

**SUFFOLK COUNTY LEGISLATURE**

**GENERAL MEETING**

**NINETEENTH DAY**

**November 18, 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 following was Taken & Transcribed by  
Alison Mahoney - Court Stenographer\*)*

**P.O. LINDSAY:**

Okay, Mr. Clerk, we're at the bewitching hour. Would you call the roll, please.

**MR. LAUBE:**

Yes, sir. Good morning.

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

**LEG. ROMAINE:**

Present.

**LEG. SCHNEIDERMAN:**

Here.

**LEG. BROWNING:**

Here.

**LEG. BEEDENBENDER:**

Here.

**LEG. LOSQUADRO:**

Present.

**LEG. EDDINGTON:**

Here.

**LEG. MONTANO:**

(Not present).

**LEG. ALDEN:**

(Not present).

**LEG. BARRAGA:**

Here.

**LEG. KENNEDY:**

Yes, yes.

**LEG. NOWICK:**

Here.

**LEG. HORSLEY:**

Here.

**LEG. GREGORY:**

Here.

**LEG. STERN:**

Here.

**LEG. D'AMARO:**

Here.

**LEG. COOPER:**

Here.

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

(Not present).

**P.O. LINDSAY:**

Here.

**MR. LAUBE:**

Fifteen (Not Present: Legislators Montano, Alden & Viloría-Fisher).

**P.O. LINDSAY:**

Could everyone rise for our salute to the flag? It will be led by Legislator D'Amaro and his two assistants; what happened to your two assistants? Oh, okay.

***Salutation***

I'd like Legislator D'Amaro to come to take the mike to introduce our guest Clergy in this time of -- as we approach our Thanksgiving holiday and at a time that's very troubling for our community. So Legislator D'Amaro.

**LEG. D'AMARO:**

Thank you, Mr. Presiding Officer. Good morning, everyone. This morning, Ladies and Gentlemen, it is my honor and privilege to introduce to you Rabbi Ian S. Jacknis.

The Rabbi has been the Spiritual Leader of the South Huntington Jewish Center since 1993. His synagogue has more than 500 member families and the Rabbi is highly respected by his congregant and his peers. Rabbi Jacknis is the immediate past President of the Rabbinical Assembly of Nassau-Suffolk and the Suffolk Council of Jewish Organizations. He also serves as the Jewish Chaplain to the Melville Fire Department which is the fire -- one of the fire departments within my Legislative District.

Rabbi Jacknis is also highly educated. He attended the Jewish Theological Seminary of America and Columbia University. He also attended the Seminaries Rabbinical School and has pursued his studies from Los Angeles to Manhattan to Jerusalem. Both inside his synagogue and throughout his community, Rabbi Jacknis is known for his welcoming, his responsive and his insightful, compassionate manner. And during a time when Suffolk is grieving over a mindless hate crime which resulted in the tragic death of Marcelo Lucero, the Rabbi's presence here today is welcome not only to open our session with prayer, but also as a symbol that stands in this community that we stand as one and that racism and hatred will not be tolerated here in Suffolk County. Rabbi?

**RABBI JACKNIS:**

Eternal God, Creator of all humanity. We gather this morning, two weeks after Election Day and a little over one week before Thanksgiving, two special dates on the November calendar which help shape our perspective this morning.

As we look back to Election Day, we cannot help but feel how blessed we are to live in this wonderful country, the United States of America, a country in which democracy continues to flourish and thrive. A country in which each and every citizen is free to pursue his or her own dreams, even becoming President of United States, without regard to race, religion, ethnic group, gender or sexual orientation. How proud we are of this great country, how privileged we are to live in this great land.

We ask your blessings, oh Lord, upon this great country and upon this Legislative body, the voice of the people in Suffolk County. Bless them with wisdom and insight, caring and compassion. May they do the very best they can to improve the lives of those they represent and to bring blessing to

the community at large. May they fulfill their sacred responsibilities with honesty and integrity. May these honorable leaders of our community faithfully represent the views of their constituents and work together with respect for each other and with understanding of the importance of compromise and working for the common good. And if they must disagree, as undoubtedly they will at times, may they be able to disagree without being disagreeable.

And finally, as we look forward to Thanksgiving Day next week, we thank you, oh Lord, for the many blessings in our lives; the blessing of life, the blessing of health, the blessing of family, the blessing of having a place to live, food to eat and clothes to wear, the blessing of living in this great country. May we never take these blessings for granted. May we rededicate ourselves to being partners with you, oh Lord, in perfecting the world we live in. And let us say, Amen.

*(\*Amen said in Unison\*)*

**P.O. LINDSAY:**

Thank you, Rabbi. It's my wish that we live up to your words. Could you please remain standing for a moment of silence for Marcelo Lucero and that senseless death in Patchogue last week, and Amanda Malloy who was the granddaughter of Judge Malloy and Kevin Malloy, an aide to Legislator Don Blydenburgh, and to all the men and women, as we speak, that are in harm's way that are protecting our way of life.

*Moment of Silence Observed*

**LEG. MONTANO:**

Note my appearance.

**P.O. LINDSAY:**

Thank you very much. We have a number of proclamations this morning and a lot of business to take care of. First, Legislator Kennedy is going to present a proclamation to Ina Corrine Johansson.

**LEG. KENNEDY:**

And Legislator Nowick as well, Mr. Chair.

**P.O. LINDSAY:**

And Legislator Nowick.

**LEG. NOWICK:**

Good morning, everybody. Can I bring up this beautiful family here?

**P.O. LINDSAY:**

Your mike isn't on, Lynne.

**LEG. NOWICK:**

Good morning, everybody. May I please bring up this family?

**MS. JOHANSSON:**

All of us?

**LEG. NOWICK:**

Yes, sure, all of you. Legislators, this is Inga Johansson and her family, her beautiful family. Inga has been enjoying many areas of childhood events. She's an avid reader, she plays the piano, she's a fierce competitor in lacrosse, she's a Girl Scout, she's member of the St. James Lutheran Church Choir, quite a bit. How old are you, Inga?

**MISS JOHANSSON:**

Ten.

**LEG. NOWICK:**

Ten years old. Inga also participates in 4-H events such as gardening, baking, home and she's ten years old. And many of these projects are entered into the Delaware County Fair for judging and review. Inga was awarded a Blue Ribbon and Grand Champion at the County Fair for her jumbo blueberry muffins. How do you like that? And the fair's judges selected them for competition at the New York State Fair. How good is that? That's wonderful.

*Applause*

So the New York State Judges awarded Inga not only a Blue Ribbon for these same muffins, but also the coveted Purple Rosette for Special Recognition for Outstanding Exhibits. Now, I had to read from here because Inga has done so much at ten years old -- and by the way, you have such a beautiful family. What brought you to baking muffins? I'm so impressed.

**MISS JOHANSSON:**

I don't know.

**LEG. NOWICK:**

You just love to do it? Did Mom teach you that?

**MISS JOHANSSON:**

Kind of, yeah.

**LEG. NOWICK:**

Kind of, yeah? You just love to bake. Can you come to my house and bake or cook or do anything, or just send the muffins over, would you do that? You know, I have daughters that are a little older, never once did they bake a muffin, never. Congratulations.

I have with me Legislator Kennedy who represents the 12th District and I know he would like to say something to you, sweetie.

**LEG. KENNEDY:**

Well, Legislator Nowick, I think kind of hit the nail on the head. But Inga, this is something that I think shows the importance of striving for excellence. Whether it's doing your homework or it's baking a muffin or it's anything in life, the importance is to do the very best that you can. And when you do that, every one of us here is enriched and more a better person. So I congratulate you. I congratulate Mom and Dad and all your brothers and sisters for doing something that everybody knows is an important thing, even your folks here from Connetquot. Let's give the Johansson Family a big round of applause, Ladies and Gentlemen. Thank you. Congratulations, Inga.

*Applause*

**P.O. LINDSAY:**

Okay. Next up is Legislator Losquadro.

**LEG. LOSQUADRO:**

If I could ask Justina and Paige to come up here, please. I'll embarrass them a little bit, I can see they're blushing already. These are Justina Esposito and Paige Maccabee. These two young ladies -- who are sisters, by the way -- a few years ago sent me a solicitation about a project that they wanted to start called "Project Light Bulb", and their goal was to purchase one thousand energy-efficient light bulbs and distribute them to a thousand residences in our area. And I'm happy to say that I was the only elected official who actually responded to them because I really believed in what they were doing long before a lot of people were talking about energy conservation as a

method for lowering energy costs. These two young ladies followed through with an idea and were very successful with it, and I'll just give you some statistics.

By distributing these light bulbs, they saved enough money -- enough energy to light more than three million homes for a year, more than \$600 million in annual energy costs and prevent greenhouse gases equivalent to the emission of more than 800,000 cars. This was a very successful project. And I'd like to give my sincere congratulations to two young people in the community who proved that with a simple idea you can make a real difference. So I have certificates for both of you and I want to say congratulations and thank you for being such responsible members of our community.

*Applause*

**P.O. LINDSAY:**

Next, Legislator Stern.

**LEG. STERN:**

Good morning, everybody. Thank you, Mr. Presiding Officer. I'm here to make a special presentation this morning. First of all, we're joined by several special guests, but I would first like to point out and recognize Beth Delapizzi. So many of us know Beth as the person who -- and the spirit behind the Family Readiness Group that supports the legendary Fighting 69th which is serving right now in Afghanistan. So please join me in welcoming Beth Delapizzi to Legislature this morning.

*Applause*

And the call came to us from our troops and from the Family Readiness Group, the Fighting 69th. So many of us participate in so many great programs within our communities in gathering up supplies and boxing them up and shipping them off so that our troops can have some of the comforts of home. And we're in football season right now and the call came from our troops that they would love a little taste of home. They would love to have New York Jets and New York Giants gear and footballs to throw around. This way, although they're serving us overseas with bravery and distinction, they can still have a little taste of home. So the call went out to Modell's Sporting Goods.

Modell's we're all familiar with which is the oldest and largest family-owned sporting goods store within the entire country. And as a private business, they stepped up and made a significant contribution to ensure that our troops can have some of the comforts of home. And the call went beyond that, to the New York Jets and the New York Jets Organization stepped up and made a significant contribution as well. And so it is a great privilege for me to welcome to the Legislature this morning Doris Modell-*{ Tipograf }* of Modell's Sporting Goods, Kelly Harvey, the Community Marketing Manager of Modell's Sporting Goods. We're also joined today by Bobby Jackson. Those of us who are New York Jets fans remember Bobby Jackson as a long-time, old-time New York Jet -- not that old-time, he actually still looks pretty good -- who is here with us today.

So please join me in welcoming our guests today. And I would also like to call to the microphone Doris Modell *{ Tipograf }*.

*Applause*

**MS. *{ MODELL-TIPOGRAF }*:**

On behalf -- can you hear me back there? On behalf of the Modell's family, my Nephew Mitchell who's President of the company and my sister-in-law Shelby, the Modell associates and in memory of my big brother Bill who passed away this year, I thank the Suffolk County Legislature for this proclamation.

And to the Fighting 69th Army National Guard, thank you for your patriotism, your protection and for

-serving our beloved country. I am the archivist and historian for Modell's 119 year-old history; I'm not 119 years old, but the company is. I recently did a timeline of my family's involvement in military services. It all began in 1880, Samuel Harrison, a cousin, served in the U.S. Calvary and fought in the Indian War. In 1918, World War I, my father, Henry Modell, was sworn in at Camp Upton in Yaphank, not too far from where we are standing today. He was sworn into the 77th Division of the 307 Infantry, and when he arrived in France he became a battalion runner in the {Argon} Forest where one of the greatest single battles the Americans have ever fought. Their mission; to rescue the legendary lost Battalion. And my father used to love to tell that story. In 1934, my father became a Commander in the American Legion 307th Infantry Post; I'm wearing his medal today. In 1940, Henry, my Dad, was selected as the Chairman of the Local Draft Board and I became the most popular teen-ager or the most the feared. My husband, Norman Tipograf, was an officer in the 8th Airforce. He flew 34 missions over Germany and German occupied Europe and received the Distinguished Flying Cross Air Medal, three Oak Leaf Clusters for his skills as a Bombardier and Navigator.

My brother Bill also served valiantly in the 8th Airforce. And me, I was a U.S.O Dancer. Bill returned to the family business after World War II ended. He and our Dad created a Veteran's Job Program for unskilled and un -- sorry. They started -- they created a Veterans Job Training Program for unskilled and unemployed veterans, enabling them to build a future in the retail field. Many of the trainees ended up working for the Modell organization and some became executives.

In 1968, thousands of seriously wounded soldiers were returning from Vietnam. Sadly, our country turned its back on the disabled Vietnam veteran. My friend Silmer and I started to volunteer at St. Alban's VA Hospital. We asked our friends to join us. Our pledge was simple; 52 weeks in the year, the wounded shall never be forgotten. Our name is Serve The Handicapped. It is 40 years later. Our committee to -- our commitment to disabled hospitalized veterans remains unbroken.

We have -- and we've been doing this for 40 years, weekly ward visits to the Bronx VA Hospital, monthly bingo games at the St. Alban's Extended Care Center. We bring our special gifts, love and laughter to so many lonely lives. We bring comfort, dignity, companionship and the knowledge that someone cares. Thank you.

*Applause*

**LEG. STERN:**

Doris, to you and Modell's and Bobby, to you and the New York Jets, on behalf of the Suffolk County Legislature, it is a great pleasure for me to award you these Legislative proclamations and say congratulations on all of your important efforts on behalf of our military and our military families, but most importantly to say thank you.

*Applause*

**P.O. LINDSAY:**

Okay. Next up we have Legislator Cooper, D'Amaro and Stern.

**LEG. COOPER:**

I'd also like to invite up Officers {Tomkin, Collins, Modalvin, Rosin and West}.

On the evening of Sunday, October 26th, a 70 year-old physically disabled man was rescued from his burning home in Huntington Station by these five Suffolk County Police Officers. Neighbors reported a house fire on Arnell Street in Huntington Station and told Police that a disabled man was trapped inside the burning home. The 2nd Precinct Officers Tim {Tomkin} and Mark Collins arrived at fire and began the dramatic rescue, assisted by their fellow officers William Modalvin, Michael Rosin and Ryan West. Officers Tomkin and Collins broke a bedroom window and entered the home where they found the man on his bed. They were able to carry him to the window and pass him to safety to the other Police Officers waiting outside. By the way, officer Tomkin had just returned to

duty following injuries he had received while rescuing a drowning man in Cold Spring Harbor where he swam to a spot about 80 feet from a boat ramp, climbed on to a submerged SUV and broke one of the vehicle's windows with his baton rescuing the man trapped inside.

