. BROWNING:**

No.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. ROMAINE:**

Yes.

**P.O. LINDSAY:**

No.

**MR. LAUBE:**

Twelve.

**P.O. LINDSAY:**

Okay, *1461-08 - Establishing County policy to confirm legal status of persons entering the probation system (Losquadro).*

**LEG. LOSQUADRO:**

Motion to approve, Mr. Chairman.

**P.O. LINDSAY:**

Motion to approve. Do I have a second?

**LEG. ALDEN:**

Second.

**P.O. LINDSAY:**

Second by Legislator Alden. Can we do all in favor? Opposed? Abstentions?

**LEG. COOPER:**

Well, just on --

**P.O. LINDSAY:**

On the motion.

**LEG. COOPER:**

On the motion

**P.O. LINDSAY:**

Legislator Cooper.

**LEG. COOPER:**

I just had a question for the sponsor. Why is this bill needed; isn't this being done already?

**LEG. LOSQUADRO:**

You would think so. But unfortunately, as we discussed in committee, when the Director came before us and told us that there were almost a thousand individuals of questionable residency status and no formal policy, formal policy in place as to how to determine that status, there was some discussion that only ICE can actually make that formal determination. There was some dialogue that went back and forth, I've requested some information from the Director of Probation because he informed the committee that ICE had actually formally refused to take information from them at one point; I found that a bit difficult to believe, I'm still waiting for that information from the Director. But I felt it important that we codify this in law to have the Director of Probation establish a formal system, a formal policy as to how they're going to determine the legal residency status of individuals prior to accepting them into our probation system and having our taxpayers pay money to supervise individuals who may not be here legally in the first place.

**LEG. COOPER:**

But I thought -- maybe I'm wrong, but my understanding was that the problem wasn't with Probation, the problem was with ICE, it's with the Federal Government, and --

**LEG. LOSQUADRO:**

Apparently the Sheriff's Department is working very well with ICE and is getting cooperation from them and getting the information they need. I'm not sure why one department can get the information they need and another cannot. So what I'm asking the Probation Department to do is

establish a formal policy, a formal set of procedures for how they're going to go about doing this.

**LEG. COOPER:**

But if they --

**LEG. LOSQUADRO:**

Because we have one agency that can and another that can't and I don't understand how that works.

**LEG. COOPER:**

But if they determine, if Probation learns through this process that someone that was going to be placed under probation is undocumented --

**LEG. LOSQUADRO:**

They turn them over to ICE, as they should.

**LEG. COOPER:**

But if ICE --

**LEG. LOSQUADRO:**

You now have an individual who --

**LEG. COOPER:**

But if ICE won't --

**LEG. COOPER:**

-- who has been convicted by our courts, has broken a law and convicted through our criminal justice system, has served the time in this country, as they should, so we make sure that they've been punished properly, but upon their release from prison they should be deported; that's how our system works.

**LEG. COOPER:**

Right, but we can't force ICE to deport them. So what happens when -- what would probably happen, unfortunately, is that we come up with a list of 50 people that are supposed to be placed under probation and they're undocumented and ICE won't take them because the Federal prisons are over --

**LEG. LOSQUADRO:**

I think that's a big if.

**LEG. COOPER:**

Well, but shouldn't we get that --

**LEG. LOSQUADRO:**

And if we find out that's the case and we can actually have formal documentation instead of just things anecdotally of saying that ICE may not do this or ICE may not do that, I think that would certainly lend a lot of credibility to the arguments that people like the County Executive have made and myself and others have made of the Federal Government not doing their job. Right now these things are all just anecdotal of people saying, "Well, ICE wouldn't accept that information from us," or "ICE wouldn't do this or ICE wouldn't do that." If we have a formal policy in place and we have a set number of individuals that we know we're not supposed to be monitoring, we know it's not supposed to be costing us money and we can document that we wanted to turn those individuals over. Right now we're getting this information second-hand, it's all anecdotal. I want it documented and I want to know exactly what is going on and exactly where the Federal Government is falling short for us here, and I think that will give us a much better case in our arguments if that turns out to be the case. As I said, the Sheriff's Department has been receiving very good cooperation with the policies they've put in place.

**LEG. COOPER:**

So let's say, though, that there are these 50 individuals that are undocumented, they're supposed to be put into probation, we find out from ICE from their own information that they're not here legally, but I --

**LEG. LOSQUADRO:**

The --

**LEG. COOPER:**

If I could just finish the question.

**LEG. LOSQUADRO:**

I know where you're going with this, but the resolution does not anywhere say that we just have to turn them loose and they're under no supervision. We have to notify ICE and if at that point ICE were to say, "No, we won't take them," well then that's -- we have a formal documentation of that and I guess at that point we would have no choice but to supervise them. But we're doing our due diligence and we are confirming that status before we ever accept them into our system and right now that's not being done.

**LEG. COOPER:**

And so my last -- so it may be that the only purpose of the bill -- because I don't think that you're going to, unfortunately, change ICE's -- they're going to do whatever they've always been doing or not doing, whatever they've not been doing.

**LEG. LOSQUADRO:**

Well, I guess you're a sort of glass is half empty sort of guy; I'm taking a glass is half-full approach here..

**LEG. COOPER:**

So the main purpose of the bill is just to create a public record. Because practically, as I said, it's not going to --

**LEG. LOSQUADRO:**

I disagree with you. I think it is going to accomplish something and I think we are going to have information that we don't have now. I don't like when a director of a department comes before us and tells us that we have a thousand people that we're monitoring and paying money for and as we listen to the fact that caseloads are overwhelming for our Probation Officers, that we have a thousand people that are of questionable status and we can't get an answer and he says, "Well, at best guess 225 because that's the statistical sampling we did", that's unacceptable to me. We live and die by information and this is going to set a policy to get us that information.

**MR. ZWIRN:**

If I might just --

**P.O. LINDSAY:**

Okay. I have a list but I'm going to ask -- do you -- Ben, do you have a comment on this or you're just standing there looking pretty?

**MR. ZWIRN:**

No. I like to stand here, but I just -- if anybody is interested, the County Executive has no problem with this bill. But Legislator Cooper is correct, this pretty much codifies what the Probation Department is doing, but if there's a level of comfort codifying it, the County Executive has no problem with that.

**P.O. LINDSAY:**  
Legislator Montano.

**LEG. MONTANO:**  
I'll pass.

**P.O. LINDSAY:**  
Legislator Nowick.

**LEG. NOWICK:**  
I'm actually -- he just said what I was going to say.

**P.O. LINDSAY:**  
Okay. Okay, we have a motion and a second. All in favor? Opposed? Abstentions?

**LEG. ALDEN:**  
Cosponsor.

**LEG. COOPER:**  
Cosponsor, please. I think I'm a cosponsor already, but anyway, cosponsor.

**LEG. MONTANO:**  
Put me as an opposed.

**LEG. NOWICK:**  
Cosponsor, Tim.

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

**MR. LAUBE:**  
Fifteen (Opposed: Legislators Montano & Viloría-Fisher).

**LEG. STERN:**  
Tim, cosponsor.

**P.O. LINDSAY:**  
**Public Works & Transportation:**

***1372B-08 - A Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$1,000,000 bonds to finance the cost of strengthening and improving County roads (CP 5014.347).*** I'll make a motion.

**LEG. EDDINGTON:**  
Second.

**P.O. LINDSAY:**  
Second by Legislator Eddington. Roll call.

**MR. LAUBE:**  
I was catching up on the last sheet; who was the motion?

**P.O. LINDSAY:**  
I made the motion, Legislator Eddington made the second.

**MR. LAUBE:**

Thank you.

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

**P.O. LINDSAY:**

Yes.

**LEG. EDDINGTON:**

Yes.

**LEG. COOPER:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. STERN:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. BARRAGA:**

No.

**LEG. ALDEN:**

No.

**LEG. MONTANO:**

(Not present).

**LEG. LOSQUADRO:**

Yes.

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

Yes.

**LEG. BEEDENBENDER:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. ROMAINE:**

No.