So on behalf of the Suffolk County Legislature, Legislators Stern, D'Amaro and I would like to take this opportunity to honor these brave officers for their dedicated actions which were above and beyond the normal performance of duty. Congratulations to you all.

*Applause*

**P.O. LINDSAY:**

And the last proclamation is Legislator Alden.

**LEG. ALDEN:**

I would ask Probation Officer O'Connor to come up, please. And while he's coming up, I'm joined by Legislator Eddington who is the Chairman of the Public Safety Committee.

A lot of times we might be lulled to think that Probation is pretty much a routine job and that your life isn't on the line. But last year Officer O'Connor actually apprehended a former probationer, and the person is an animal, so somebody that was a former criminal from Suffolk County that started in Texas murdering people, worked his way across the country to Long Island where he continued to murder people. The officer displayed extreme courage and cunning and used all kinds of prior knowledge of this criminal to figure out where he was going to be and protect the public by apprehending him. So I want to say on behalf -- and I'm going to just turn it over to Legislator Eddington right now.

**LEG. EDDINGTON:**

Thank you. No, I just would add that this is just a prime example of the service given to the men and women that serve our County for public safety. And I commend you, as Legislator Alden did. Thank you very much.

**OFFICER O'CONNOR:**

Thank you.

*Applause*

**P.O. LINDSAY:**

And I'm incorrect, I do have one more proclamation and I'm going to present this one myself, and it goes to our Deputy Clerk, Renee Ortiz. If you could join me, Renee.

Our own Renee Ortiz, our Deputy Legislative Clerk, was the recipient this year of the Maxine Postal Legacy Award. As many of you in the audience know, Maxine Postal was our Presiding Officer here, a long-time Legislator, a beloved Legislator, that always fought for the downtrodden. Maxine was always the voice to help people. And this award was established in her memory and it's in recognition of Renee's tireless efforts to end hatred and bigotry in Suffolk County. Congratulations, Renee. I'm very proud to give that to you.

*Applause*

**P.O. LINDSAY:**

Do you want to say anything?

**MS. ORTIZ:**

Well, this is very unnecessary, but I'm honored and humbled to ever be held in any regard -- in any category close to Maxine, and it's an honor and a privilege.

But if I could just for a second, since I'm up here, take a moment and take my Clerk hat off and just

in light of what this recognition was about and in light of recent tragedies in our County, tragic events, I just would like to say that it's been a privilege to work for this body. And I know the passion that every single one of you have for your job and I just implore you all to always remember the influence you have as leaders in this County and to make diversity, inclusion and tolerance a priority in everything you do. So thank you. This wasn't necessary, but thank you so much.

### ***Applause***

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

Okay. I want to recognize, with us today is the 5th Grade Class from {Bosti} Elementary School in Bohemia and their teacher, Cathy Devine and their principal, Vince {Vantussi}. So thank you very, very much for joining us today, and I hope this is enlightening, this lesson in local government.

#### **LEG. ALDEN:**

Stand up and take a bow.

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

Yeah, why don't you stand up, Cathy. Let all the kids stand up and be recognized.

### ***Applause***

Okay. With that, before I go into the Public Portion, I need some direction and some help. We have a lengthy agenda before us today and we have a number of vetoes, most of them having to do with the budget,, but we also have some additional vetoes. The vetoes are on-line. If anybody would like them printed out, would you just tell me now and I'll get you written copies. I'm going to try and address the vetoes later this morning when everybody has a chance to go through them. We didn't get them until after five last night, so I know probably most of you haven't seen them.

The reason why is once we address the vetoes and approve the budget in total, we have to prepare the Tax Warrant and vote on that today as well. So there's a lapse of time between the budget vote and the warrant, that the financial folks need about an hour or so to rectify the two documents. Does anybody have any questions or preference on that, and does anybody need a written document?

#### **LEG. NOWICK:**

Let's just do it.

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

Okay. With that, I'm going to go into the Public Portion. You have three minutes, and I'm going to call the first speaker and the person on deck and if the person on deck could be ready to take the mike and speed it long, because we do have a lot of business. First up is Charlotte Koons.

#### **MS. KOONS:**

Ladies and gentlemen of the Suffolk County Legislature, it is again a privilege to speak to you. I, too, am coming together to honor Marcelo and I do it with a poem.

### ***Coming together***

*Under a moon just past full, flash light, lantern, candle in hand, into the autumn night they streamed from places near and far to stand with neighbor, with stranger, with child on the shoulder and grandmothers with canes, tired workers with documents or not, they came and came and came, for once unafraid, to the very train station where the beaten, stabbed, he was left to bleed his life away. A thousand points of light, flickering, pulsing, swaying, chanting, "No more hate, no more hate, no more hate," saying to the unyielding sky, "I will bear witness this night that we all must own our part in this crime, through word or deed or neglect or apathy. How sweet the hope each candle gives, throwing shimmering shadows onto brown, white, black and yellow faces, handwritten signs*

*swaying in place, "Teach tolerance, teach peace," "Never again, stop the hate." Hear us in this chamber here today. This past election did say we are coming together to organize, since we realize that we can legislate and educate the hate away. Hear us in these chambers today. This past election did say we are coming together to organize since we realize that we can legislate and educate the hate away. Thank you.*

### ***Applause***

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

Okay. Andrea Callan followed by Patrick Young.

#### **MS. CALLAN:**

Thank you, sir. Members of the Legislature, thank you again for this opportunity to allow me to address you today. I am Andrea Callan, I'm the Executive Director of the Suffolk County Chapter of the Suffolk County Chapter of the New York Civil Liberties Union. But more importantly, I'm a resident of Suffolk County.

On Friday, hundreds of Suffolk County residents came together to remember a man many of us, including myself, had never met. Nonetheless, tears were shed. Marcelo Lucero's life was cut short by a heinous act of discrimination, perpetrated by mere children who no doubt have things to learn about tolerance, acceptance and community. These values, these core American values of equality, fairness, justice and tolerance are the foundations upon which we are able to live together as free people. It's really a shame that we as a County did not better serve these values and instead allowed these children to be guided by hatred, xenophobia and bigotry.

The debate over immigration has long reverberated between the walls of this auditorium in the last few years, and not for reasons which would help Suffolk County accept and grow along-side our immigrant neighbors. These policies coming out of this Legislative body, and no doubt from the playbook of Steve Levy, have been divisive, unfair and send a message of intolerance into our community.

Of course, we know who plunged the fateful blow to Mr. Lucero on the night of his untimely death, but is that where we end our questioning? Certainly, personal responsibility is not to be ignored, but one must ask, didn't these kids know better? Of course we know already that they didn't, so we must ask ours why. Maybe they had learned somewhere along the way that an immigrant's life is worth less than a citizen's. Maybe they learned that immigrants are only a burden on our community, maybe financially and also culturally. Maybe they learned that immigrants didn't deserve the same rights and protections under our Constitution as citizens or residents.

Where would these young impressionable kids get such ideas? Well, in Suffolk these days, these myths are repeatedly espoused as truth. I implore you all, stop the spread of hate and xenophobia in Suffolk County. You, as elected officials, are responsible for setting the example. For all the resolutions that we have seen come from this body that have negatively impacted the lives of working immigrants on Long Island, can't we finally pass fair and practical legislation that recognizes the value of our immigrant brothers and sisters, their contributions to our communities and their rights as human beings?

Only until the demonizing myths about immigrants are dispelled through practical policies will hate crimes like that which took Marcelo Lucero will cease to invade our communities. Thanks.

### ***Applause***

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

Patrick Young followed by Tim Jahn.

#### **MR. YOUNG:**

My name is Patrick Young, I represent the Central American Refugee Center in Brentwood.

The Suffolk Legislature should see itself at a turning point today. The Legislature can continue along a road of divisiveness or it can recognize the need to incorporate all Suffolk residents into its civic life. The Legislature has always had strong voices of reason on it, like Legislators Montano and Fisher. And I can still recall Legislator Barraga's prescience last spring when he correctly predicted that great harm would result from the repeated targeting of Latinos by this body.

The Legislature can begin the healing not through soothing words along but by following the courageous example of Legislator Cooper who sat down with Latino leaders last spring and is working to address the community's most pressing concerns. The Legislature must not simply end the ceaseless parade of anti-immigrant legislation, it must also begin to address the real problems that marginalize Suffolk Latinos in a way that they're not marginalized in other suburban counties around here like Nassau County and Westchester.

As a first step, the Legislature must look into the disturbing drop in reported bias crimes against Latinos at a time when we know that such attacks are up all around the country and on Long Island. Is there anyone in the Legislature who is so naive as to believe that over the last four years, bias crimes against Latinos have dropped 93%. If I were to come in and say that rapes against women in Suffolk have dropped 93% over the last four years, would you believe that men had stopped raping women or would you believe that women were afraid to go to the Police?

If you listen to the Latin community, you'll begin to chip away at the fear that now imposes silence on them and you will make a new beginning for race relations in Suffolk and for the County as a whole. Thank you.

*Applause*

**P.O. LINDSAY:**

Tim Jahn followed by John -- followed by Ellen Mason.

**MR. JAN:**

Hello. Thank you for this opportunity to speak. I'm going to change the subject a little bit. My name is Tim Jahn, I'm the Program Director for the Family and Consumer Sciences Program at Cornell Cooperative Extension.

Yesterday, the County Executive sustained the Legislature's budget cuts to Cornell Cooperative Extension. Of the \$940,000 that was cut from Cooperative Extension, my program area counted for 53%, or nearly a half of million dollars. It appears to me that the Family & Consumer Sciences Program was the single largest item -- line item reduction in the budget. And I've been asked why nobody spoke out against any of this and I was led to believe that we were represented at the last General Session. I was working on a budget reduction plan and a RIF plan and our representatives chose not to speak, so I promised my staff I would at least say one last thing here.

In a County workforce of thousands of employees, a work group of about 26 has been asked to bear a pretty large burden of budget reduction and balancing. Even in Cornell Cooperative Extension, most of my colleagues are unaffected by these budget cuts, while in my program area five people would lose their jobs and more than half of the remaining staff will see significant income reductions in order to just retain some jobs.

I've prepared a page, actually, that shows what these -- the human impact of these budget cuts. The remaining jobs that are on this list are not safe because the County funds are used to match Federal and State dollars, so those funds -- those programs, those jobs are funded by Federal and State dollars, but without the match, I fear we're going to lose some of those jobs as well. In fact,

we're doing that calculation right now and I think there will be two more layoffs before the year-end.

The elimination of the Family Consumer Sciences Program ends our Human Development Program, our Parent Education Program and the support for the Nutrition and Diabetes Education Programs. I have another fact sheet that shows the full extent of these losses in 2009 and it will be worse in 2010. I have patched together a very tenuous budget for the next year, but if some funding for Family and Consumer Sciences are not restored in 2009 for 2010, it will almost certainly mean the end of our Diabetes Education Program and the Food Stamp Nutrition Education Programs.

I want to just include that tomorrow is my last day, actually, in the office. Although my last day is officially December 29th, the last two weeks have probably been the most difficult in my career in Cooperative Extension which started in 1974 in Nassau County. And I've dealt with more tears, actually, in the last two weeks than actually a man should deal with, much less a woman should deal with, because it's really been rough. But I'm lucky, I'm actually pretty lucky because I'm the person in our staff that can retire and so I'll be retired and not unemployed. Many of my friends and colleagues in the Family and Consumer Sciences Program at Cornell Cooperative Extension are not so fortunate. Thank you for this opportunity to speak.

### *Applause*

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

Ellen Mason followed by Dante Dano.

#### **MS. MASON:**

Good morning. My name is Ellen Mason and I'm here to speak on behalf of funding for the Vanderbilt Museum in Centerport.

I am not here in an attempt to save my job. I work cheap; I'm a volunteer and have been one for two-and-a-half years. As a volunteer greeter, on any given day when I am on-site, I will be assigned to a specific area. Maybe I'll be positioned at the Marine Museum on a sunny June day and watch groups of school children as they are led by one of our educators through Mr. Vanderbilt's marine collection, and as they feverishly complete their scavenger hunt sheets. Or maybe I'll be assigned to the nursery wing of the mansion and its star attraction, the 3,000 year-old mummy, answering questions about her and showing her x-rays and CAT scan photos to visitors. I can be assigned to the lower floor of the memorial wing and sit with Mr. Vanderbilt's 1928 Lincoln and tell onlookers the story of the "leather fenders". In just about every nook and cranny there is something interesting, thought-provoking or just plain fun at the Vanderbilt Museum.

The Vanderbilt is unique among the other popular estate museums here on Long Island. It, too, has a furnished mansion and gardens that reflect the taste and times of its previous owners. But unlike Old Westbury, House and Gardens, {Cohall} at Planting Fields Arboretum and {Baird Cutting Arboretum}, it was planned with education as its purpose. The Marine Museum, built in 1922, was open for private tours long before the estate was bequeathed to Suffolk County. William K. Vanderbilt, II, was an avid adventurer and collector and he left all of this for the edification of the public.

The addition of the Planetarium under Suffolk County's auspices served to expand the educational purpose of Eagle's Nest. The Vanderbilt is also unique in offering Living History House Tours each year, from Memorial Day to Labor Day. Many of us play the rolls of people who actually lived and/or worked on the estate and the celebrities who visited here. How wonderful it is to see the delight our visitors take in playing along with us and their appreciation of our costumes and the extra effort that this kind of house tour requires.

Suffolk County has spent a great deal of money to promote tourism here. Yes, we have beautiful beaches, wineries and great shopping, but so do other locales. What sets us apart is our history and

that encompasses the more than twelve hundred estates that were built between 1890 and the 1920's. The gold coast is rich with stories about the Vanderbilts, the Whitneys, the Phips', the {Coes}, and architect Stanford White as well as many others. Unfortunately, only a small fraction remain, and of that, only a handful are accessible to the public.