**MR. LAUBE:**

Thirteen (Opposed: Legislators Barraga, Alden & Romaine - Not Present: Legislator Montano).

**P.O. LINDSAY:**

Okay, *1373B-08 - A Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$50,000 bonds to finance a part of the cost of engineering in connection with dredging of County waters (CP5200.114).*

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

Motion.

**P.O. LINDSAY:**

Legislator Viloría-Fisher made a motion; I'll second the motion.

On the question, Legislator Romaine.

**LEG. ROMAINE:**

Just a quick point. This is for \$50,000 and, you know, at some point what do you bond and what do you put in an Operating Budget? Why would you bond out \$50,000? I mean, that's usually the threshold at which you leave an expense in the Operating Budget. We should not be bonding out a \$50,000 project.

**LEG. ALDEN:**

Not for engineering.

**P.O. LINDSAY:**

Okay. You want to comment?

**LEG. ROMAINE:**

No, no, I made my comment.

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

That's it.

**P.O. LINDSAY:**

Okay. All right, we have a motion and a second; roll call.

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

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

Yes.

**P.O. LINDSAY:**

Yes.

**LEG. COOPER:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. STERN:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. NOWICK:**

Pass.

**LEG. KENNEDY:**

No.

**LEG. BARRAGA:**

No.

**LEG. ALDEN:**

No.

**LEG. MONTANO:**

(Not present).

**LEG. EDDINGTON:**

Yes.

**LEG. LOSQUADRO:**

No.

**LEG. BEEDENBENDER:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. SCHNEIDERMAN:**

Abstain.

**LEG. ROMAINE:**

Abstain.

**MR. LAUBE:**

Ten.

**P.O. LINDSAY:**

So it failed.

**MR. LAUBE:**

Yes, you need 12.

**P.O. LINDSAY:**

It failed. So the only thing -- you know, I don't have much dredging in my district but if you've got dredging in your districts it's going to be problematic. And we have waived pay-as-you-go for the last two years running, we did that willingly and that's why you have \$50,000 bond.

**LEG. SCHNEIDERMAN:**

This could be done as an offset

**LEG. ROMAINE:**

It could be done in-house.

**P.O. LINDSAY:**

***1374B-08 - A Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$300,000 bonds to finance the cost of a County-wide highway capacity study in relation to proposed highway projects that may be undertaken in the future (CP***

5502.110).

**LEG. LOSQUADRO:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Losquadro, second by Legislator Browning.

**LEG. KENNEDY:**

On the motion, Mr. Chair?

**P.O. LINDSAY:**

On the motion, Legislator Kennedy.

**LEG. KENNEDY:**

I know this was tabled I believe from the last cycle, but I'm wondering if I could ask --

**P.O. LINDSAY:**

No, it wasn't tabled, it was defeated.

**LEG. KENNEDY:**

Okay, defeated, okay, and it was reintroduced.

**P.O. LINDSAY:**

Right.

**LEG. KENNEDY:**

Can I get an explanation from somebody on this one? Do we have somebody from the department here? Maybe they can explain what this is about, or from the Exec's Office? Studies that might be taken in the future; I don't understand how we bond that.

**P.O. LINDSAY:**

Well, we must have gotten an explanation the last time because it passed.

**LEG. KENNEDY:**

Okay.

**P.O. LINDSAY:**

The resolution passed, the Bond failed.

**LEG. KENNEDY:**

Oh, okay. All right.

**P.O. LINDSAY:**

Go ahead. Tom LaGuardia.

**CHIEF DEPUTY COMMISSIONER LAGUARDIA:**

Tom LaGuardia from Public Works. Legislator Kennedy, this is to look at capacity County-wide and to help us make future decisions ahead of time and help advise the Legislature where to go in the future and how best to spend our money. The resolution did pass and most of our Bonding Resolutions failed at the last meeting, so this is just a reintroduction of the Bond.

**LEG. KENNEDY:**

I understand it's a reintroduction of the Bond, Tom, but I think -- I guess I'm asking when you say capacity County-wide, again, we have 400 miles of County Road; are you talking about looking at all of them, some of them, east end, west end?

**CHIEF DEPUTY COMMISSIONER LAGUARDIA:**  
All major County Roads.

**LEG. KENNEDY:**  
All 400 County -- 400 miles of County Roads.

**CHIEF DEPUTY COMMISSIONER LAGUARDIA:**  
Yes.

**LEG. KENNEDY:**  
For 300,000. Okay, that's enough. Thanks.

**P.O. LINDSAY:**  
Okay. We have a motion and a second; roll call.

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

**LEG. LOSQUADRO:**  
Yes.

**LEG. BROWNING:**  
Yes.

**LEG. COOPER:**  
Yes.

**LEG. D'AMARO:**  
Yes.

**LEG. STERN:**  
Yes.

**LEG. HORSLEY:**  
Yes.

**LEG. NOWICK:**  
Yes.

**LEG. KENNEDY:**  
No.

**LEG. BARRAGA:**  
No.

**LEG. ALDEN:**  
No.

**LEG. MONTANO:**  
(Not present).

**LEG. EDDINGTON:**  
Yep.

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

**LEG. BEEDENBENDER:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. ROMAINE:**

No.

**P.O. LINDSAY:**

Yes.

**MR. LAUBE:**

Twelve.

**P.O. LINDSAY:**

*1392B-08 - A Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$500,000 bonds to finance the cost of reconstruction and improvements at the Bomarc Records Storage Facility (CP 1705.113, 313 and .511).* I'll make a motion. Do I have a --

**LEG. BROWNING:**

Second.

**P.O. LINDSAY:**

Second by Legislator Browning . On the question; no one? Roll call.

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

**P.O. LINDSAY:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. COOPER:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. STERN:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. KENNEDY:**

No.

**LEG. BARRAGA:**

No.

**LEG. ALDEN:**

No.

**LEG. MONTANO:**

(Not present).

**LEG. EDDINGTON:**

Yes.

**LEG. LOSQUADRO:**

Yes.

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

Yes.

**LEG. BEEDENBENDER:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. ROMAINE:**

Yes.

**MR. LAUBE:**

Thirteen.

**P.O. LINDSAY:**

Okay, *1393B-08 - A Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$1,240,000 bonds to finance a part of the cost of renovations to Surrogates Court (CP 1133.310).*

**LEG. BROWNING:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Browning. Do I have a second?

**LEG. BEEDENBENDER:**

Second.

**P.O. LINDSAY:**

Second by Legislator Beedenbender. On the question?

**LEG. ROMAINE:**

Yes. Is there a representative from Public Works that could answer a question?

**P.O. LINDSAY:**

Yeah, I think Mr. LaGuardia is still here, right?

**LEG. ROMAINE:**

Tom, was the Surrogates Court ever included in the renovation of the County Center since it's part of the County Center?

**CHIEF DEPUTY COMMISSIONER LAGUARDIA:**

No, it was excluded very early on for budgetary concerns.

**LEG. ROMAINE:**

Let me understand this; it was excluded from -- the Surrogates Court, in case anyone doesn't know, is part of the County Center; it's a wing of the County Center. And you excluded it because of budgetary concerns?

**CHIEF DEPUTY COMMISSIONER LAGUARDIA:**

Yeah, about eight years ago.

**LEG. ROMAINE:**

Okay. Then I guess it begs the question, if you excluded it for budgetary concerns, why are you including a little bit more than \$1.2 million at this time.

**P.O. LINDSAY:**

Because we keep putting it back in. All those -- that whole project out there, I mean, over and over again parts of that project was cut back, cut back, we kept adding them back.

**LEG. ROMAINE:**

Well, first -- yes, that I'm fully aware of, 32 million was put in and they're only spending about 22 million and they're wondering why they get less of a product; it ain't rocket science. But if you listen to Deputy Commissioner LaGuardia, this was never included in the County Center, that's the question I asked. And I asked why, because of budgetary concerns, but now it's being included when we have even more budgetary concerns. So, I mean, I've got to draw my own conclusions.

**LEG. ALDEN:**

Ask and answered.