**P.O. LINDSAY:**

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

**MS. MASON:**

Sure. It is certainly commendable, but only a few remain as reflections of the people who built them and lived in them and the Vanderbilt is an important one. How can Suffolk County promote tourism and then turn its back on the sites that beckon those tourists? The Vanderbilt Museum is a treasure and a worthy recipient of your consideration. So I implore you, please save it.

*Applause*

**P.O. LINDSAY:**

Thank you, Ellen. Dante Dano followed by Harvey Brooks.

**MR. DANO:**

Good morning, Presiding Officer Lindsay and Legislative Caucus. My name is Dante Dano, Jr., and I represent the members of Sheet Metal workers, Local Union 137.

My members manufacture and erect signage within Suffolk and Nassau Counties, New York City and Northern New Jersey. I'm here in today in support of Local Law No. 745-08 with regards to sign-hanging licensing, and in hope that the Legislative Caucus will override County Executive Levy's veto. This law is well thought out and is a responsible piece of legislation. This law would ensure that companies that hang signs have the ability to read plans and specifications related to sign construction and erection which would include supports and framework. They must possess the knowledge and problems and practices of sign construction and the risks and precautions related to sign hanging. They should also possess the knowledge of risks, precautions of safe loads, types of rigging, size and strength of ropes, cable, blocks and derricks and the uses and misuses of the tools related to sign hanging. This will help ensure that signs in Suffolk County will be installed with experienced and qualified contractors and workers.

With Suffolk County growing every day, so will the size and complexity of its signs. Therefore, this law will prevent unqualified and unlicensed installers from erecting signs in Suffolk County with no regard for liability. Without this legislation, the public safety is at risk and personal injury and property damage can occur. I would like to thank the Legislators for their consideration and support to override the veto and move this well-thought and responsible piece of legislation forward. Thank you.

*Applause*

**P.O. LINDSAY:**

Thank you, Dante. And my old friend Harvey Brooks followed by Peter Quinn.

**MR. BROOKS:**

Good morning. I would like to speak in reference to the same overriding of the veto for the licensing of sign contractors in Suffolk County.

Good morning, Mr. Lindsay and members of Legislature. Again, my name is Harvey Brooks and I'm the President -- past President of the Greater New York Sign Contractors Association. I have a business in Suffolk County and I own a home in Suffolk County. My association is in full support of the pending licensing of sign contractors in Suffolk County. We feel the law would ensure the contractors installing signs would have the minimum skills to be able to read blueprints, understand

the practices and making and attachments to the buildings of structures and, most importantly, the safe practices on the job site to ensure the safety of the public.

Our industry has changed over the last 30 years. We are building and installing larger and more sophisticated signs for shopping centers and large office complexes in Suffolk County. Quality control is a must for the County to ensure the safety of the public and the workers on-site. We strongly urge you to support this law.

**P.O. LINDSAY:**

Thank you, Harvey. Peter Quinn followed by Gil Anderson.

**MR. QUINN:**

Good morning, members of the Legislature. I remain an equal opportunity political critic.

First of all, Republicans in the New York State Senate have refused to pass the 1% increase in income tax on people earning over a million dollars; that has resulted in a loss of \$1.5 billion to the State. Actually, I favored a 2% increase in the income tax, from 6.85 to 8.85 which would have raised \$3 billion for the State of New York and certainly enable Patterson not to have to hold a meeting last July and another one today to remedy and wrestle with State problems. But at the same time I'm critical of Governor Patterson for seeking to remedy his budget by imposing tax -- an elimination of State aid to school districts. Can you imagine the disaster that that will mean in mid-term to have hundreds, thousands of students throughout the State being shuffled around to other classes as some teachers get eliminated.

But I'm also concerned about Steve Ballone in Babylon Town, a Democrat whom I admire and respect, for a comment he made about bottled water by labeling our Suffolk water "pristine". I've got to tell you, from what I've been reading about some of the documents dealing with the Suffolk County Water Authority, and when I think of the number of plumes that move underground and where wells have to be moved from one place to another, where we've got creeks and streams like Carmen's River and Beaver Dam Creek and the South Shore Estuary all contaminated, and what does the Suffolk County Water Authority do? It -- when it finds that there's a well that's contaminated? It gets another nearby well and blends; that's the operative word. Blends a mixture of one contaminated well with one less contaminated so that it meets State and Federal requirements for potable water. I say that's really a crime that needs to be exposed and I'm hopeful that this Legislature will start dealing with some of the toxics in our water. Thank you.

*Applause*

**P.O. LINDSAY:**

Thank you, Peter. Gil Anderson and then -- I've got a hand-writing problem; it looks like Delia McKernan?

**COMMISSIONER ANDERSON:**

Good morning. Thank you for the opportunity to speak. I'd like to make a request regarding IR 1786 which looks to appropriate funds in connection with the rehabilitation of the Browns Creek Bridge within the Town of Islip. The resolution provides for \$75,000 in funding for the design of improvements and rehabilitation of the bridge. The legislation has been tabled for the past two Legislative meetings. I unfortunately missed the last meeting and was not able to speak, so I wanted to take this opportunity to bring this before you.

During the initial consideration of this bill, the question was asked as to whether the work required was of an emergency nature; it's not. The Department of Public Works maintains 72 bridges, 28 on Town Roads, 44 on County Roads. Thirty of the bridges are currently in various stages of rehabilitation. All the bridges within the County are safe. However, the bridge that serves County Road 65, Middle Road and is the subject of this resolution, is over 70 years old. Again, while not an emergency, there are numerous items that need to be rehabilitated. These include but are not

limited to spalling on the concrete stringers and under deck.

Passage of this resolution will allow us to make the needed repairs within a timely fashion before it becomes an emergency. Therefore, I ask that you pass this legislation so we can get on with the work that needs to be done. Thank you.

**P.O. LINDSAY:**

Gill, first of all, I thank you for coming this morning. Can you hang around? As soon as we get to the agenda I'll take that resolution out of order, because there is some questions --

**COMMISSIONER ANDERSON:**

Sure.

**P.O. LINDSAY:**

-- and I really could use your expertise.

**COMMISSIONER ANDERSON:**

Okay. Absolutely.

**P.O. LINDSAY:**

Thank you. Is it Delia?

**MS. McKERNAN:**

Yeah.

**P.O. LINDSAY:**

It is, okay. And it's followed by Noel Gish.

**MS. McKERNAN:**

Good morning, Legislators. Thank you for the opportunity to speak. Good morning, Kate. I just wanted to take a moment to acknowledge a lost life; Marcello Lucero, a beloved name as my brother's name is Marcello. I just wanted to say God be with the Lucero Family.

I'm here today to speak out about a profit-making business of sober homes and group homes. I mean, we've been here numerous times over the years, again and again and again on our sex offender issues, our over saturation. It seems that my community is way over saturated with sober homes, with group homes, with sex offenders; I represent the Smith Point community, I live in the tri-hamlet ham area. And I want to say that I believe limiting profit and potential for these landlords is not a fix-all, however I think it's a step in the right direction; I mean, we have to begin somewhere.

502 William Floyd Parkway is the poster child of problems that we have in the community and it's an example of why we cannot allow these landlords to make an abundance of money only to allow them the affordability to open two or three more homes like 502. We know for a fact that when you cluster individuals in homes such as these with no programs, incentives, critical or mental or physical care, it's a remedy for disaster. Please, let's send a message to these types of investors that making money should not supercede the health and mental welfare of people in need.

I thank you, Kate Browning, for always fighting and supporting our community. I hope that the legislation gets together and passes this as I think it is a step in the right direction and our community really desperately needs something. Thank you very much.

*Applause*

**P.O. LINDSAY:**

Okay, we have Noel Gish followed by Gretchen Oldrin-Mones.

**MR. GISH:**

Good morning. I'm speaking on behalf of the Vanderbilt. I am one of the new Trustee appointments nominated by Mr. Kennedy, and I've only been on the board for two months. I would like to take this moment, however, to publicly thank Legislators Cameron Alden, Mr. Jon Cooper and Ms. Vivian Vilorio-Fisher for your attendance at our Trustee's meeting on Wednesday of last week. It was reassuring to me as a new Trustee that the Legislature has a real concern for the Vanderbilt and a commitment to the direct, personal, straight-forward communication with the board and the operating staff.

We have an outline available, should you choose to take it, that describes the measures that we have already taken to cut that we have already taken to cut costs and emergency measures implemented to deal with the financial tsunami the past few months and some long-range plans that we hope to implement. Understand that this is an outline, a more definitive plan will be in place by June of 2009 and we are ready -- already working on those plans and you will get them. But we want to give you something today to show what we are doing and where we believe we have to go to make the museum and planetarium viable for the long run.

I want to assure you that from my novice point of view that this staff has not been sitting around eating Bon Bons in the mansion. Cost cutting measures have been going on for quite a while, there have been drastic staff reductions to lower operating budgets. There has been -- no replacement was made for the Curator of Natural History, which I think personally was an error long-term. There was an elimination of the Director of Operations position with responsibilities that are now being shared by a new Director, a new Restoration Supervisor of the Grounds Foreman and Technical Coordinator, a position of Director of Special Projects that included work on membership drives and community contacts and grant applications was eliminated and those responsibilities now fall to the position of the Director. Reservation Coordinator went from full-time to part-time and security for the Vanderbilt which was outsourced to save money in the past will come back as an in-house operation to save more money, hopefully using existing staff to handle a majority of the security needs. The new Director has been hired with a salary less than the former Director with a great increase in work and responsibilities. The total cost cuts will be \$262,000 annually from the operating budget. So they have not been sitting around waiting for Suffolk County to act.

Changes have also been made for the infrastructure, space heaters and inefficient electric heaters that serve the mansion and the museum have been replaced by new gas furnaces and by the end of 2008 the boathouse and cottage will have equally efficient heating systems. Programmable step-up and step-down computer thermostats, along with energy-efficient lighting has been installed throughout the museum complex and the planetarium now has new high-grade thermal windows to improve energy efficiency. The cottage operation was suspended in 2008, not only to save money but so that the staff can investigate a long-range revenue plan for the cottage.

We have continued to work with the BRO and the DPW to make our operations cost effective. As of November 15th, energy experts from the County estimates say that we will save 15% on energy costs and those things were not done overnight.

These are things we have been doing and yes, we need to do more. I promise you, all of you, that I will honor my commitment to the Legislature to move the Vanderbilt on the road to economic stability. I was not part of the past policy making at Vanderbilt, I did not control the endowment or the percentage on the return, but I am dedicated to make the changes necessary to keep the Vanderbilt operating. I will work with you, I will keep you informed. I will take your advice; I'm married, I take advice very well.

*(\*Laughter From Audience\*)*

I need more than happen two months to work on the board, however. I need to work with the new Trustees you appointed along with the new Director to make things happen. But I can tell you right

now that a closed facility will not receive contributions from the public, it will not receive endowments or grants, that just does not happen. A closed institution will receive no money from outside sources. We can, working together, keep this institution a viable part of the County's park system and a valuable educational resource for over the 60,000 young people who visit the planetarium and museum complex annually. Thank you.

***Applause***

**P.O. LINDSAY:**

Thank you, Mr. Gish. And thank you for your service, I appreciate that. Gretchen followed by David D'Orzio.

**MS. OLDRIN-MONES:**

Good morning. My name is Gretchen Oldrin-Mones. As a Trustee for the Vanderbilt Museum, I thank you for this opportunity to speak to you this morning.

First of all, thank you so much for your support in passing Legislator Viloría-Fisher's resolution. The devaluation of the endowment has caused the Vanderbilt to institute some immediate emergency plans such as closing to the public Wednesday to Friday which gives us a savings of almost \$200 a day. Of course, we remain open to school groups, such as this fine 5th grade, and we're open to them seven days a week and we are open on request.

Becoming financially independent has long been a goal for the Vanderbilt. This economic crisis has accelerated our efforts to achieve this goal. In the last month, positive things have happened that will help the Vanderbilt get through this crisis. First, there's a new Executive Director. Secondly, thanks to you, we have an infusion of new board members. Third, the Friends of the Vanderbilt formed and this group has tremendous potential to fundraise and to offer other volunteer services. Four, there's a new commitment by Trustees to fundraise. Mike Deloise will hold a workshop on fundraising on December 1st, and I for one will be there.

We've created new revenue by strategically raising fees. In January, site-fees for weddings will go from \$7,500 to \$9,000. December 15th, mansion tour fees will be raised from \$3 to \$5, and there are other changes that we've made in the fee structure. We've added three laser shows for the weekends. We've added two new education programs with additional planetarium shows during evenings when children and families are available. We're developing a new revenue-generating audio tour program that's funded by Rainbow Corporation. We're reaching out to regional non-profits like {Free} and businesses like Image Cycling for new partnerships and programming and visitor services. We're expanding on-line capabilities to donate and pay for memberships and ticket. We're expanding on-site prepackaged food and drinks and have renewed our efforts to provide catering services at the Vanderbilt, but we need input from the Board of Health to proceed realistically.

In the past week I have spoken to many people about the Vanderbilt, many enthusiastic people, but three of them stand out in my mind. I spoke to a young mother who praised the "Our Night Out Program". I spoke to the CEO of an expanding computer firm on Long Island, and she is a potential donor; she had just visited the Vanderbilt and was very enthusiastic about it. And I spoke to a hair dresser who read about the {whale/shark} reopening and wants to bring her entire family here over the holidays. People want the Vanderbilt to stay open. People need to have the Vanderbilt open, especially in these hard economic times when it's so important to feed the soul and the imagination. Thank you for listening and thank you for your support.

***Applause***

**P.O. LINDSAY:**

Thank you, Gretchen. And thank you for your service as well. David D'Orazio followed by Dennis Dougherty.

**MR. O'ORAZIO:**

Good morning to the Suffolk County Legislature. My name is David D'Orazio, I, too, am a member of the Board of Trustees of Suffolk County Vanderbilt Museum. And I could speak at length about the benefits that have been bestowed upon the tens of thousands of children that cross through the gates of Eagles Nest every single year, but I'm restricted to today's statements being specific in financial development and corporate fund-reaching measures in place and measures that we are enacting to move forward.

So specifically, to let the Legislature know what we are receiving in fiscal 2008 in the form of corporate sponsorships and whatnot, we have received a very generous corporate sponsorship from Arrow Electronics for a Holiday Open House from Christmas to New Year's, that week in between. It's a contribution of \$25,000 that will open the doors to everybody for free for the entire week. Empire State Carpenter's Union has contributed \$5,000 to the museum in 2008; Rainbow Corporation has also been generous enough to give us a grant of \$60,000 to develop new audio tours for the museum; it's going to be pretty exciting for people when they come in the gates. Bank of America has always been great to the Vanderbilt Museum with a grant of \$12,000 in 2008 to enable under privileged children to participate in educational programs, and they've also given us an additional \$5,000 this year donation.