**P.O. LINDSAY:**

This is going to his head.

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

I've got to move over there, Cameron.

**P.O. LINDSAY:**

Mr. LaGuardia, do you want to venture a guess? You want to answer that question; do you know what the question is?

**CHIEF DEPUTY COMMISSIONER LAGUARDIA:**

I don't know what the question is.

**P.O. LINDSAY:**

Okay, that's good.

**LEG. ROMAINE:**

We'll move ahead.

**P.O. LINDSAY:**

Thank you, Mr. LaGuardia. We have a motion and a second; roll call.

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

**LEG. BROWNING:**

Yes.

**LEG. BEEDENBENDER:**

Yes.

**LEG. COOPER:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. STERN:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. BARRAGA:**

No.

**LEG. ALDEN:**

No.

**LEG. MONTANO:**

(Not present).

**LEG. EDDINGTON:**

Yes.

**LEG. LOSQUADRO:**

Yes.

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

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. ROMAINE:**

No.

**MR. LAUBE:**

Thirteen. Oh, Lindsay.

**P.O. LINDSAY:**

Yes.

**MR. LAUBE:**

Fourteen. Thirteen.

**P.O. LINDSAY:**

*1396B-08 - A Bond Resolution of the County of Suffolk, New York, authorizing the*

**issuance of \$400,000 bonds to finance the cost of replacement of major building operations equipment (CP 1737.325), like the air-conditioner.**

**LEG. ALDEN:**

Not here, it's excluded.

**P.O. LINDSAY:**

I'll make a motion.

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

Second.

**P.O. LINDSAY:**

Second by Legislator Viloría-Fisher. On the question? Okay, roll call.

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

**P.O. LINDSAY:**

Yes.

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

Yes.

**LEG. COOPER:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. STERN:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. KENNEDY:**

No.

**LEG. BARRAGA:**

No.

**LEG. ALDEN:**

No.

**LEG. MONTANO:**

(Not present).

**LEG. EDDINGTON:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. BEEDENBENDER:**

Yeah.

**LEG. BROWNING:**

Yes.

**LEG. SCHNEIDERMAN:**

Yeah.

**LEG. ROMAINE:**

Yes.

**MR. LAUBE:**

Twelve.

**P.O. LINDSAY:**

*1398B-08 - A Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$300,000 bonds to finance a part of the cost of the Riverhead County Center Power Plant Upgrade (CP 1715.314).*

Motion.

**LEG. BROWNING:**

Second.

**P.O. LINDSAY:**

Second by Legislator Browning. Roll call.

**LEG. ROMAINE:**

Question?

**P.O. LINDSAY:**

Question, Legislator Romaine.

**MR. LAUBE:**

Thirteen on the last vote.

**LEG. ROMAINE:**

Just a quick question. It says to fund part of the cost of upgrading the power plant; what is the full cost and what part are we funding?

I see the bond is for 300,000, how much do you anticipate the total upgrade to be and what is the schedule for it?

**CHIEF DEPUTY COMMISSIONER LAGUARDIA:**

We have just currently bid the major portion of the upgrade that's about to start right now, I believe that's about \$1.8 million, that's for the second cooling tower. This \$300,000 is to expand the control system, the power plant in Riverhead provides chilled water and hot water to the County center, to the jail and to the Criminal Courts Building.

**LEG. ROMAINE:**

What does it provide the chilled water for?

**CHIEF DEPUTY COMMISSIONER LAGUARDIA:**

The jail, the County Center.

**LEG. ROMAINE:**

No, no, for what purpose? Not drinking --

**CHIEF DEPUTY COMMISSIONER LAGUARDIA:**

Air-conditioning; chilled water, excuse me, is used for air-conditioning.

**LEG. ROMAINE:**

Okay. Aren't we changing the air-conditioning systems in the County Center?

**CHIEF DEPUTY COMMISSIONER LAGUARDIA:**

We're changing the -- in general, we're changing the air-handlers that used this chilled water.

**LEG. ROMAINE:**

I've got to tell you, if you lived in the County Center for any length of time, and I'm sure you've heard all the complaints about it, the chilled water system simply lowers the temperature but does nothing to control humidity. The Health Department has reflected that humidity under the chilled water system in the summer will be about 77%; it's like walking in a rain forest. And that leads to a lot of papers and books and all the other materials that we have out at the Clerk's Office rotting. Are you in any way decreasing the humidity with the change?

**CHIEF DEPUTY COMMISSIONER LAGUARDIA:**

The chilled water system will do an effective job of decreasing the humidity. The problem with the County Center is that the systems in the center that control the humidity are over 50 years old and no longer function, so chilled water or no chilled water, you're not going to get any humidity control. The new systems will provide you adequate humidity control.

As I was saying, the \$300,000 is for additional controls to monitor the outlying buildings out at the power plant so that we'll be able to better see what's going on in the County Center, in the Criminal Courts and in the jail without leaving the power plant and will provide some energy efficiency improvements that way, and that's what this 300,000 is for.

**LEG. EDDINGTON:**

I've got a question.

**P.O. LINDSAY:**

Legislator Eddington.

**LEG. EDDINGTON:**

I just want to clarify; the jail, you're saying the jail is air-conditioned.

**CHIEF DEPUTY COMMISSIONER LAGUARDIA:**

Yes.

**LEG. EDDINGTON:**

That's where the prisoners are, right?

**CHIEF DEPUTY COMMISSIONER LAGUARDIA:**

Yes.

**LEG. EDDINGTON:**

That's what you're talking about. Okay, because I've been trying to get my head around we provide air-conditioning for prisoners --

**CHIEF DEPUTY COMMISSIONER LAGUARDIA:**

And staff.

**LEG. EDDINGTON:**

-- but we're talking about selling a facility that houses the elderly in the John J. Foley; I don't get that at all. But I guess the County Executive knows how to spend the money, so. All right, thank you.

**P.O. LINDSAY:**

Okay. We've got a motion and a second; roll call.

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

**P.O. LINDSAY:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. COOPER:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. STERN:**

Yes.

**LEG. HORSLEY:**

Yep.

**LEG. NOWICK:**

Yes.

**LEG. KENNEDY:**

No.

**LEG. BARRAGA:**

No.

**LEG. ALDEN:**

No.

**LEG. MONTANO:**

(Not present).

**LEG. EDDINGTON:**

Yes.

**LEG. LOSQUADRO:**

Yes.

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

Yes.

**LEG. BEEDENBENDER:**

Yes.

**LEG. SCHNEIDERMAN:**

Yep.

**LEG. ROMAINE:**

No.

**MR. LAUBE:**

Twelve.

**P.O. LINDSAY:**

Okay, *1412A-08 - Bond Resolution of the County of Suffolk, New York, authorizing the issuance of \$200,000 bonds to finance the cost of planning for safety improvements at various intersections.*

*(CP 3301.124)*. I'll make the motion. Do I have a second?

**LEG. LOSQUADRO:**

Second.

**LEG. COOPER:**

Second.

**P.O. LINDSAY:**

Second by Legislator Cooper. On the question; nobody on the question? Roll call.

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

**P.O. LINDSAY:**

Yes.

**LEG. COOPER:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. STERN:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. BARRAGA:**

No.

**LEG. ALDEN:**

No.

**LEG. MONTANO:**

(Not present).

**LEG. EDDINGTON:**

Yeah.

**LEG. LOSQUADRO:**

Yes.

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

Yes.

**LEG. BEEDENBENDER:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. ROMAINE:**

Yes.

**MR. LAUBE:**

Fourteen.

**P.O. LINDSAY:**

Okay, *1416-08 - Amending the 2008 Capital Budget & Program and appropriating funds in connection with the renovation to Public Works Building, Yaphank (CP 5194) (County Executive)*.

**LEG. BROWNING:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Browning.

**LEG. EDDINGTON:**

Second.

**P.O. LINDSAY:**

Second by Legislator Eddington. On the question, Legislator Kennedy.

**LEG. KENNEDY:**

Mr. Chair, if we can have somebody come to the podium, please, from the department?

**P.O. LINDSAY:**

The only person here is Mr. LaGuardia.

**LEG. KENNEDY:**

Sure, that would be great. Tom, I recall somebody spoke about this, maybe it was last meeting Gil spoke about you're reconfiguring interior spaces?

**CHIEF DEPUTY COMMISSIONER LAGUARDIA:**

That's correct.

**LEG. KENNEDY:**

Okay. I also hear that as a result of the County Executive's early retirement, about 40 people are going from DPW.

**CHIEF DEPUTY COMMISSIONER LAGUARDIA:**

That's approximately right.

**LEG. KENNEDY:**

So you don't need to reconfigure the space, it's going to be empty. Okay, that's it.

**P.O. LINDSAY:**

Anybody else? Okay, we have a motion and a second. All in favor? Opposed? Abstentions?

**LEG. KENNEDY:**

Opposed.

**LEG. ALDEN:**

Opposed.

**LEG. ROMAINE:**

Opposed.

**LEG. BARRAGA:**

Opposed.

**MR. LAUBE:**

Thirteen. No, 12 (Not Present: Legislator Montano).

**P.O. LINDSAY:**

The accompanying Bonding Resolution, same motion, same second; roll call.

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

**LEG. BROWNING:**

Yes.

**LEG. EDDINGTON:**

Yes.

**LEG. COOPER:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. STERN:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. KENNEDY:**

No.

**LEG. BARRAGA:**

No.

**LEG. ALDEN:**

No.

**LEG. MONTANO:**

(Not present).

**LEG. LOSQUADRO:**

Yes.

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

Yes.

**LEG. BEEDENBENDER:**

Yep.

**LEG. SCHNEIDERMAN:**

Yeah.

**LEG. ROMAINE:**

No.

**P.O. LINDSAY:**

Yes.

**MR. LAUBE:**

Twelve.

**P.O. LINDSAY:**

Okay, *1418-08 - Amending the 2008 Capital Budget & Program and appropriating funds in connection with fuel management/preventive maintenance and parts inventory control system (CP 1616) (County Executive).*

**LEG. LOSQUADRO:**

Can we get an explanation, please?

**P.O. LINDSAY:**

We need a motion first.

**LEG. LOSQUADRO:**

I'll make the motion.

**P.O. LINDSAY:**

You make a motion.

**LEG. BEEDENBENDER:**

Second.

**LEG. EDDINGTON:**

Second.

**P.O. LINDSAY:**

Second by Legislator Eddington. Explanation. Mr. LaGuardia, do you want to -- you must have drew the short straw tonight or something.

**CHIEF DEPUTY COMMISSIONER LAGUARDIA:**

I certainly did. Over the last I'd say 12 or 15 years, Public Works has been upgrading all our fueling facilities, all the tanks that we have in the County to meet Article 12 and the State mandates. Where we haven't been doing a good job is keeping the control systems and the fuel pumps themselves up and operating. Anybody who uses one of our fueling facilities will notice that the pumps are not in the best condition and that a lot of times the alarm systems don't work. This funding is to start a major Capital Program to go back and upgrade all those systems and bring them into compliance with Article 12.

**P.O. LINDSAY:**

Is that what you are doing with the fuel depot around the corner here?

**CHIEF DEPUTY COMMISSIONER LAGUARDIA:**

That's correct.

**LEG. LOSQUADRO:**

Okay, and that will also include the routine maintenance? Because I know the filters haven't been being changed regularly and that slows -- sometimes, you know, they pump at about -- you know, forget gallons per minute, it's like minutes per gallon with them sometimes.

**P.O. LINDSAY:**

Yeah, it's pretty slow.

**LEG. LOSQUADRO:**

So this will address the routine maintenance as well?

**CHIEF DEPUTY COMMISSIONER LAGUARDIA:**

No. Initially it will because we're going to replace a lot of those old pumps which will include all the filters, but we will have to then do -- that's an operating cost, we'll have to then do a better job at maintaining what we put in, and I'll make note of that.

**LEG. LOSQUADRO:**

I suggest we do or else we're going to wind up in the same situation of having equipment that's failing us, so. Thank you.

**CHIEF DEPUTY COMMISSIONER LAGUARDIA:**

You're welcome.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Sixteen (Not Present: Legislators Cooper & Montano).

**P.O. LINDSAY:**

The accompanying Bond Resolution 1418A, same motion, same second; roll call.

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

**LEG. LOSQUADRO:**

Yes.

**LEG. EDDINGTON:**

Yes.

**LEG. COOPER:**

(Not present).

**LEG. D'AMARO:**

Yes.

**LEG. STERN:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. BARRAGA:**

No.

**LEG. ALDEN:**

No.

**LEG. MONTANO:**

(Not present).

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

Yes.

**LEG. BEEDENBENDER:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. ROMAINE:**

No.

**P.O. LINDSAY:**

Yes.

**MR. LAUBE:**

Twelve.

**P.O. LINDSAY:**

***1419-08 - Amending the 2008 Capital Budget & Program and appropriating funds in connection with building safety improvements (CP 1603) (County Executive).*** I'll make a motion.

**LEG. EDDINGTON:**

Second.

**P.O. LINDSAY:**

Second by Legislator Eddington. I'll ask for the explanation.

**CHIEF DEPUTY COMMISSIONER LAGUARDIA:**

Public Works is responsible for issuing permits and Certificates of Occupancy, very similar to what any town government does for their local residences, for all of our County buildings. This program has been active for about eight or ten years, very active over the last five. And what we're finding is we're doing a very good job with all the new projects that are coming to us, but we believe that there's a lot of stuff that was missed over the years and this money is to do some study and to actually go back and fund code improvements to various buildings.

**P.O. LINDSAY:**

Thank you very much. Legislator Romaine.

**LEG. ROMAINE:**

Quick question. How much money -- how much is this -- there's a total project and how much is for code improvements?

**CHIEF DEPUTY COMMISSIONER LAGUARDIA:**

It's all for code improvements. A portion of it will be for design for hiring a consultant to help us go out and look at our buildings, and the other portion is for the actual improvements that they find.

**LEG. ROMAINE:**

Let me ask you a question. Currently with the CO type programs that you're running for the County buildings, who does the inspections now of new buildings and new construction to issue those CO's?

**CHIEF DEPUTY COMMISSIONER LAGUARDIA:**

We have a cadre of Certified Building Code Officials that do the inspections.

**LEG. ROMAINE:**

Are they paid out of Capital or are they paid out of operating?

**CHIEF DEPUTY COMMISSIONER LAGUARDIA:**

They're paid out of Operating, they're regular Suffolk County Employees paid out of Operating.

**LEG. ROMAINE:**

Right. So here, Tom -- and you can understand my concern. Here we have a normal routine of government that should be done on a continuous basis paid from an operating account which is an absolute operating expense, that you're now saying, "Well, we might have missed a couple of buildings a few years back, so let's make this a Capital expense. Let's hire outside consultants". Stop hiring outside consultants, this is an ordinary operating function. Fill the vacancies, hire more code people, let them go back and do it, then when they identify what those problems are, if those problems are of a Capital nature for improvements to bring things up to code, then come back for those physical improvements. Don't -- it should not be brought to us like, "Okay, you know, we don't have enough staff to go back and do what we should have been doing all along with the CO's, now we're going to convert part of this into a Capital expense."

**CHIEF DEPUTY COMMISSIONER LAGUARDIA:**

Okay, but here's an instance where it really makes sense to use a consultant. This is a one-time shot to go back and look at all of our buildings and identify what the problems are. If I hire staff to do that, in two years when this job is done I'll have to find other work for the staff. I'll have a consultant --

**LEG. ROMAINE:**

Are you telling me that Assistant Civil Engineers are in great quantity in Public Works? What is your vacancies of Assistant Civil Engineers currently?

**CHIEF DEPUTY COMMISSIONER LAGUARDIA:**

I will only have an idea.

**LEG. ROMAINE:**

Well, I can tell you, it's certainly well over ten at this point. You have -- you have to hire outside consultants for just about every project because you have a dearth of Assistant Civil Engineers in the Public Works Department.