Now, with regard to government grants, our Save the Americas Treasurer's Grant of \$135,000 issued in 2003 is almost done with the improvement to the Habitat House and exhibits including the restoration of the whale shark that opened in 2008. Additionally, New York State Parks and Recreation has issued a 12,000 grant -- \$12,000 grant for a new telescope for Fiscal 2008.

Our Executive Director, Carol Hart, will send out an annual appeal this month to membership for money for the museum. We've increased the seating at our Progressive Holiday Dinner in the mansion from two seatings to three seatings in December, December 13th this year. We're looking at honorees for the gala planned for September 12th, 2009. Each year of the last several years, the net income from our annual gala has increased and we're looking to push that forward every year so that we can become financially responsible in the future without the endowment.

A committee is forming to initiate a Paper Icon Program whereby people can donate money by purchasing a star, mummy, shark or write their name on a die-cut piece of paper which would then be displayed at a bank, restaurant or other site willing to support us in the fund-raising attempt. Again, the Executive Director, Ms. Hart, and a representative from our board will attend the Philanthropy Fund-Raising Conference in Uniondale on November the 21st of this year. Ms. Hart and available staff will apply more grants -- will apply for more grants and a foundation grant service is being considered where the cost of joining is refunded if no money is actually granted in three months, so it won't cost us any money to be involved in that.

I know that our board and myself welcome the Legislature with their oversight and input into long-range and short-range planning for this museum and its mission and we look forward to seeing you at our board meetings in the future. Thanks very much.

**P.O. LINDSAY:**

David, I'm not asking a question, but you mentioned a couple of fund-raisers coming up; maybe you could get us a list of them and I'll distribute them to the Legislature?

**MR. D'ORAZIO:**

Absolutely.

**P.O. LINDSAY:**

It behooves us as well, as you guys, to do everything we can to save the place.

**MR. D'ORAZIO:**

It would be my pleasure. Thank you.

**P.O. LINDSAY:**

Dennis Dougherty followed by Carol Hart.

**MR. DOUGHERTY:**

Good morning. My name is Dennis Dougherty, I'm the Chief of the Shirley Ambulance. And on behalf of the residents of the Shirley Community Ambulance, I'd like to speak in support of Bill No. 1948 dealing with windfall profits by landlords.

This is a well-needed bill and one step that we can help reduce these houses in the neighborhood. These house in our neighborhood have increased our call volume by 15 to 20% and we need to get rid of them. So this is -- I would just like to say we're in support of that bill, myself and the Chief of the Brookhaven Fire Department who couldn't be here today are in support of 1948. Thank you.

*Applause*

**P.O. LINDSAY:**

Thank you, Dennis. Carol Hart followed by Michael white.

**MS. HART:**

Okay. I hope you're getting a sense, from what you're hearing today, that there are many, many people involved in helping to save the museum. We've been working very closely with Budget Review Office, Department of Public Works, our Legislators, we've got volunteers stepping up. Our Board Members are also stepping up with an energy that is really quite remarkable.

I want to just quickly read to you one letter of the many that I've been receiving. "To Whom It May Concern, I am a 6th grade student from Garden City Middle School. I'm aware that the Vanderbilt Museum may close by the end of the year, but maybe you can consider the following. When I went to the Vanderbilt Museum there was a lot of history there; a mummy, a Spanish gate of a castle, a sun dial, the planetarium. There is so much to learn and it helps people understand more about what they did. A reason why it should stay open is because it helps people in the community, plus it makes Long Island special. Sincerely, Ryan."

It does make Long Island a special place, and this is just one of many things. Yesterday the mail came and I opened up the envelope and there was a check for a thousand dollars from one of our neighbors; no note, nothing, just a thousand dollars. So again, people are starting to realize how much this Vanderbilt Museum has meant to them in the past and the thought of losing it is helping people to move forward.

So we are asking your help, but want you to be clear that we are helping ourselves and we are getting many people from all over the Island to help us as well. We have had a long-range, strategic plan for several years now, we're updating that constantly. We are going to be revisiting that over the next few months with participation, we hope, from the Legislature, from some of our community, from staff as well as the Board Members. We have five goals currently outlined, I'll just concentrate on goal number four which is to achieve financial and institutional stability and includes many of the efforts that some of our trustees just mentioned; to expand marketing efforts, to look at catering and follow the kinds of programs that I know all of you want us to look at. And I just finally want to talk about the importance of our planetarium Goto Projector. This project is a long-time in coming, but we are this close to getting there. The minute that the planning money is released, the RFP is here, it's ready to go out. It's a very long RFP, it's a complicated project, but it's going to be my focus in the next year because it's the planetarium that is really going to make the difference to our bottom line at the Vanderbilt and to the people of Long Island. So thank you.

*Applause*

**P.O. LINDSAY:**

Thank you, Carol. Another old friend, Michael White, followed by Debra Alloncius. Hello, Michael.

**MR. WHITE:**

Good morning, Mr. Presiding Officer and members of the Legislature. My name is Michael White, I'm the Executive Director of the Long Island Regional Planning Council. As we -- first of all, I want to thank you for your continuing support of the council. And as we advance to our full function as a council, we look forward to continuing communications with the Legislature, reporting to the Legislature and certainly your input on all of our work.

Today I am here specifically to support the appointment of Mayor Paul Pontieri of the Village of Patchogue to be on the council; this is Resolution 1877. Mayor Pontieri certainly holds the traits and the record of accomplishments in the Village of Patchogue that we need to help us do our work in the council. His appointment will indeed complete the council. We have all of our At-Large members, we have a supervisor from each County, and with Mr. Pontieri's appointment we'll now have a Mayor from both counties. So I request your favorable action on that resolution today. Thank you.

**P.O. LINDSAY:**

Thank you, Michael. We have Debra followed by Catherine Caballeri (sic). Debra, I have a note here that it's your birthday today?

**MS. ALLONCIUS:**

Yes.

*Applause*

And I wanted to thank you all for that wonderful birthday present that I got in Newsday this morning about the good faith effort on behalf of the County Executive.

**P.O. LINDSAY:**

How does it feel to be 21?

**MS. ALLONCIUS:**

Oh, I wish. Don't I wish. Don't we all wish. But anyway, my name is Debra Alloncius, I am AME's Legislative Director. I stand here before you on behalf of Cheryl Felice who is home with a stomach virus, and she wishes terribly that she could be here but she -- I do not expect her to be anywhere within the next 48-hours.

We thank the Legislature for the spirit shown throughout this long and arduous process and know that it has been a bone of contention for many of you. Raise taxes, don't raise taxes, keep the nursing home open, you know, don't layoff the staff; we understand and feel your pain. But know that we will be there through thick and through thin and we will get this place and will turn it around and will make it a money maker. I'm asking all of you to let your constituents be aware that we have the Tri-Care Health Plan in place and to actively pursue any and all members of the Armed Services who may be -- avail of the services there .

I really hope that we have reached a turning point with the nursing home. I know public hearings are going through with the full intent to sale, but I know in my heart that we need to take care of these residents there. We can't leave them, you know, sitting on egg shells, it's a terrible place to be. We need to give them some sense of security, and I think you have all done that in a very unified spirit and collectively I think that we can all make this work.

We have pledged our support to the Legislature in creating a panel to work with the -- with the Legislature and hopefully with the County Exec's Office in making this a more profitable venue. Actually, if it could become a profitable venue I'd be very happy, and if it doesn't, it's still the obligation of the County Executive and the Legislature to provide for the health and safety of the people there and I do think that's the spirit of your intent. Thank you very much, and I'm very

happy, again. Best birthday present I've had in years.

***Applause***

**P.O. LINDSAY:**

Okay. Catherine, followed by Kathy Liguori.

**MS. CARBALLERRI:**

Happy birthday.

**MS. ALLONCIUS:**

Thank you.

**MS. CARBALLERRI:**

Good morning, Presiding Officer Lindsay and Members of the Legislature. My name is Cathy Carballerri, I'm a social worker in Suffolk County, I'm a member of the National Association of Social Workers. I'm a Doctoral student at Stony Brook University, School of Social Welfare, and I'm also the President of the National Association of Social Workers with Latinos and I'm a member of the Anti-Bias Task Force.

As a social worker, we focus on strength-based approaches. And I am, like all of us today -- and I stress the "us" -- horrified by the recent murder by our children of Marcelo Lucero, a beloved son, brother and community member. Let's focus on ways of reaching out and healing the community. I propose we start with three good-faith actions or concrete areas that we can address immediately to resolve our County immigrants' double-bind; that double-bind predicament meaning damned if you do and damned if you don't.

The first is that I think it's time, given the climate here and given the recent work of Professor {Emelio Torrez} and Adelphi University, of looking at how our immigrant community is a viable economic force. In Professor {Torrez's} Adelphi University report, he says that immigrants had an estimated 7.5 billion in buying power in 2006, adding 10.6 billion to the Island's total output and generating an estimated 82,000 jobs. Immigrants contributed \$2,305 more per resident to local revenues than they receive in local expenditures on education, health care and corrections. So I think it's time that we have day labor sites for day laborers, let's look at that.

The second concrete measure that I would like to propose is that crime victims should have immunity to report the crimes that have been committed against them. As a social worker working with families and children, I know first-hand, and a lot of social workers in the community are aware that there have been many, many more beatings, rapes and violations of the Latino community than have been reported. People don't want to report them because they get picked up and deported, they disappear, they no longer exist here in Suffolk County.

And the third area that I'd like to really consider is the children. As you know, I've spoken to you several times before about children's rights in this County and children are having difficulty registering. Parents come in, their children, and they're told that they have to have this notarized, they have to have this from their landlord, etcetera, etcetera; it's impossible for them to get into the school system. These are children, many of whom, as I've talked to you before, not only residents but they're citizens. We need to be able to service them, get them into the schools, get them to have a good education.

The other issue that I want to talk about today is that a reprieve on anti-immigrant sentiment should not mean that other vulnerable populations, such as Native Americans, should be the next target of this County. And I feel that --

**P.O. LINDSAY:**

Catherine, you have to wrap up. You're out of time.

**MS. CABALLERRI:**

Yeah. As the Rabbi mentioned, in the spirit of tolerance we have to remember what the first Thanksgiving meant here. As any child can tell you, eight to 10,000 years ago the original residents of Long Island were the Indians at the {Poospatuck} Reservation who are now being sued by this County. Thank you.

**P.O. LINDSAY:**

Kathy, followed by Sonia Palado-Grottola (sic).

**MS. LIGUORI:**

My name is Kathy Liguori and I'm representing the Child Care Providers of Suffolk County. The words that I speak to you today come from the heart of the providers, the children and the working parents, and I just wanted to say thank you to all of you for your support to the child care. Thank you.

**P.O. LINDSAY:**

Thank you, Kathy. Sonia followed by Steven Laskoe.

**MS. PALACCIO-GROTTOLA:**

Good morning. My name is Sonia Palaccio-Grottola and I'm so happy to see all these children here, because I know they're going to go back and study the lessons that they learn today by seeing all of you as role models and all of us as wanting them to talk about tolerance and reducing racism and talk to their other students, their other friends and their parents. I'm sure they're going to learn a lot today.

But I'm representing the National Association of Puerto Rican Hispanic Social Workers. I was -- I'm following my President, Cathy Carballerri and I'm also under Social Justice Center Committee at Stony Brook University and I'm a member of many associations. But I'm here to plead with all of you that I never want to see another anti-immigrant bill come out of this body. It's been too many years that I've been coming here. I'm 75 years-old, I'm a 45 year resident of this County and I've fought over and over again against English-Only bills, against bills that said, "Don't stand, while you're Latino, on the corner", no more -- "you can't speak your language".

This is a wonderful country and everybody wants to be here. We know that we can't take in every person from the world because everyone loves the United States, but the ones that are here we have to work with. I mean, why didn't we learn our lesson in the year 2000 when two Mexicans were almost killed and then a family was fire-bombed. There was a mother, a father and children in that house; that family is still traumatized and receiving therapy. And then the children now that are being traumatized because the Police go in in the middle of the night and raid these homes all over Long Island, it's still happening. So many children are traumatized in schools and the parents are afraid to report to the Police.

This nonsense that there are no bias crimes in Suffolk County is ridiculous because I work with immigrants that say, "I'm afraid to go out at night because I don't have papers and they might pick me up and then who's going to feed my children and how are we going to pay the rent if I don't work?" So a lot of immigrants are very much afraid to come out and say -- talk to the Police because of what's been happening in Suffolk County.

But I implore you, each and every one of you, not to write another bill that is anti-immigrant, or perceived to be anti-immigrant, and to instead work with us. Social workers are willing to help you, we're willing to sit down at like anti-bias committees, which I am a member of with Rabbi Moss, and we want to work to reduce tensions and build a stronger, beautiful community for these children. Thank you very much.

*Applause*

**P.O. LINDSAY:**

Steven Laskoe followed by Tim Ryan.

**MR. LASKOE:**

Good morning and thank you, Presiding Officer Lindsay and Members of the Legislature. My name is Steven Laskoe and I'm here representing the public in my role as Chair of the South Brookhaven Advisory Council. I'm asking you to at least maintain the level of funding that you submitted to the County Executive. I'm not sure at this point whether or not there were any vetoes that affected it or any changes that would have affected it, but I'm asking you at least to do that.

Last week -- was it last week? I guess it was last week at the Health Committee we heard a presentation concerning a Federally Qualified Health Center designation as an idea being put forth by a community leader, Reverend Cloverdale, and a community organization, LIONS. I wasn't aware of that when I spoke to you at that time. I said at the time, "This is a good idea, possibly, because it can open up new avenues of funding." The sense that I'm getting, though, however is that we -- you, us -- we are all lurching from issue to issue in our attempt to try and maintain a quality delivery system and maintain a level of care and support to our community that we feel is appropriate.

What I'm proposing to you at this point is that we take a more measured approach to resolving this issue. I'm proposing that you, the Legislature, the County government, the County Health Department, partner with us in the community, both the public and the providers as well as the insurance carriers, as well as the educational entities such as SUNY Stony Brook, which is also a major health care provider, in hosting a conference, the purpose of which would be, as they used to call it a retreat, but we'll call it paradigm planning. We have to create a new paradigm for health care on Long Island.

We have an opportunity, any time there's adversity we have an opportunity, keep our heads when others are losing theirs. There was an expression, "When in trouble, when in doubt, run in circles, scream and shout"; we don't want to do that, we don't want to do that. And we don't want to continue to lurch from issue to issue. What we want is a measured response to a very difficult problem that has plagued this country for a very long time.

I look back as to why the initiative in 1994 by Hillary Clinton failed; it failed because she misjudged the complexity of the issue she was addressing and she brought the foxes into the hen house. She asked the insurance carriers and others to be involved in solving the problem, that's not going to work, not alone, they need to be a part of the process. But everybody has to be willing to check their turfs and their egos at the door and work on solving this program.

So I'm asking you to participate in a planning and advisory conference that will address the needs of health care on Long Island. We have the opportunity to create a beta site; what that is is a demonstration project for a proto-type of what can be a national health plan. National health is one of those things that's scary to people because they think it's communism, they think it's socialism. Let me debunk that a little bit. If you take a look just on Long Island on where the health care dollars are coming from, over 80% of them are currently coming from one or other of the government entities, either directly from Medicare and Medicaid, directly as a result of the premiums being paid by government to employees, etcetera. So if you take that number, we already have a socialized system but it's disorganized and profit driven. No one should be making a profit off of the health needs of our consumers.

*Applause*

**P.O. LINDSAY:**

Thank you, Steven. Tim Ryan followed by Linda Ogno.

**MR. RYAN:**

Good morning, Ladies and Gentlemen. Thank you for this time to speak with you. I'm here to speak on behalf of the EMS Fire Services in the tri-hamlet area. At an impromptu meeting last night, I was very undemocratically elected to come and speak to you in reference to the bill that is going to be laid before you through Kate Browning, Ed Romaine and Jack Eddington, and I want to thank those individuals sincerely for their consideration and time.

We all know what we're facing in the tri-hamlet area. I've been in EMS over 45 years. I've gone into these houses, we've seen the degradation, there are two people suffering, two classes suffering here; your constituents, the people who are trying to raise their families, and the people that are put into these houses to enrich certain individuals, and only those individuals, they, too, are victims. They don't want to live in that degradation, we don't want them to live in that degradation. We need your help. Does this bill solve the problem? No, it doesn't, it won't. But at least the people in the tri-hamlet area will at this time see that somebody is trying to do something and not let us sink into this terrible, terrible abyss that we're going to very quickly.

We at EMS, and myself personally, can tell you, there's a building, 503 which the young lady spoke of, but there are hundreds of other buildings. One of them was the former post office for Mastic Beach. A private owner bought it, four apartments on the first floor, four apartments on the second floor; the third floor, which has no CO for human habitation, has two apartments in it. No fire system connected to the fire services and the Town of Brookhaven Fire Safety Division has a court order against them so they can't come in and shut the property. There's something wrong with the system. When we can allow Social Services and others -- and I'm not picking on Social Services, but they are a big part of our problem in our community. When we're, allowing Social Services and other organizations who receiving organizations, who are receiving government money, our taxpayer money to flout the law, not investigate whether the house, the structure is legally allowed to have the occupants that they have.

***[THE FOLLOWING WAS TAKEN AND TRANSCRIBED BY  
LUCIA BRAATEN - COURT STENOGRAPHER]***

When we allow that system to prevail, we're all guilty of it, everybody on this dais, everybody out in the community that has allowed it to happen. It's got to stop. The night one of these buildings goes up, and sooner or later, it's only a matter of time, when those buildings go up and there's a massive loss of life, it will be, "Oh, my God, we didn't know, this is terrible." We all know it's there, you know it's there, I know it's there. And I'm sorry if you think I'm getting emotional, but I am. I've seen it. I've worked 40, 45 years in this community as a volunteer and I've seen nobody take any action. This bill is a beginning, only a beginning. And until we rein in the organizations that make money on the degradation of our citizens, all of our citizens, until we do that, we've not -- we're not capable of walking the streets and saying hello to each other. Thank you.

***(Applause)***

**P.O. LINDSAY:**

Thank you, Tim. Linda, followed by Robert DeBona.

**MS. OGNO:**

Good morning. My name is Linda Ogno, proud worker of John J. Foley and the Unit President. I wanted to thank this body for their support at Foley, and I'd like to thank you on behalf of the residents who always come and ask me daily what's going on.

On a personal note, I always thought myself politically savvy. I've always voted, tried to keep myself well-informed. But, as I sat here the last eight months, I must have been sleeping, because I really had no idea how everything worked. And I'm really happy to say that I'm proud of how our

government works. And I don't plan to be sleeping anymore, I plan to keep myself well-informed and coming here as often as possible, and have my family informed and my friends, because I think too many people are sleeping out there and don't know what's going on. And I just wanted to thank you again for your support.

*(Applause)*

**P.O. LINDSAY:**

Thank you, Linda. Robert, followed by Deborah McKee.

**MR. DEBONA:**

Good morning, and thank you. My name is Robert DeBona. I'm the President of the Mastic Beach Property Owners Association, one of the largest and oldest Civic Organizations in the Town of Brookhaven.

I'm here today in support of Legislator Browning's proposal, I.R. 1948. This resolution, which targets those landlords receiving multiple payments from the Department of Social Services for housing individuals, the practice of taking large numbers of public assistance recipients and profiting from the taxpayers' money is unacceptable and must be regulated. This legislation would prevent landlords who are doing business with the Department of Social Services from taking large profits on a single-family home.

As the President of the Association, I receive dozens and dozens of calls every day -- not every day, every week, rather, from residents in Mastic Beach concerned about their area. There is no reason in the world that Mastic Beach doesn't look like the Hamptons or Bellport. We have just as beautiful waterfront community with large marinas that we maintain, and the Mastic Beach Property Owners Association takes care of their area. And we last year broke our Town up into ten small districts as it was purchased years ago, and now we have section captains and these captains are up and down the streets reporting the trash and unregistered vehicles, and doing the job of the Town of Brookhaven to make sure that our area gets cleaned up.

So we're doing our job and we're asking the Legislature to, please, pass this bill. This is, again, the first step into bringing our community back in. Everyone talks about quality of life and everyone's for quality of life, but, unfortunately, we don't get what we need. When you hear mothers call up and say, "You know, I have four children outside and they can't play because the house across the street is loaded with undesirable people," whether they are or not is not up to me to make that judgment, but it's an unsafe living environment. And, again, for everyone who says we're all for quality of life, I ask you to, please, take a real good look at this bill and pass it. Thank you very much.

*(Applause)*

**P.O. LINDSAY:**

Thank you, Robert. And, Deborah, before you come to the mike, I'm going to make a motion to extend the public portion.

**LEG. BEEDENBENDER:**

(Raised hand).

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

Second.

**P.O. LINDSAY:**

Seconded by Legislator Brian Beedenbender. All in favor? Opposed? Abstentions?

**MS. ORTIZ:**

Sixteen.

**P.O. LINDSAY:**

Okay. Deborah, followed by Lisa Votino-Tarrant.

**MS. MC KEE:**

Good morning, and thank you for this opportunity. Deborah McKee of AME. I'm here on behalf of Cheryl Felice and all of our members. I speak in support of I.R. 1920 for a new position in the Suffolk County Police Department's Aviation Sector. This is for a Helicopter Mechanic Supervisor. Currently, we have four Aviation Mechanics with over 100 years of training and experience. They have all the FAA and FCC certifications necessary to maintain our fleet of helicopters, and our safety record is second to none. They keep our fleet ready and available to perform the Police mission and to serve our County residents with much needed MedEvac Services. These services save lives.

We have a tremendous investment in the four civilian mechanics in this Division. They perform a critical service to our County without compromise to security and safety. In these times of financial uncertainty, maintaining this Division and filling this position makes fiscal sense without compromising that safety and our security.

Thank you for understanding that the health and safety of our Police pilots is of the utmost importance, and AME hopes for a speedy passage of this bill. Thank you. Applause.

*(Applause)*

**P.O. LINDSAY:**

Thank you. We have Lisa, followed by Maura Spery.

**MS. VOTINO-TARRANT:**

Good morning, everyone. I'm Lisa Votino with Long Island Wins, and I'm going to kind of diverge from the statement that I said.

I've been wearing this pin now since last Thursday, and it says, "I am Marcello." Unfortunately, it's spelled wrong because nobody could quite understand whether it was two L's or one L. But everywhere I go people stop me and they keep asking me "Why?" "What can be done?" "How did this happen?" And the sad part is I don't really have answers for them, so I'm going to read my statement.

I, like many others in this room, have attended countless press conferences, forums, vigils and services this past week to somehow come to grips with the murder of Marcello Lucero whose only crime was to look a certain way and be walking to a friend's house on the night of November 8th.

The last week has been difficult and emotional. I'm angry, angry that I'm mourning -- in mourning for a man I never met and now will never have the chance to. He is one of thousands of people that Long Island Wins and other groups have tried to speak at the Legislature on behalf of, those who have worked on the ground in immigrant communities the last few years have come before you to try to explain the discrimination the average immigrant and/or Latino, because they are two separate things, were facing on a daily basis here in Suffolk County. Each passing month we worked hard on initiating dialogue that might be able to diminish the tasteless rhetoric that has seemingly become acceptable and appropriate at times in this room. There is a difference between debating immigration policy and dehumanizing a group of people that look a certain way.

Long Island Wins held a series of forums before this tragedy to try and bring people together to discuss different issues pertaining to immigration. With the exception of one Legislator in this room, none of you showed. All of you were invited. You were faxed, you were E-mailed and you were called, every single one of you.

It's time for those of us in Suffolk County to get our heads out of the sand. The damage has been done. We are already too late, but working together we can diminish the chances that anything like this will ever happen again on our watch, because it's not just yours and it's not just mine, it's all of us in this community. Sadly, I feel that any words I speak now or in the future will never be enough. A family has lost a son and a brother, and they lost him for the worst reason possible, because of how he looked. We can't go back in time and that's why I'm not pointing fingers at anyone. That's why I'm here again pleading with you to, please, contact us and sit down. Ask us how you can get involved. There is a lot of community healing and building to be done after this hate crime and we need to work together now more than ever.

In the beginning I handed Renee a stack of my business cards. I'm going to ask her that she passes out one to each and every single one of you. It has my cell phone on it. You can get me 24/7. So, if you have any questions or you want to get involved, or you just want to open up a dialogue, we are here and we really want to work with you.

*(Applause)*

**P.O. LINDSAY:**

Maura, followed by Kathy Malloy.

**MS. SPERY:**

Hello. My name is Maura Spery. I'm the Chair for the Quality of Life Committee with the Mastic Beach Property Owners Association. I'm here in support of Kate Browning's legislation to prevent windfall profits by landlords doing business with the Department of Social Services. Kind of seems like we shouldn't need that, but -- you know, what I said last week about this was we heard a lot about accountability and transparency in the months coming up to the past elections, and here is a clear showing of how we're not getting any accountability and we're not getting any transparency. Our tax dollars in the situation with Social Services are completely being misspent and misappropriated. The clients who we're supposed to be serving, our money, you as the Legislature are supposed to be serving, are not being served. A lot of the times what's happening is we have overcrowding. We have absolutely no inspections. The Town of Brookhaven, as you know, probably we wouldn't need this legislation if they were doing their job, they're not. Everybody seems to wash their hands of the problems we have.

So, speaking specifically about this, there is kind of de facto hotels and motels, which is what we think this program is supposed to try and get us out of. But what's happening are these slumlords are basically hotels and motels, and they kick these people out during the day, they're in the woods, they're on our streets, they're with our children, drinking, doing drugs, doing illegal activities. You know, we've become kind of Pilgrim State just over a little more square footage, and it's unfair to the taxpayers, it's unfair to our community who is unfairly burdened. I mean, I could go on about the saturation, I could go on about the dumping, but, basically, this is one small step to protect our community, because we're the only ones, the citizens, the taxpayers.

You know, we're not against these people, we're not against the sober homes, we're not against group homes, we're not against people on Social Service. You know, we in our community are probably one step away from being that ourselves, so we are more than willing to work with these people and to work with the clients, to work with the County, to work with the Town, but, at this point, nobody's ready or willing to work with us. And I strongly, strongly hope that all of you will, please, support this legislation and help us to help ourselves, and help these clients these programs to help their-selves and not have this money going where we have one home where it's -- you know, it should be thirty-five hundred dollars for a single-family home, the guy's getting \$14,000.

And lastly, I just want to say, environmentally, putting people in our community, which has a super low water table, where we're getting overcrowding in houses that have insufficient septic systems, which is your -- is on you guys, is Suffolk County. So, for your clients to be putting ten people in a house that should maybe have five with one septic ring is destroying the Forge River, is destroying

the narrows, and is destroying the Great South Bay. So, please, I urge you all to please, please, say yes to this legislation. Thank you.

**P.O. LINDSAY:**

Thank you, Maura. Kathy. Kathy's coming up, and then followed by Michael O'Neill.

**MS. MALLOY:**

Good morning. My name is Kathy Malloy. I'm a 30-year County worker and I represent AME, but I'm here today for a personal reason. I am just here to say thank you.

We just celebrated my mother-in-law's 80th birthday on Sunday at her home at the John J. Foley Skilled Nursing Facility. It gives our family great comfort that Mom is in such a wonderful -- a safe and wonderful home and cared for by the exceptional and great AME workers at John J. Foley. Some day you'll be where I am right now and you'll know what I mean. Thank you very much, every one of you.

*(Applause)*

**P.O. LINDSAY:**

Thank you, Kathy. Michael O'Neill, followed by Dr. Valenzuela.

**MR. O'NEILL:**

Hello. I am the Co-Chair of the East Hampton Anti-Bias Task Force. And I also want to thank the Legislature for standing up and stopping the sale of the John J. Foley. You are to be congratulated.

*(Applause)*

I hope, also, that you can now stand up to our County Executive and say no to anymore of the perceived anti-immigration bills that have been put through this body. Over the years it's been quite noticeable that you people have bristled at the term "racism", when it has come up, with a kind of, "What, me?" exasperation. But every single Latino group that has come up before you have told you how they have felt harmed and hurt by these laws that you refuse to acknowledge are deeply racist under a cover of law and order, under this exquisite concern for unlawful activity. When we see massive unlawful activity such as driving over the 55-mile-an-hour speed limit, for some reason no one hears a word of this, of this great concern.