**P.O. LINDSAY:**

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

**LEG. ROMAINE:**  
Opposed.

**LEG. KENNEDY:**  
Opposed.

**LEG. ALDEN:**  
Opposed.

**LEG. BARRAGA:**  
Opposed

**MR. LAUBE:**  
Thirteen.

**P.O. LINDSAY:**  
No, Montano isn't here.

**MR. LAUBE:**  
Twelve (Not Present: Legislator Montano).

**P.O. LINDSAY:**  
Okay, it passes.

1419A, the accompanying Bond Resolution, same motion, same second; roll call.

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

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

**LEG. EDDINGTON:**  
Yes.

**LEG. COOPER:**  
Yes.

**LEG. D'AMARO:**  
Yes.

**LEG. STERN:**  
Yes.

**LEG. HORSLEY:**  
Yep.

**LEG. NOWICK:**  
Yes.

**LEG. KENNEDY:**  
No.

**LEG. BARRAGA:**  
No.

**LEG. ALDEN:**

No.

**LEG. MONTANO:**

(Not present).

**LEG. LOSQUADRO:**

Yes.

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

Yes.

**LEG. BEEDENBENDER:**

Absolutely.

**LEG. BROWNING:**

Yes.

**LEG. SCHNEIDERMAN:**

Yeah.

**LEG. ROMAINE:**

No.

**MR. LAUBE:**

Twelve.

**P.O. LINDSAY:**

***1474-08 - Appropriating funds in connection with the energy conservation and safety improvements to the H. Lee Dennison Building (CP 1659) (County Executive).*** I'll make a motion.

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

Second.

**P.O. LINDSAY:**

Second by Legislator Viloría-Fisher. On the question, anybody? Legislator Romaine.

**LEG. ROMAINE:**

Quick question. The Dennison Building was renovated I think about eight years ago, if I'm not mistaken.

**CHIEF DEPUTY COMMISSIONER LAGUARDIA:**

Correct.

**LEG. ROMAINE:**

What does this project involve that was not covered under those renovations, or is it just wear and tear in the last eight years?

**CHIEF DEPUTY COMMISSIONER LAGUARDIA:**

There are two items. One, the boilers at the time of that renovation, the boilers were still in decent shape and all we did was upgrade the burners. Now, the boilers are reaching the end of their useful life and they require replacement.

In addition, the building is constructed with concrete panels. The seal-joints between those panels

are failing, we've have done two facades, we have two facades left to do to water-proof the building. We have leaks in the building.

**LEG. ROMAINE:**

We should think about selling that building. Thank you.

**LEG. D'AMARO:**

And leasing it back.

**P.O. LINDSAY:**

That's a different resolution.

**LEG. ROMAINE:**

It's long tabled.

**P.O. LINDSAY:**

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

**LEG. ALDEN:**

Opposed.

**LEG. BARRAGA:**

Opposed.

**MR. LAUBE:**

Fourteen (Not Present: Legislator Montano).

**P.O. LINDSAY:**

Okay, same motion, same second on the accompanying Bonding Resolution 1474A; roll call.

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

**P.O. LINDSAY:**

Yes.

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

Yes.

**LEG. COOPER:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. STERN:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. BARRAGA:**

No.

**LEG. ALDEN:**

No.

**LEG. MONTANO:**

(Not present).

**LEG. EDDINGTON:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. BEEDENBENDER:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. ROMAINE:**

Yes.

**MR. LAUBE:**

Fourteen.

**P.O. LINDSAY:**

*1475-08 - Appropriating funds in connection with the elevator controls and safety upgrading at various County facilities (CP 1760) (County Executive).*

**LEG. BROWNING:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Browning; I'll second the motion. On the question? Okay, all in favor? Opposed? Abstentions?

**LEG. BARRAGA:**

Opposed.

**LEG. ALDEN:**

Opposed.

**MR. LAUBE:**

Fourteen. No, that was 15.

**P.O. LINDSAY:**

Same motion, same second on the Bond, the accompanying Bond, 1475A; roll call.

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

**LEG. BROWNING:**

Yes.

**P.O. LINDSAY:**

Yes.

**LEG. COOPER:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. STERN:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. BARRAGA:**

No.

**LEG. ALDEN:**

No.

**LEG. MONTANO:**

Yes.

**LEG. EDDINGTON:**

Yes.

**LEG. LOSQUADRO:**

Yes.

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

Yes.

**LEG. BEEDENBENDER:**

Sure, yes.

**LEG. SCHNEIDERMAN:**

Why not, yes.

**LEG. ROMAINE:**

Yes.

**MR. LAUBE:**

Fourteen.

**P.O. LINDSAY:**

Okay, *1479-08 - Establishing an E-Verify Pilot Program in the Department of Public Works*

*(Cooper).*

**LEG. COOPER:**

Motion to approve.

**LEG. D'AMARO:**

Second.

**P.O. LINDSAY:**

Motion to approve by Legislator Cooper, second by Legislator D'Amaro. On the question, anybody?

**LEG. MONTANO:**

I have a question.

**LEG. BARRAGA:**

Question.

**P.O. LINDSAY:**

Legislator Barraga.

**LEG. BARRAGA:**

I just want to take a few minutes -- I just want to take a few minutes on this bill, and one of the reasons I want to speak, I just want to make sure my colleagues realize that my vocabulary extends beyond just one word of two letters, an "N" and an "O".

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

When I came here this morning I made up my mind, because this particular piece of legislation is a pilot program, to support the program. If it had been a program just put in place with no termination, I'm not so sure I would have drawn the same conclusion.

About a month ago, an individual appeared before us in public session and indicated that they supported the bill, he supported the bill, and he supported something like 1105, with steroids added, being something called E-Verification. And I have to be candid with you, that's a term I was not familiar with. Up to four or five weeks ago, I had never heard the term "E-Verification", and, yet, it became the "in" word among Legislators, as if everybody knew all about it for a long period of time. Well, I didn't. So, when that happens, there's usually an obligation on my part to really research something and to see, you know, how good it is. Is it truly the panacea we're looking for in terms of determining the eligibility of an individual as to whether or not they can legally work for a given company.

Well, fortunately, in the research that we did, there was a hearing going on in the beginning of May by the House Ways and Means Subcommittee on Social Security, exploring proposals to crack down on illegal hiring through electronic worker verification. One idea, of course, is to extend the current government electronic system called E-Verify to each of the County's -- each of the country's 7.4 million employers. Today, only about 61,000 companies voluntarily use E-Verify, which checks information from I-9 forms against databases, both at Homeland Security and the Social Security Administration. Representative Michael McNulty, who I know personally, I had served with him in the Assembly as Chairman of the Subcommittee, he's also retiring at the end of this year, so his comments, I think, have a great deal of credibility. He cautioned that the Social Security Administration must not take any additional immigration responsibilities while the agency is trying to reduce a huge, a huge backlog of disability claims. Constituents' queries regarding the payments of disability claims can take over 500 days to answer. His position is that if, somehow or for some reason, they had to do E-Verification, that 500 days could easily go to 600, 700 or 800 days on disability cases. He points out that the whole issue needs a lot more careful thought. "On any of

these proposals, we need to move very, very slowly," McNulty said.

One of the options here is something called the Johnson Resolution. It would basically -- the proponents of the Johnson Bill say E-Verify is inefficient, prone to error, and incapable of detecting what they call identity fraud. The House Resolution, the Johnson Resolution initiative for illegal workforce, which is led by the Society for Human Resource Management, criticizes E-Verify for relying on the Social Security database, which has a 4.1% error rate, and could mistakenly declare millions of people ineligible for employment. The Johnson measure is a measure that's been put forth to use the Welfare to Work Program initiated by the Federal Government over ten years ago in which databases are already in place throughout the nation, which employers already use to check on deadbeat dads. That system can be used, according to the Johnson Bill, to do verification of individuals for employment, and it's a system that's already there.