I know that you understand these hardworking immigrants are a great boon to our economy, and have expanded and enriched our community. And in the light of the terrible inexplicable evil that has occurred in our community, known throughout the nation, I think and I hope that this body might consider to take measures for themselves, such as doing a two-day retreat with Elaine Gross and her Erase Racism Program to synthesize people and ourselves to the biases that we all have. And I think a lot of this unfortunate activity that panders to the loudest, the rudest, and we know his hysterical anti-immigration nativism will no longer appear. Thank you.

*(Applause)*

**P.O. LINDSAY:**

Okay. Dr. Valenzuela.

**DR. VALENZUELA:**

Distinguished Ladies and Gentlemen, good morning. Thank you for the opportunity to allow me to share a couple of words with you.

Lucero means bright star or morning star, and we pledge to you that we will not let that light die,

but we ask you to join us in making Suffolk County an example to the nation of what inclusiveness means. For too long we had been on a path of no return. The type of divisions that we've experienced should be something of the past. Take a step forward, resolve not to pass, support, introduce anymore bills that have anything to do with immigration. Leave immigration to the Federal Government. Resolve to pass a resolution in the name of Lucero that demands that the Federal Government take up this issue immediately. We are not going to let Lucero die in vain.

When I look at these beautiful children here, you need to set an example for them. When I walk through the streets in these last couple of weeks, the number of people who have said they've been victims of hate crimes and have been afraid to come up and speak, it's incredible, it's unbelievable. People, you need to get on with it. Make Suffolk an example to the nation of what inclusiveness means. Stop the hate.

*(Applause)*

**P.O. LINDSAY:**

Okay. And the last card I have is a Delegation from Mrs. Divine's class. It wants to talk about the Vanderbilt. And it's Jack, and Jack, and Jamie, and Emma, and Jacqueline, right? Come on up, kids. Renee, maybe you could just put the mikes in front of them, because I don't -- and let them sit at the table, because I don't know whether they can all reach the other mike.

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

They're all taller than Renee.

**MS. ORTIZ:**

Thanks. Thanks.

**LEG. BEEDENBENDER:**

Wow.

**P.O. LINDSAY:**

Wow, cheap shot.

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

Well, look at them, they're big kids.

**P.O. LINDSAY:**

Go ahead, you can sit down. You can sit down and just pass the microphone back and forth and tell us in 20 words or less why we should keep the Vanderbilt.

**LEG. ALDEN:**

Or maybe they want to say we should get rid of it.

**P.O. LINDSAY:**

Maybe.

**MR. RICHARDSON:**

Hi. I'm Jack Richardson from E.J. Bosti. Thank you for this chance to speak. I'm hear in the C-Quest Program and I went to the Vanderbilt Museum with my family. I had a great time and it would be a shame to not be able to go back to the Vanderbilt Museum anymore.

**P.O. LINDSAY:**

Thanks, Jack. Next.

*(Applause)*

**MS. O'DONNELL:**

Hi. My name is Emma Odonnell. I go to Idle Hour Elementary School and I'm a part of the C-Quest Program, which is here. I've heard a lot about the Vanderbilt Museum here and I would like to state that I went there for a field trip and it was great. It would be a shame to see it go. I also know the Third Grade teachers at my school want to go there for field trips in the future. We would all be upset if we couldn't go there anymore. Thank you.

**P.O. LINDSAY:**

Thank you. And I didn't realize, I thought you were all from Bosti. I didn't realize we had a delegation from Idle Hour, too. Anybody else want to talk? Okay? Okay. Thanks, guys.

*(Applause)*

All right. That concludes the cards. Is there anyone else in the audience that would like to address us under the public portion? Seeing none, I'll take a motion to close the public portion --

**LEG. ALDEN:**

Motion to close.

**P.O. LINDSAY:**

-- by Legislator Alden, seconded by Legislator Barraga. All in favor? Opposed? Abstentions?

**MS. ORTIZ:**

Seventeen. (Not Present: Leg. Losquadro)

**P.O. LINDSAY:**

Okay. What I'd like to do is while Commissioner Anderson is here, I'd like to take I.R. 1786 out of order, and it's on -- if you're on the paper side of it, it's on --

**MR. NOLAN:**

Seven.

**P.O. LINDSAY:**

-- Page 7. Page 7, under Tabled Resolutions. And I will make a motion to approve.

**MR. LAUBE:**

Wait. No, you need the motion.

**P.O. LINDSAY:**

Yeah. Let me make a motion to take it out of record. Do I have a second?

**LEG. ALDEN:**

Second.

**LEG. EDDINGTON:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

Okay. And we're down -- the last resolution on Page 7, 1786 - Amending the 2008 Capital Budget and Program and appropriating funds in connection with the rehabilitation of various bridges and

embankments. And I'll make a motion to approve.

**LEG. COOPER:**

Second.

**P.O. LINDSAY:**

Second by Legislator Cooper. On the question, Legislator Alden.

**LEG. ALDEN:**

Now, Gil, you -- in the public portion you gave a little bit of testimony why we should actually pass this. What else does it entail, just -- is it just that one bridge?

**MR. ANDERSON:**

Yeah, this is specific to that one bridge. It's for design of improvements to bring the bridge -- you know, make repairs that are needed, basically rehabilitate the bridge.

**LEG. ALDEN:**

And you say it's not in a situation where it's going to fall down tomorrow, but this would address the safety concerns that you've uncovered in inspections?

**MR. ANDERSON:**

Correct.

**LEG. ALDEN:**

Thank you.

**P.O. LINDSAY:**

Anybody else? It's in my District and I would appeal that we approve the money to rehabilitate the bridge. The bridge is very old, it hasn't been worked on for a long time, it isn't a big bridge. And I've also had an appeal from Deputy County Executive Jim Morgo, because he rides over it on his bike, and he says it sounds creaky, so I don't go that way anymore.

**LEG. ALDEN:**

Motion to table subject to call.

**P.O. LINDSAY:**

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

**MR. ANDERSON:**

Thank you.

**MR. LAUBE:**

Seventeen. (Not Present: Leg. Beedenbender)

**P.O. LINDSAY:**

And the accompanying Bond Resolution, 1786A, same motion, same second, roll call.

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

**P.O. LINDSAY:**

Yes.

**LEG. COOPER:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. STERN:**

Yes.

**LEG. GREGORY:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. BARRAGA:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. EDDINGTON:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. BEEDENBENDER:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. ROMAINE:**

Yes.

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

Yes.

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

Okay. I have one announcement and then we'll decide where we're going from there. At 12:30 today we're taking the Legislative picture.

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

Yes.

**P.O. LINDSAY:**

So, please, nobody leave early. And, kids, if you really want to see something funny, hang around for the picture. Do you feel comfortable, do you want to do the vetoes now?

***[Affirmative Response]***

**P.O. LINDSAY:**

Yeah, okay. Okay. What I'm going to refer to is there's voluminous documents as far as the particular vetoes, but Budget Review has spent a number of time last night working up a spreadsheet. Does everybody have that? So I'm going to work off of that, just that it's easier in organizing the whole thing.

Okay. If you look to the far left column, you'll have a column that says, "BA Number," that's Budget Amendment. And we can do this in a couple of ways and I want to take a vote on it. We could take the vetoes individually by -- on the sheet and vote on each one, or what I'm proposing, that Budget Amendment Number 1 be taken in its entirety.

**LEG. LOSQUADRO:**

I'll make that motion, Mr. Chairman

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

I'll second that motion.

**P.O. LINDSAY:**

Motion by Legislator Losquadro to take it in its entirety, seconded by Legislator Viloría-Fisher. Does anyone --

**LEG. BARRAGA:**

I'd like to make a motion that they be taken individually.

**P.O. LINDSAY:**

Okay. And Legislator Barraga is making a motion that they be taken individually.

**LEG. D'AMARO:**

I'll second.

**P.O. LINDSAY:**

And that's seconded by Legislator D'Amaro. On the question. Anybody want to talk?

**LEG. LOSQUADRO:**

Yeah.

**P.O. LINDSAY:**

Legislator Romaine.

**LEG. ROMAINE:**

Yes. At some point, as we vote on whether we do these individually or collectively, I'd like to ask Counsel if any of these veto overrides in any way, manner, shape or form has anything to do with the John J. Foley Nursing Home --

**LEG. HORSLEY:**

Yes.

**LEG. ROMAINE:**

-- which would prevent me from casting a vote, since I will recuse myself if it does.

**MR. NOLAN:**

Do you want me to address that now?

**P.O. LINDSAY:**

Yes.

**MR. NOLAN:**

Okay. Actually, I conferred with the Budget Review Office this morning. Apparently, all the Budget Amendments that had to do with the Foley Facility are not part or subject to the override votes. They were --

**LEG. ROMAINE:**

So I can cast my vote without a recusal on all veto overrides?

**MR. NOLAN:**

As there is nothing in any of the override votes that impact Foley, yes, you can vote.

**LEG. ROMAINE:**

Thank you.

**P.O. LINDSAY:**

Legislator Losquadro.

**LEG. LOSQUADRO:**

I just want to point out that the motion that I made is to take the group for Budget Amendment 1, not every veto in here, but to do each Budget Amendment together. I think that will just make for a cleaner process. So it would not be the entire document, it would be as the Presiding Officer had said, to do it by Budget Amendment. I don't know if that's agreeable to anyone, but --

**P.O. LINDSAY:**

Okay.

**LEG. LOSQUADRO:**

-- that's the motion that I made.

**P.O. LINDSAY:**

That's what we're debating now. Legislator Barraga.

**LEG. BARRAGA:**

The motion I made was to take each individual veto, not by group, each individual veto. And the reason I'm making the motion, I've seen in the past here, I think I recall with Suffolk Community College there was a group of four or five vetoes, we took them as a lump, yet, there was some members, a few members who might have wanted to sustain some of the vetoes, but were put into a position where they had to cast one vote for the entire four or five. This is the same scenario, if you take it up by group, by number, you got 8 or 9 or 10. Just take them up individually and cast your vote.

**P.O. LINDSAY:**

Legislator D'Amaro.

**LEG. D'AMARO:**

Yes, thank you. I also thank Legislator Barraga for those comments. In fact, I have a bill that's pending in the Ways and Means Committee that would require all veto overrides to be considered individually. We are bundling the veto overrides. I think it's not the right way to go. I think what we should be doing is casting our votes individually on each veto giving us the yes or no decision on

whether or not to proceed with a spending or a revenue item. I think it's appropriate to do it that way, so that's why I seconded his motion.

**P.O. LINDSAY:**

Legislator Kennedy.

**LEG. KENNEDY:**

Thank you, Mr. Chair. On the debate whether to go individually or not, as usual, I guess I have a generalized question for Budget Review. And I attempted to go through the vetoes last night, but considering that we received the 246 pages at about five minutes to five, I was only able to make it through about an hour or so before another commitment.

Can Budget Review give us an overall indication of how much was identified as vetoed, as compared to what we did with the overall budget? We're asking to act on overrides, but it's unclear to me what was not vetoed by the County Executive and what was. Can BRO give us just a general sense of --

**MS. VIZZINI:**

Generally speaking, there were 49 numbered documents. Approximately -- this is off the cuff. Approximately 10 of them pertain to the mandated omnibus, another 34 pertained to the discretionary omnibus, and the remainder pertained to individual stand-alone resolutions. The nursing home was not vetoed, so the restoration, the 4.5 million dollar increase in the General Fund and the restoration of the positions, was not vetoed.

**LEG. KENNEDY:**

Now, the first eight documents I read, though, spoke specifically to John J. So, even though what I was reading spoke about override, it really, in fact, wasn't vetoed?

**LEG. BEEDENBENDER:**

Legislator Kennedy, it's just a title.

**MS. VIZZINI:**

It wasn't signed, but it was a pocket approval.

**LEG. KENNEDY:**

I'm sorry?

**MS. VIZZINI:**

It was a pocket approval. It wasn't signed, but in -- the words that were used were, "As a good faith effort," the -- it was not vetoed, but it was fairly clear in the veto message that the public hearings and the desire of the County Executive would be to liquidate this asset in some way, shape or form in 2009 to benefit 2010.

**LEG. KENNEDY:**

Were there any other of the large items? The Police class, take for example, the Police class was vetoed?

**MS. VIZZINI:**

The Police class was vetoed, despite the fact that the Legislature was criticized for not providing recurring revenue. The recurring revenue that you did provide in the form of a modest increase in taxes was vetoed, as was the need for the additional 80 Police Officers.

**LEG. KENNEDY:**

So the increase in the Police District levy was vetoed, as well as the officers.

**MS. VIZZINI:**

That's correct.

**LEG. KENNEDY:**  
The six Sanitarians?

**LEG. ROMAINE:**  
Vetoed.

**MR. REINHEIMER:**  
Vetoed.

**MS. VIZZINI:**  
The six Sanitarians were vetoed. Apparently, there is no need for the additional staffing. The veto message indicates that the recommended budget adequately prepares -- adequately provides for the services that will be provided.

**LEG. KENNEDY:**  
I don't want to continue this for my personal edification, but, unfortunately, I think the only way that I'm going to be able to understand what was taken out by the County Executive would be to go item for item. I'd support going, not a generalized override, but going item by item.

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

**LEG. ALDEN:**  
In the spirit of let's give as much information as possible before we go through this, I'd just like to refresh my recollection. We voted on Budget Amendment Number 1 item by item or in its entirety?

**P.O. LINDSAY:**  
In its entirety.

**LEG. ALDEN:**  
I don't recollect a lot of dialogue on any of the issues that have appeared here in front of me now as far as being vetoed. So we took it in its entirety at first, there was not a lot of discussion on these items, and now we want to discuss whether we want to go item by item with it? I just find that a little bit different.

**MS. VIZZINI:**  
Mr. Presiding Officer.

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

**LEG. ALDEN:**  
And in the -- I'm not going to waste a lot of time either, but I'm going to just -- we might actually need a recess so that -- so we could take a look at some of these things, because I'm a little perplexed at how somebody or anyone could vote one time for all of these, and now that -- without raising anything as far as a question on it, and now we have a situation where, you know, there's different information or there's a question on some? I'm a little bit perplexed. Thank you.

**P.O. LINDSAY:**  
Ms. Vizzini, you wanted to comment on --

**MS. VIZZINI:**  
Yes, just that I wasn't sure if I answered Legislator Kennedy's question. He actually asked me what was not vetoed. If you'd like, we have a printout of what was approved and what was pocket-approved. A lot of the reductions were approved. Some restorations not involving -- you

know, some restorations of positions were approved. If that would help, we'll be happy to print that out, but --

**P.O. LINDSAY:**

Okay.

**LEG. KENNEDY:**

Mr. Chairman.

**P.O. LINDSAY:**

Okay. What I -- all right. I was going to say I'd like to move this along, but Legislator Romaine.

**LEG. ROMAINE:**

Just one question for Budget Review. If we take these items one by one and some go up and some go down, does that create the possibility of creating an imbalance in the budget since they were considered as a whole? By considering them separately, will we create an imbalance in the budget by doing such?

**MS. VIZZINI:**

The imbalance would be addressed by a corresponding increase or decrease in property taxes.

**LEG. ROMAINE:**

Okay.

**P.O. LINDSAY:**

Legislator Montano.

**LEG. MONTANO:**

Just so I'm clear, Gail, this Budget Amendment 1 was the omnibus budget amendment. These are the items that were put together by the members of the Legislature that were working on the budget, working Operating Committee, or working Operating Committee, whatever you want to call it, the Working Group?

**MS. VIZZINI:**

Yes. As you know --

**LEG. MONTANO:**

This was what was put together by the group?

**MS. VIZZINI:**

Yes. Budget Amending Resolution 1 was the mandated portion.

**LEG. MONTANO:**

Okay.

**MS. VIZZINI:**

Budget Amending Resolution No. 2 was the more extensive discretionary portion.

**LEG. MONTANO:**

Discretionary, okay.

**MS. VIZZINI:**

Taken together, they constituted the omnibus put together by the direction of the Working Group.

**LEG. MONTANO:**

Okay. Thank you.

**P.O. LINDSAY:**  
Legislator Kennedy.

**LEG. KENNEDY:**

Mr. Chair, I was -- what Ms. Vizzini spoke about would be helpful to me personally. And, as Legislator Alden spoke about, if we could have an opportunity for a couple of minutes recess just to look at that, I'd be happy to come back. I don't necessarily want to suffer all of my colleagues to go item by item when, in fact, this is something that there were many, many hours with the Working Committee that you chaired to put together in the first instance and a lot of consensus. My request really is just for an underlying degree of information, and I may be able to satisfy with a simple five or ten-minute request.

**P.O. LINDSAY:**

I'll be happy to grant a short recess, but let's just finish -- I mean, we're debating process now; all right? Legislator D'Amaro, did you want to add something?

**LEG. D'AMARO:**

Yeah, just two points. One, just to respond to Legislator Alden, the reason why I would support taking them individually is because the process includes veto messages that have now been issued. So we have an opportunity to read those messages and determine on an individual basis whether or not we want to agree with that message or not. That's the purpose of me wanting to take them individually.

But I also wanted to ask Budget Review Office very quickly, does the bill that was -- or the omnibus amendment, did that increase or decrease spending over the amount of the proposed budget submitted by the County Executive?

**P.O. LINDSAY:**

Well, you know, just the obvious, it had to increase spending. I mean, it absolutely increased spending over what was proposed --

**LEG. D'AMARO:**

Well, I recall --

**P.O. LINDSAY:**

-- by the County Executive.

**LEG. D'AMARO:**

I recall in the Working Group being told by the Budget Review Office, unless I misunderstood, that given -- we had also made some cuts and that --

**P.O. LINDSAY:**

And we also increased some revenue.

**LEG. D'AMARO:**

Right, understand. And, as a net result, that this budget as amended decreased spending as compared to the County Executive's proposed budget, and I wanted to know whether or not that was the case or if I misunderstood that.

**P.O. LINDSAY:**

I don't know how that could be possible, because between the Police class that he didn't have in, the 280 employees that he was going to layoff at J.J. Foley, the few positions we added in 911, the few positions we added in Probation, and probably another 150 positions that were brought as stand-alones for Social Services for the food stamps that was requested by the Executive Branch, because they're funded positions, I mean, if you just wanted to look at a bottom line, it has to increase. The question is, is there offset revenue for any part of that, or offsetting cuts, you know,

and with the Social Services positions, they were all 100% funded positions, so, yeah, we're increasing the cost of government, but we've also increased proportionately the same amount of revenue as it applies to those positions.

**LEG. D'AMARO:**

Yeah, I appreciate that, Mr. Presiding Officer. And, also, some of that revenue -- some of those increases in spending were in the mandated section of the budget as well, and that was 100% funded, let's say, by Federal pass-through funds and what have you, but --

**P.O. LINDSAY:**

And I'm talking in general, both sides.

**LEG. D'AMARO:**

Yeah, I understand that. Perhaps, then, my understanding was that some of the Budget Review Office recommendations that the Budget Amendment included reduced spending, but that, as you're explaining, overall spending was not reduced beyond what the County Executive proposed in his Operating Budget. So I can live with that, I think it's a solid budget. Thank you.

**LEG. BARRAGA:**

Can I ask one quick question?

**P.O. LINDSAY:**

Legislator D'Amaro -- Legislator Barraga.

**LEG. BARRAGA:**

Gail, if you add up all the vetoes, what's the dollar figure associated with them?

**MS. VIZZINI:**

The person who knows that answer best is making copies for Legislator Kennedy's request, so if you can just give me a minute until Lance comes back.

**LEG. BARRAGA:**

Sure.

**MS. VIZZINI:**

We were analyzing this until late last night, you know. Or I could defer to the Budget Office, because they also have a schedule of the total sum of their vetoes.

**LEG. NOWICK:**

Bill.

**P.O. LINDSAY:**

Legislator Nowick.

**LEG. NOWICK:**

It's my understanding, Mr. Presiding Officer, that what we're debating now is whether or not to take this as a whole.

**P.O. LINDSAY:**

That's correct.

**LEG. NOWICK:**

Okay. That's --

**P.O. LINDSAY:**

Well, actually, what we're debating now is whether to take Budget Amendment Number 1 as a whole

or the individual vetoes.

**LEG. NOWICK:**

Or Budget Amendment Number 2 as a whole --

**P.O. LINDSAY:**

Well, then we get to 2.

**LEG. NOWICK:**

-- and so on.

**P.O. LINDSAY:**

Yeah.

**LEG. NOWICK:**

And I would say, having sat on the Budget Committee and worked hour after hour after hour, and disagreed on a few things, agreed on a few things, and came up as one, we voted on the budget as one, I believe that that's the way we should take the veto messages, 1, 2.

**P.O. LINDSAY:**

Okay.

**LEG. NOWICK:**

Budget Amendment 1, 2.

**P.O. LINDSAY:**

Okay.

**LEG. NOWICK:**

And it's just -- we agreed.

**P.O. LINDSAY:**

Do you have an answer yet, Ms. Vizzini?

**MS. VIZZINI:**

Yes.

**P.O. LINDSAY:**

Go ahead.

**MS. VIZZINI:**

This will respond to Legislator D'Amaro's question in terms of the net impact of the mandated and the discretionary, and it will also respond to Legislator Barraga's request in terms of the impact of the vetoes.

**MR. REINHEIMER:**

The sum total of the mandated and discretionary omnibus resolutions was a sum set of zero increase in spending. The discretionary resolution increased spending or increased appropriations 4,554,472. The mandated omnibus was a negative in that amount, so the net between the two of them is zero.

**LEG. D'AMARO:**

Can I just understand that, Lance?

**MR. REINHEIMER:**

Sure.

**LEG. D'AMARO:**

Mr. Presiding Officer, if I could. Just -- so are you saying that the net result of the budget amendment is a zero increase in spending over what was proposed by the County Executive?

**MR. REINHEIMER:**

As far as increased revenues and expenditure reductions and increases, the sum total is a zero impact.

**LEG. D'AMARO:**

A zero impact.

**MR. REINHEIMER:**

Correct.

**LEG. D'AMARO:**

That was my understanding from the Working Group as well. Thank you.

**MR. REINHEIMER:**

And then, I think to answer the second half of your question, the sum total of the County Executive's vetoes for the mandated and discretionary omnibus resolutions results in a net reduction of 318,971.

**P.O. LINDSAY:**

Okay. Legislator Montano.

**LEG. MONTANO:**

Yeah. I just want to be clear. You're saying that --

**P.O. LINDSAY:**

I don't think your mike's on.

**LEG. MONTANO:**

We're on. This figure that you just gave, Lance, 318,000, that's the -- would you explain that to me again so I get this?

**MR. REINHEIMER:**

Correct. The mandated and discretionary omnibus resolutions, if they were to -- the vetoes were to be sustained, and the sum total of what the Legislature did and what was vetoed would result in -- the discretionary resolution would be a reduction of 481,340. The mandated side would be an increase of 162,369. The sum total of those two resolutions would be a reduction in property tax of 318,971.

**LEG. MONTANO:**

Oh, a reduction in the property tax.

**MR. REINHEIMER:**

That's the vetoes.

**LEG. MONTANO:**

Okay.

**MR. REINHEIMER:**

That's as if everything is as were sent across yesterday.

**LEG. MONTANO:**

All right, that's the difference. It's the reduction in the property tax, not the reduction in terms of -- or not the dollar amount of items that he vetoed; am I correct in that.

**MR. REINHEIMER:**

That's correct. It's not -- it's sum total of vetoing revenue enhancements, spending reductions, spending increases. The balancing part is property tax, so it would be a reduction in property tax.

**LEG. MONTANO:**

Right. But I thought I understood the question, and, if not, maybe I'll ask it. What is the sum total of the vetoes that the County Executive laid out? Do we have that figure, because I saw --

**MR. REINHEIMER:**

Well, this is a --

**LEG. MONTANO:**

I saw on T.V. there are 40 million or 4 million, I really couldn't get it. So I'm just curious as to what the sum total was. I thought that was the question that Legislator Barraga asked.

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

That was the question.

**LEG. BARRAGA:**

It was the question.

**LEG. MONTANO:**

All right. Well, then, did you get your answer?

**LEG. BARRAGA:**

No.

**LEG. MONTANO:**

All right. Because, if you did, I didn't hear it. What's the answer?

**MS. VIZZINI:**

Well, there was a press release that -- and I'm not sure if it was attached to the vetoes or not, but it was attached to the press release.

**LEG. MONTANO:**

Who sent the press release?

**MS. VIZZINI:**

The Executive's Office. And, basically, the number that you're quoting, the 42 million is taking what was done in 2009 and fast-forwarding to 2010.

**LEG. MONTANO:**

Oh.

**MS. VIZZINI:**

For example, if you added 80 Police Officers at the last quarter of the year, or even if you added them in December of 2009, the cost is considerably less than for 80 officers in 2010. However, that number was not reduced by any of the retirements or any of the other savings, it was a projection into 2010.

**LEG. MONTANO:**

Okay. In terms of substantiating those numbers, I would definitely defer to the Budget Office.

**P.O. LINDSAY:**

The Budget Office is at the microphone.

**MR. POLLERT:**

Yes. With respect to the veto, the veto would both reverse the tax increase in the Police District and would also result in a reduction of property taxes. So, in total, it would reduce what the Legislature had done by the 6.9 million dollar increase in Fund 15, plus it would result in a combined decrease of the \$318,000 that was mentioned by the Budget Review Office. So, in the aggregate, it is a reduction from what the Legislature had approved, a 6.9 million dollar property tax increase in the Police District, plus it would also result in a tax reduction of \$318,000 from what was originally proposed by the County Executive.

**LEG. ROMAINE:**

Mr. Presiding Officer.

**LEG. D'AMARO:**

Bill, can I ask a question?

**P.O. LINDSAY:**

Legislator Romaine, and then D'Amaro.

**LEG. ROMAINE:**

Yes. Good morning, Mr. Pollert.

**MR. POLLERT:**

Yes.

**LEG. ROMAINE:**

Could you tell me how many Police Officers scheduled to retire, have retired, or will retire, estimated to retire throughout December 31st of 2009?

**MR. POLLERT:**

The budget was predicated on a retirement rate of approximately 80 this year and 80 next year.

**LEG. ROMAINE:**

And what the County Executive has proposed in his budget and by his veto is that none of those that are retiring would be replaced, or how many would be replaced under his proposal?

**MR. POLLERT:**

The 2008 and 2009 budgets do not contemplate the hiring of any new Police Officers because of redeployments that put more Police Officers on the patrol function. So the 2008 and 2009 budget do not contemplate any new hirings.

**LEG. ROMAINE:**

So we would decrease the amount of Police Officers by approximately 160 by December of 2009; is that correct, under your estimate?

**MR. POLLERT:**

The total number of officers would be decreased, the total number of officers on patrol would not be decreased. There would be an increase -- currently, there is an increase in the number of officers on patrol through a variety of both the actions of civilianization, as well as redeployment of personnel to patrol functions.

**LEG. ROMAINE:**

I've heard the civilianization argument and just my experience has shown that it really hasn't produced much in the way of Police Officers on the street. Reports that I've seen have said that

civilianization, very few jobs have been civilianized that has resulted in more Police Officers on the street. So I'm suspicious of that based on previous reports that I have received. I'm concerned about patrols, I'm concerned about response times, I'm concerned about a whole host of things. I'm concerned even about the 911 operators, which we have numbers of vacancies on, but, as Legislator Kennedy so aptly pointed out, when we got a Federal grant, we decided to blow a hundred grand of it on PR that was given to a Democratic National Committeeman from New York State. So I am concerned about how we spend money for public safety that we are actually getting dollar for dollar the amount of money that we should be and that we have adequate protection for the Police District.

This is probably the first time in Suffolk County history that we're going to see a decrease in Police Officers in terms of staff and patrol because of the way that they're being deployed. I have concerns about that as well. As you know, I represent the very eastern end of the Police District, and response times there, because of the length of distance in Manorville and Calverton, have not been as prompt as we would wish. Thank you.

*(Applause)*

**P.O. LINDSAY:**

Legislator D'Amaro. Did you want to --

**MR. ZWIRN:**

Yeah. I would just say that some of the comments Legislator Romaine had stated are simply not true. Clearly, when there was a Federal lawsuit in place, we didn't hire a Police class for several years going back. With respect to 911 operators, the system is working fine. And if Legislator Romaine believes there should be 80 more Police Officers before the end of the year, he can -- he can vote for the tax increase.