An Arizona Democratic cosponsor for the Johnson Bill said that companies in her state have had bad experiences with E-Verify since the State Legislature mandated its use earlier this year. "They are finding it complicated, unreliable and burdensome," said Representative Gabrielle Giffords, Democrat, Arizona, at the hearing. "If Congress does nothing or simply extends E-Verify without much needed reform, it will be disastrous." The Head of the Society for Human Resource Management, President and CEO, Sue Meissenger, gave a similar warning. "It will slow down the free flow of labor across the economy."

The General Accounting Office also testified at this committee. Requiring employers to electronically check employees' eligibility to work in the United States will require more than one billion to expand and maintain the verification system over the next four years, according to the GAO. GAO is equivalent to like the Budget Office at the Federal level. The pilot program that was originally put in place, according to the GAO, the results show that 8% of the queries were returned as being tentative nonconfirmations. "Multiply that out by the total number of employers and there's a potential, according to GAO, for serious capacity issues," said Richard Stanna, Director for Homeland Security and Justice Issues at GAO. Additional computers and staff would be needed to make sure DHS and SSA can handle the queries that come to the offices, and promptly resolve tentative nonconfirmations that are spit out.

For SSA, for the Social Security Administration, for a mandatory E-Verify program, it would cost an additional 281 million dollars, and require at least 700 new employees at the Agency. The Agency estimated SSA would need extra funding to hire and train staff and to upgrade systems to handle what a spokesperson called the onslaught of work. The new Employee Verification Act, this is the act that's being proposed to replace E-Verification, would leverage the databases and would give SSA a much better opportunity to meet the needs and requests coming in throughout the nation.

The most interesting testimony, though, I thought was from that Congressman from Arizona, the Honorable Gabrielle Giffords, and let me quote. She said, "I am from Tucson, a community that is directly impacted by the effects of illegal immigration. In Arizona, we are truly on the front lines of the immigration crisis. As a result, the Arizona Legislature has chosen to take action. As the members of the Committee know, Arizona was the first state to mandate that all Arizona employers use E-Verify. The Act has two key features. First, it imposes a business license penalty against any employer who knowingly or intentionally hires unauthorized employees. Second, it requires all employers in Arizona to enroll in the Federal Government E-Verify Plan in order to confirm the work eligibility of all new hires. By being the first state to mandate E-Verify, our experience in Arizona is of great interest here in Washington D.C. I believe the Arizona experience should inform the ongoing -- should form -- should inform the ongoing debate about employment verification and whether the current E-Verify Program, administered through the Department of Homeland Security, should be mandated nationwide."

"Some of the businesses that have signed up have reported a variety of challenges using E-Verify. They are finding it complicated, unreliable and burdensome. They are having difficulty getting answers from DHS to their questions about the system. Last month, my staff listened in on a

conference call that DHS set up for Arizonans to call in with questions and comments about E-Verify. I understand that very few of the questions posed could actually be answered by DHS. A lot of concerns were voiced. Just last week, a group of Arizona Chamber of Commerce Executives participated in the Hill briefing on employee verification. They reported a variety of problems related to the system being confusing and time consuming."

"Our business leaders are also very vocal about the fact that mandating E-Verify nationwide for all employers would be disastrous. The experience of Arizona businesses makes it clear that we can do better and that action is needed. That is why I am a cosponsor of not supporting E-Verification. I am a cosponsor of Johnson's HR 5515, the New Employee Verification Act, or NEVA, which provides a simplified, effective and balanced alternative to E-Verify. Under the bill, the I-9 screening process would be replaced with an electronic employee verification system. This system would rely on the use of fewer, more secure identity documents, and would be built upon the new hire reporting process already existing in each state. This reporting process is used by 90% of employers, and was put in place a dozen years ago to track down deadbeat dads. I respectfully remind you, if Congress does not -- does nothing, or simply extends E-Verify without much needed reform, it will, in my judgment, be disastrous."

And the last piece of testimony comes from a Barbara Kennelly. She's the President and CEO of the National Committee to Preserve Social Security and Medicare. This is her comments with reference to what E-Verification would do on Social Security. She says, "Mr. Chairman, America's seniors are very concerned about the negative consequences of several proposals before you today that would assign new immigration- related workloads to an already overburdened Social Security Administration. These proposals divert SSA from its central mission of serving its own beneficiaries and would ask instead to create a national employment verification system using SSA databases and employees to confirm the employment status of every American worker."

"The National Committee was dismayed to learn that according to the Congressional Budget Office, the cost to SSA of the major immigration proposal would be more than a billion, nearly 10% of the Agency's current administrative budget. In just the first year of implementation, over ten years, the plan would cost over 9 billion dollars."

"Some supporters of the legislation before the Subcommittee have suggested that if SSA receives additional funding to develop a national employment verification system, the Agency's overall computer systems will be improved. Nothing could be further from reality. As past experience demonstrates, new electronic processes take years to develop, test and refine. They divert resources and employees away from other pressing workloads. I am very concerned that E-Verify would turn out to be a much larger, complex and costly project than any of its authors can currently envision. While SSA employees have continued to have a "can do" attitude in the face of many hurdles, they may be unable to overcome this new obstacle placed in their path."

"The National Committee is not taking a position on the underlying goals of any of the immigration bills before the Congress. However, we believe it would be a significant mistake to require SSA to take on the burden of verifying the work status of every American for immigration related purposes. Given the limited resources that SSA currently has or is likely to have in the future to carry out its obligations to American seniors and people with disabilities, we believe it would be unwise to encumber the Social Security Administration with these costly and unrelated responsibilities."

And I have one last piece here, which indicates from the author that companies in Arizona are having such a difficult time with this E-Verification that companies have hired other companies to get through the red tape, because they're in fear of retribution if they don't do it correctly.

So I guess the point of all of this is that, you know, for those that think that E-Verification is the Holy Grail, believe me, it's not the Carpenter's Cup. In my judgment, it's that cup that's gold, it has rubies and it has diamonds. You can pick it up and look at it, but don't take the drink. This proposal is something that, you know, it's limited, I'll support it, but there are other bills that deal with Social

Security Administration we really have to take a long hard look.

I would not be opposed, for example, to go head with this bill on an 18-month basis to take a look at a pilot study, those other pieces of legislation be put aside for the time being until 18 months down the road we get the results from DPW Federal, because, as you can see, the Federal Government is having serious problems with E-Verification. Social Security Administration is not equipped to deal with it. These are people that have come forth and indicated that if SSA is used, it will hurt SSA in other areas where seniors are in dire need, especially with reference to disability claims.

And, with Homeland Security, I've heard lots of stories since 9/11 from Homeland Security Agents, and the stories are one thing and the results are quite another. You know, I can remember being given descriptive analysis from HSA in terms of what they proposed to -- were going to do soon after 9/11 with reference to shipping containers. Five million shipping containers come into the Port Authority of New York and New Jersey year. A one megaton bomb going off between nine and five would kill a million people the first day or so, and probably the fallout, another million people. If that megaton bomb went off, one megaton, in the area of where the towers were, that's the kind of death rate we're talking about. And in those seven or eight years, Homeland Security, on that major issue, for the most part, has done absolutely nothing. So they say many things, they say a lot of things, but this -- I think testimony has some credibility here.

All I'm saying to my colleagues is be very careful. You know, this is not a panacea. Take it a step at a time. I will go along with the sponsor's bill, but those other bills, maybe we want to table them for awhile. Let's see what the results are, because, right now, the Federal Government is not equipped and this is not a good system. And the Johnson bill, frankly, is getting a lot of momentum, and, as I understand it, this E-Verification has to expire at the end of the year. So the Johnson Bill in the Congress, especially when you take a look at the representative from Arizona and what has happened out there, it should give you some pause for thought. Thank you.

**P.O. LINDSAY:**

Legislator Montano.

**LEG. MONTANO:**

No, I'll pass.

**P.O. LINDSAY:**

Okay.

**LEG. MONTANO:**

Oh, hold on. No.

**P.O. LINDSAY:**

Okay. The only thing that I wanted to say, Legislator Barraga, is I read with interest this morning that the President signed an Executive Order covering 200,000 contractors. And in light of the testimony you just gave, how are they going to do that?

**LEG. BARRAGA:**

The President of the United States can lay down any particular edict he wants, but the implementation is something else. And there's no doubt in my mind, he is listening to HSA. And, you know, I think he should be really reaching out to some of the groups that have testified before the House Ways and Means Committee, the Subcommittee on Social Security. But he's made that decision, but I think it's going to be very difficult to implement.

**P.O. LINDSAY:**

Legislator Cooper. Just very briefly, I wanted to thank Legislator Barraga for his comments. I agree with much of what he said, and those are some of the reasons why I decide to do this resolution as an 18-month pilot program, number one; and, number two, and this was partly based on suggestion from Legislator Beedenbender, it is true that E-Verify is up for renewal in -- I believe it's 18 -- 9 to

18 months. I can't remember the exact date. So it may be kept in place, it may be replaced with a better program, perhaps the program that Legislator Barraga eluded to. So that's why this resolution says that it would require participation in E-Verify or any successor program that the Federal Government implements. So I think that based on that and based on the fact that it's an 18-month pilot program, that this is worth supporting at this time.

**P.O. LINDSAY:**

Legislator Montano.

**LEG. MONTANO:**

Yes. Thank you. I'm just going to -- I gave out earlier a press release, and I just want to read some of these things into the record. It has to do with the court delays, enforcement of Oklahoma immigration law. Judge says, "Substantially, likely, immigration law is unconstitutional." It's dated June 4th, and it comes from the U.S. Chamber of Commerce. A U.S. District Court Judge postponed enforcement of employer-related portions of an Oklahoma Immigration Law, because it is "substantially likely" that the provisions of the law unconstitutionally interfere with Federal regulation of the employment of unauthorized workers."

I'll read further down. You have this in your mailbox. "The Oklahoma Law requires employers doing business with the State to use the "Basic Pilot Program", also known as E-Verify, the Federal Government's voluntary and error-riddled experimental program for electronically verifying work eligibility. The Court's decision to issue a preliminary injunction was based on its finding that it is substantially likely," again, that's a quote, "that the law unconstitutionally imposes civil sanctions on employers who fail to comply with the law."

I don't have enough information on the Oklahoma Law, but it does speak to the same issue we're speaking to here. It does talk about the fact that a lot of these laws -- and the press release goes on to state -- let me see if I can get the quote. "Piecemeal State legislation is not the answer to our nation's immigration problems."

I'm going to vote against this. I think that, at the very least, we ought to know more about it before we do anything. But since it's up for a vote, I'm going to vote no.

**P.O. LINDSAY:**

Okay. We have a motion and a second. I'm going to call the roll.

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

**LEG. COOPER:**

Yes.

**LEG. D'AMARO:**

I'll vote yes. Yes.

**LEG. STERN:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. BARRAGA:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. MONTANO:**

No.

**LEG. EDDINGTON:**

Yes.

**LEG. LOSQUADRO:**

Yes.

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

No.

**LEG. BEEDENBENDER:**

Yes.

**LEG. BROWNING:**

(Not Present)

**LEG. BEEDENBENDER:**

She'll be back in a moment.

**P.O. LINDSAY:**

She went to the rest room.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. ROMAINE:**

Yes.

**P.O. LINDSAY:**

Yes.

**LEG. BEEDENBENDER:**

Can we just --

**LEG. ALDEN:**

Hold on a minute there.

**LEG. BEEDENBENDER:**

-- stall for a moment before you call the vote? Legislator Browning will be back in a second.

**LEG. ROMAINE:**

Yes, let's wait for Legislator Browning.

**LEG. EDDINGTON:**

So what do you think about those Yankees, huh?

**LEG. ROMAINE:**

How about them Yankees?

**P.O. LINDSAY:**

No. Everybody misses a vote. Come on, call the vote.

**LEG. BROWNING:**

I'm back.

**MR. LAUBE:**

Legislator Browning.

**LEG. BROWNING:**

Yes.

**MR. LAUBE:**

Fifteen.

**P.O. LINDSAY:**

Okay. *1235 - Approval of auction rules for the disposition of surplus property acquired under the Suffolk County Tax Act.* Do I have a motion? I'll make a motion.

**LEG. EDDINGTON:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Sixteen.

**P.O. LINDSAY:**

*1298 - Establishing owner occupancy requirements for North Bellport properties.*  
Legislator Browning?

**LEG. BROWNING:**

Oh, motion to approve.

**P.O. LINDSAY:**

Motion to approve by Legislator Browning.

**LEG. D'AMARO:**

Second.

**LEG. EDDINGTON:**

Second.

**LEG. D'AMARO:**

Second.

**P.O. LINDSAY:**

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

**LEG. ALDEN:**

Abstain.

**MR. LAUBE:**

Fifteen. (Not Present: Leg. Montano)

**P.O. LINDSAY:**

*1322B - A bond resolution of the County of Suffolk New York authorizing the issuance of \$350,000 bonds to finance the cost of planning for the reconstruction of County Road 11, Pulaski Road, from Woodbury Road to Depot Road, in the Town of Huntington, and rescinding Bond Resolution Number 605 of 2006.*

**LEG. COOPER:**

Motion to approve.

**LEG. D'AMARO:**

Second.

**P.O. LINDSAY:**

Motion by Legislator Cooper, second by Legislator D'Amaro. Roll call.

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

**LEG. COOPER:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. STERN:**

Yes.

**LEG. HORSLEY:**

Yep.

**LEG. NOWICK:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. BARRAGA:**

No.

**LEG. ALDEN:**

No.

**LEG. MONTANO:**

(Not Present)

**LEG. EDDINGTON:**

Yes.

**LEG. LOSQUADRO:**

Yes.

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

Yes.

**LEG. BEEDENBENDER:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. ROMAINE:**

No.

**P.O. LINDSAY:**

Yes.

**MR. LAUBE:**

Thirteen.

**P.O. LINDSAY:**

*1470 - Appointing member of Suffolk County Off-Track Betting Corporation Board of Directors, Eddie Wynn.* I'll make a motion.

**LEG. HORSLEY:**

Second.

**LEG. D'AMARO:**

Second.

**P.O. LINDSAY:**

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

**LEG. KENNEDY:**

Abstain.

**LEG. ROMAINE:**

Abstain.

**MR. LAUBE:**

Fourteen. (Not Present: Leg. Montano)

**P.O. LINDSAY:**

*1472 - Authorizing the Reconveyance --*

**LEG. SCHNEIDERMAN:**

Abstain.

**P.O. LINDSAY:**

*-- of County-owned real estate pursuant to Section 215, New York State County Law, to Fred C. Smith, III and Ann M. Smith.*

**LEG. KENNEDY:**

I'll make a motion to approve.

**P.O. LINDSAY:**

Motion by Legislator Kennedy.

**LEG. D'AMARO:**

Second.

**P.O. LINDSAY:**

Seconded by who?

**LEG. D'AMARO:**

Here, D'Amaro.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Sixteen. (Not Present: Leg. Montano)

**P.O. LINDSAY:**

*1473 - Authorizing the reconveyance of County-owned real estate pursuant to Section 215, New York State County Law, to Carol Haas as surviving tenant by the entirety.*

**LEG. SCHNEIDERMAN:**

Motion.

**P.O. LINDSAY:**

Legislator Schneiderman makes a motion.

**LEG. LOSQUADRO:**

Second.

**LEG. D'AMARO:**

Second.

**P.O. LINDSAY:**

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

**LEG. LOSQUADRO:**

Mr. Chairman.

**MR. LAUBE:**

Sixteen. (Not Present: Mr. Montano).

**LEG. LOSQUADRO:**

If we could go back to the two resolutions --

**P.O. LINDSAY:**

Yes, that's --

**LEG. LOSQUADRO:**

-- in EPA.

**P.O. LINDSAY:**

That's what I'm going to do right now.

**LEG. LOSQUADRO:**

My tiny, little pieces of property in my district that I want to add to the Nature Preserve.

**P.O. LINDSAY:**

Okay. If you go back to Page 7, *I.R. 1463 - Authorizing acquisition of land under the Suffolk*

***County Open Space Preservation Program for the Roverse Estate Property, Miller Place-Yaphank Road, Town of Brookhaven.***

**LEG. LOSQUADRO:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator --

**MR. LAUBE:**

You already have a motion and a second on this with Losquadro and Browning.

**P.O. LINDSAY:**

Oh, we already have motions. All right.

**LEG. ALDEN:**

And the question --

**P.O. LINDSAY:**

The question was?

**LEG. ALDEN:**

What program is this?

**MR. LIPP:**

This is --

**P.O. LINDSAY:**

Go ahead, Robert.

**MR. LIPP:**

This is existing monies that were appropriated several years ago for acquisition of parkland for open space preservation. So they're outstanding appropriations that these parcels will be purchased out of.

**LEG. ALDEN:**

How many years ago?

**MR. LIPP:**

I'm not sure when the appropriations were, but looking back at the file that I have, the last time we actually issued bonds associated with this Capital Project was in 2004, but the appropriations exist.

**LEG. ALDEN:**

This is cash, or this is just you --

**MR. LIPP:**

No. This is bond authorizations.

**LEG. ALDEN:**

Appropriating --

**MR. LIPP:**

But that was authorized several years ago.

**LEG. ALDEN:**

Authorized, but unissued.

**MR. LIPP:**

Correct.

**LEG. ALDEN:**

Why wouldn't we use the New Quarter Cent? Why are we taking on additional debt when we have the Quarter Cent Program, when we're not going to spend all the money out of the Quarter Cent Program?

**MR. LIPP:**

I don't know.

**LEG. ALDEN:**

All right.

**MR. LIPP:**

It's a policy decision.

**LEG. LOSQUADRO:**

I know that, moving forward, we have been putting all of the new acquisitions through that, but this was what the planning steps were originally done under as part of a master list. This is a nature preserve addition. So it was done quite awhile ago and they've been picking up these small parcels piecemeal. It's only a total of \$28,000.

**LEG. ALDEN:**

Are you on Environment and Planning?

**LEG. LOSQUADRO:**

Yes, I am. We did discuss this at the time.

**LEG. ALDEN:**

You might want to make that suggestion, then, to the County Executive --

**LEG. LOSQUADRO:**

We have and all new ones --

**LEG. ALDEN:**

-- "Don't send these over anymore under these old programs."

**LEG. LOSQUADRO:**

We have. And they've actually requested that all the new ones -- they concur with us, that all the new ones should come over under the New Quarter Percent.

**LEG. ALDEN:**

Because not only are we -- never mind.

**P.O. LINDSAY:**

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

**LEG. ALDEN:**

Opposed.

**MR. LAUBE:**

Fifteen. (Not Present: Leg. Montano)

**P.O. LINDSAY:**

And then we got **1464 - Authorizing acquisition of land under the Suffolk County Open Space Preservation Program for the Klein Property, Miller Place-Yaphank Road, Town of Brookhaven.**

**LEG. BROWNING:**

Same motion.

**LEG. LOSQUADRO:**

Same motion.

**MR. LAUBE:**

You need a motion on this one, you didn't have one.

**LEG. LOSQUADRO:**

I'll make the motion.

**LEG. BROWNING:**

Second.

**LEG. ROMAINE:**

Second.

**P.O. LINDSAY:**

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

**LEG. ALDEN:**

Opposed.

**MR. LAUBE:**

Fifteen. (Not Present: Leg. Montano)

**P.O. LINDSAY:**

Okay. The agenda is behind us. Stick with me, because I'm moving now. Stick with me. All right. Let's go to **Home Rule Message Number 15**, which is in the packet. Somebody -- everybody, find it. **(Requesting) State of New York to amend the Civil Service Law in relation to resolution of disputes between public employer and Suffolk County Park Police Officers.**

**LEG. LOSQUADRO:**

Hold on.

**LEG. BROWNING:**

Is there a motion?

**P.O. LINDSAY:**

I'll make a motion.

**LEG. LOSQUADRO:**

I'll second it.

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

Second.

**P.O. LINDSAY:**

Second by Legislator Losquadro.

**LEG. ALDEN:**

Quick explanation. What was the amendment?

**P.O. LINDSAY:**

It's a Home Rule that the State -- the Park Police want binding arbitration like the rest of the cops. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Sixteen. (Not Present: Leg. Montano)

**LEG. HORSLEY:**

Did you do the MTBE one?

**P.O. LINDSAY:**

Wait a minute. I'm getting there, I'm getting there.

**LEG. HORSLEY:**

Okay.

**P.O. LINDSAY:**

No, I didn't do it yet. ***Home Rule 16 Message - Requesting the State of New York to amend the Civil Service Law in relation to resolution of disputes between public employer and the Suffolk County Probation Officers.***

**LEG. LOSQUADRO:**

Motion, Mr. Chairman.

**LEG. KENNEDY:**

Second.

**P.O. LINDSAY:**

Motion by Legislator Losquadro.

**LEG. KENNEDY:**

Second.

**LEG. ROMAINE:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Sixteen. (Not Present: Leg. Montano)

**P.O. LINDSAY:**

Okay. We got ***Procedural Motion Number 15 - Authorizing funding for community support initiatives.*** I'll make a motion.

**LEG. LOSQUADRO:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Sixteen. (Not Present: Leg. Montano)

**P.O. LINDSAY:**

That system's working pretty good, huh? Everybody's getting their money.

Okay. Now the fly in the ointment. You have before you ***Procedural Motion Number 17, and it's approving a partial settlement of an MTBE litigation.*** It's with a small chemical company, it's not for a lot of money. But if we have questions about it, we really should go into Executive Session.

**LEG. ALDEN:**

I make a motion to approve.

**LEG. LOSQUADRO:**

Second.

**LEG. BEEDENBENDER:**

That's a persuasive argument.

**LEG. ROMAINE:**

Moving ahead.

**LEG. KENNEDY:**

Cosponsor.

**LEG. ROMAINE:**

Good to leave it at the end. No one wants --

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Who was the second on that?

**LEG. NOWICK:**

All of us.

**LEG. ROMAINE:**

All of us.

**MR. LAUBE:**

Sixteen. (Second: Leg. Barraga)(Not Present: Leg. Montano)

**P.O. LINDSAY:**

Okay. Let's go to late-starters, yellow packet. I make a motion to waive the rules and lay on the table the following late-starters: 1574. Do you want me to read them or just the assignments?

**LEG. NOWICK:**

Just the assignments.

**LEG. ROMAINE:**

Assignments.

**P.O. LINDSAY:**

To Parks. 1575, to Economic Development, Education and Energy. 1576, to Consumer Protection, and sets the date for public hearing of June 24th, 2:30, Suffolk Community College, Culinary Arts Center in Riverhead. 1577, to Consumer Protection. Public Hearing, same thing, June 24th, 2:30, Suffolk Community College, Culinary Arts Center, Riverhead. 1578, to Health and Human Services. 1579, to Parks. 1580, to Parks. 1581, to EPA. 1582, to Public Works. 1583, to Public Works. 1584, to Ways and Means. I don't have 1585; is that right?

**MS. PASTORE:**

That was a CN.

**MR. NOLAN:**

It was a CN.

**P.O. LINDSAY:**

Oh, okay. 1586, Budget and Finance. 1587, to Ways and Means. So, we have the motion and have a second. All in favor of accepting these late-starters? Opposed? Abstentions?

**MR. LAUBE:**

Sixteen. (Not Present: Leg. Montano)

**P.O. LINDSAY:**

Okay. I'll entertain a motion to adjourn.

**LEG. LOSQUADRO:**

Motion.

**LEG. COOPER:**

Motion.

**LEG. EDDINGTON:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Sixteen. (Not Present: Leg. Montano)

(\*THE MEETING WAS ADJOURNED AT 7:34 P.M.\*)