**P.O. LINDSAY:**

It isn't before the end of the year. The Police Officers would be on the street in 2010 if they're added to this budget.

**MR. ZWIRN:**

Correct. I meant before the end of '09. They're coming into --

**P.O. LINDSAY:**

No. They would be in the Academy in '09.

**MR. ZWIRN:**

The Academy in September, right.

**P.O. LINDSAY:**

They wouldn't be on the street until 2010.

**MR. ZWIRN:**

Correct.

**P.O. LINDSAY:**

And I -- you know, I don't mean to get into a debate on this. We're still talking about substance here of how we're going to address this, but the whole issue about civilianization, I would buy it if the civilian population in the Police Force was going up as well, but it isn't, it's going down. You guys must be doing this with smoke and mirrors.

*(Applause)*

**MR. ZWIRN:**

Well, some of it was through an early retirement incentive. Some of the people left at that point.

**P.O. LINDSAY:**

I know that, Ben, but people are still people, whether a civilian or a sworn officer, both are plummeting. Who's doing the job? Don't get me started. D'Amaro, Legislator D'Amaro. I'm sorry.

**LEG. D'AMARO:**

Yeah. Well, you know, it kind of gets me started as well. I feel like we're playing a shell game here. You know, the County Executive has consistently said, "If you're going to put more police in our neighborhoods and our streets, well then pay for them," and we do that and it then gets vetoed anyway. And, frankly, Mr. Pollert or Mr. Zwirn, I don't know if you want to address that today, but I'm disappointed in that, I'm very disappointed. You know, I represent my District, I have my ear to the ground in my District, I know what's going on in my District, and we do need more Police on our streets and that's why I'm supporting this.

*(Applause)*

And to have that vetoed by the County Executive I think is not the right direction to go with this Police Force.

**P.O. LINDSAY:**

Legislator Losquadro.

**LEG. LOSQUADRO:**

Thank you. And I was just going to state a couple of points that were already made, but I think it's worth restating that this budget, I think, was very well crafted. We put a lot of time and a lot of effort into looking at some things in a very global scale and some things at a very microscopic level. And when we looked at the Police District and we saw the real numbers, saw, as the Presiding Officer pointed out, that civilian numbers are down, I have long said that this is just a simple matter of accounting. If you say you have 150 less and you have 150 more patrolling, then you reassign 300 people. And if we don't have the civilians to accomplish that, then where did we move these people from? It's just -- as the Presiding Officer said, it's a matter of bodies and we still don't know where they came from. I think this is prudent.

As we pointed out in the press conference that we held, this is simply a matter of only partial replacement. The numbers that we have put forward regarding the Police Department have consistently been conservative. The number of retirements in actuality that we've seen have been higher than our estimates year after year. And I think to put this class of 80 in the budget as we did was the responsible course of action to protect the safety of the residents of Suffolk County.

*(Applause)*

**P.O. LINDSAY:**

Legislator Kennedy.

**LEG. KENNEDY:**

Thank you, Mr. Chair. I equally am in support of this class. And I hear about the redeployment that Mr. Pollert spoke about, as far as trying to replace what were going to be the 160 retirements, but that doesn't speak to what's going on with our Detectives. Unfortunately, it's been, from what I've been able to find out, almost a year since we've had new Detectives that are made, that come from the ranks as well. And, unfortunately, or fortunately, it's the Detectives that are doing that investigatory work, particularly when it comes to narcotics and drug use, something that's been very much on the mind in my Legislative District, with over 300 people assembled just two weeks ago talking about the increase in the prevalence of heroin. So I don't think that it's irresponsible or unwarranted at all to try to address citizens' concerns for public safety by bringing on less than half of what the normal rank of retirees are, letter "S", looking at the increase for the specialized

enforcement in homicide, and arson, and narcotics. I think it's the least that I can do in order to try to meet their public safety needs. I'm in support of it.

*(Applause)*

**P.O. LINDSAY:**

Legislator Beedenbender.

**LEG. BEEDENBENDER:**

Thank you, Mr. Chairman. I just want to ask a couple of questions of BRO and then just a quick comment. Gail, just to refresh everybody in the audience and everybody at the Legislature, if we were to override all of the vetoes of the omnibus, so we get back to the budget that the Legislature adopted, what is the status for the General Fund, zero percent increase, right? Actually, a tiny, tiny bit of a cut, I think.

**MS. VIZZINI:**

Yeah. It's the same as was presented by the County Executive.

**LEG. BEEDENBENDER:**

Okay. So there's an infinitesimal cut there.

**MS. VIZZINI:**

Yes.

**LEG. SCHNEIDERMAN:**

It's flat.

**LEG. BEEDENBENDER:**

It's flat, okay, so it's zero. And the Police District increase, which, as a result of us adding 80 Police Officers, which I think there's been some acknowledgment may not even be enough of a complement and will not even be on the street until 2010, that increase is lower than it's been in years; is that correct?

**MS. VIZZINI:**

Yeah. It's a 1.57% increase that would generate 6.9 million dollars. It's the lowest probably in the past decade.

**LEG. BEEDENBENDER:**

Okay.

**MS. VIZZINI:**

Average.

**LEG. BEEDENBENDER:**

Thank you. And I guess the reason I asked those questions is because I, too, am confused when I hear that I'm an incredibly big spender and things like that. And I do agree with some of the things Legislator D'Amaro said, that --

**P.O. LINDSAY:**

Brian, who said that, your girlfriend?

**LEG. BEEDENBENDER:**

You know, Bill, I'm trying to make a profound point here.

**LEG. SCHNEIDERMAN:**

So is Bill.

**LEG. BEEDENBENDER:**

The problem is I think she might be listening. But my point is that I think what we've done -- like Legislator Losquadro said, I think what we've done is responsible, we're providing Police Officers that are needed. And I guess, you know, I, too, have struggled with the numbers. It's difficult to know the extent of civilianization, how effective it's been when -- I think Legislator Eddington has said this in the past, "Can I get just one piece of paper with some numbers on it?" And regardless of whether or not that's true I think we're going into a time period where property crimes will increase. As Legislator Kennedy said, I was at the meeting with them last week, because part of the my District shares the problem that Legislator Kennedy is experiencing, and even if civilianization and all these programs are good, I think this might be a time period where we do need more Police Officers. So I think we've addressed the Nursing Home, which if -- I'll take the claim of being a spender to save that. And we've addressed the Police problem, and just a day care issue, which we'll do later, and a whole host of other -- food pantry and service needs that in this economic time are going to be not even enough. So I would just urge my colleagues to support --

**P.O. LINDSAY:**

Legislator Alden.

**LEG. ALDEN:**

I looked at this budget as a global attempt at a solution of what maybe was a financial crisis, even though today I'm not convince of that because I watch as we spend 18 million dollars of the public's money on a piece of property out in Montauk where 80 something percent of the property is already owned by the public. It confuses me then that we would be willing to spend that kind of money and then continue what they -- a cry that we have a financial crisis.

I also have been sitting here and I overlooked -- not overlooked, but was willing to accept this in its whole, this budget as a solution, even though the DARE Program, which did work, it had Police reach out to children, the age of the children that are sitting here, and it was a successful program, I've seen those officers taken out of that program, Suffolk County stopped the DARE Program. We also transferred the duty of patrol from the Sunrise Highway and the L.I.E., we shifted that burden away from the Police District onto the Suffolk County Sheriff. And I watched the numbers come out and I also am amazed at the amount of trickery or smoke and mirrors that can be used to say that there was a savings, because Budget Review, and if I ask you the specifics right now, I don't know if we want to get into it, but the specifics are that the savings that were announced in these, whatever you want to call them, press releases or press conferences, was exaggerated. And maybe if you took the savings over 152 years, you might have almost got to the numbers that were talked about. But what the actual happening was a shift from Police expense to Suffolk County Sheriff expense.

So I've watched a number of those things, and I also watched something and I voted for it, which -- you know, I'm not all that proud that I did, but the last five resolutions that we approved at our budget hearing last -- it was only a month ago, less than a month ago, it was announced to us that this was no cost. Well, that's an absolute fabrication, that's a lie. The money that paid for our portion of that came from a reduction of the amount of money that we have available to pay for our gasoline, and our heat, and our light for all of next year. And if people think that price is going to continue to decrease over the next year, you're smoking something that's weird, because I think we're going to feel and the people of Suffolk County are going to feel some real pain on the price to heat their homes and to turn on their lights.

The other thing that I'm really disappointed in, and we haven't even -- we haven't even debated it, if you go back, just go back five, six, seven years ago, the amount of money that people were paying, and this is money to keep people in their home, on their home energy was 10 million dollars to Suffolk County on the home energy tax. Do you know what the number is today? It's over 80 million dollars that the people of Suffolk County paid to us so that we can balance the budget. That's 80 million dollars comes out of their pocket, 80 million that could be used for food, for

clothing, for medicines. Eighty million dollars more comes out of their pocket to go to us in taxes. So to say we have no tax increases, that's -- again, that's smoke and mirrors. And I really debate anybody from the -- if somebody wants to come up and tell me that I'm wrong from the Budget Office, please, come up and tell me I'm wrong. But I looked at all those things and I decided that this budget, because it did contemplate putting more cops on the street -- are we putting enough cops on the street? No.

And, right now, I represent a fairly safe area of Suffolk County, and I'm seeing, as others here have mentioned before, an increase in heroin use, an increase in burglaries, increases in rapes. I'm really perplexed at how we're going to accomplish really compressing those numbers and stopping that without a Police Force, because if you don't have cops riding around, and we don't have cops riding around in our -- in the DARE -- well, you don't have DARE anymore, but in our COPE Units, most of those officers, they're not in COPE, they're backfilling positions in sector cars. We haven't addressed that. How many police are we going to actually put in the class, 80? Is that what we called for? That doesn't even replace the number that are going to retire next year. That's pathetic. We don't live up to the law.

The law states that for "X" amount of acreage that Suffolk County buys, you're supposed to have Police Officers, and those are Park Police Officers. They're supposed to patrol those areas to keep them safe, so that the people of Suffolk County are able to go and enjoy those areas without getting mugged and without being victims of crime. Well, we don't even live up to that ratio. And this budget included a step in the right direction and that's why I looked at it as a global solution to a very, very terrible problem, but there's a lot of compromises in it, and that's why I would just support one vote. You could take this whole page, make one motion, one vote. We did it already. We voted that way just a couple of weeks ago. I don't see what changed. Thank you.

*(Applause)*

**P.O. LINDSAY:**  
Legislator Eddington.

**LEG. EDDINGTON:**  
Thank you. Just for a quick lesson for the kids today, you heard the word "lies". We don't use that, we use distortion of information and number juggling. So --

**LEG. ALDEN:**  
Thanks, Jack.

**LEG. EDDINGTON:**  
-- I just wanted to clarify that. What I've learned as a past educator in my three years here is that people give information from their perspective and sometimes are overzealous in trying to make their point. But I think, as the Chair of Public Safety, I don't even have to make a point that we need more Police.

You know, I did get lots of paper after I had asked -- and Legislator Beedenbender is right, I would like to get one set of information so that I could go by it, but with all the juggling I get lots. And then what I've done in the last year or so is I just stop Police Officers. I go and talk to bosses. I stop crossing guards and I ask them, "How's it going?" And to a person I hear, "We need more help on the streets."

Now, I'm the Legislator for the Seventh Legislative District where the devastating tragedy took place in Patchogue. I'm calling on the Police right now in here to put more enforcement in that area. Dr. Valenzuela for the first time, he's been here many times, but when he spoke today I saw emotion and care, not for the group he represents, but the people that are being attacked. And now I'm having people come up to me and telling me that they've been confronted and were quiet. We have now an area that we know there's problems going on and I want the Police there. I don't want to

hear about we've got more numbers. I want bodies and I want to see them walking the streets and patrolling Patchogue first and then the rest of Suffolk County, so that this can be the safest, really, truly, not just in writing, but truly the safest County. And I'll feel safe when I can ask a Police Officer, "How's it going," and he's saying, "We're on top of it." So I'm voting for 80 more Police Officers.

*(Applause)*

**P.O. LINDSAY:**

Legislator Barraga.

**LEG. BARRAGA:**

Thank you. I will not be voting for 80 more Police Officers. In fact, I'll be voting to sustain every one of these vetoes, and the reason is that I really feel that we are in a strong economic recession, globally, regionally, in the State of New York and in this County. Right now, as I speak, there isn't one County employee who has lost their job. Whether you're a clerk, or secretary, or you're in management, or you're a Police Officer, everyone still has a job.

And I have some experience in a level of government that years ago didn't really take control of their spending habits and were forced to lay off people, to fire people, to terminate them. You don't want to go there. You don't want to go there. If there's an opportunity to control spending, do it. Just yesterday -- every time we meet, week to week, something else happens nationally and somehow I think the message doesn't quite get here. Yesterday alone Citibank laid off, or said they were going to lay off, 53,000 employees, IBM is going to let 60,000 go. We're about to bail out the automobile industry. Apparently, the Legislative session in Albany is not working too well and they'll have a deficit of close to 15 billion dollars. This Governor came forward and he's advocating this year alone to cut education 580 million dollars, and next year 980 million dollars. If nothing happens this year, it will be a billion five -- \$1,500,000 just in education alone. Health care, social services, this thing is a tsunami going downhill. Anything you can do here to stop the spending you should.

I'm not winning any friends with the Police group on this or anybody else, but these are not normal times. Every individual who speaks, say on this class of Police, they make sense. It makes sense, but economically it doesn't. I don't want to come back here six months, nine months, twelve months from now because things have gotten so bad. There's no one out there, no accountant you speak to that says this is going to be alleviated in 2009. Most likely, this recession goes through 2010, and I have to come back here and face votes, maybe laying off cops, or laying off anyone else, or raising taxes when my people, the people that I represent in the Eleventh, are hard-pressed.

Things are very, very difficult out there. What this government shouldn't be doing is further exacerbating what we know is coming and will continue to come through the next 15 to 18 months. So I don't disagree with anyone who has spoken about the need for Police. All I'm saying in that particular class, and I mentioned this before, hold off a year. Stand down for one year until we get some visibility as to where the heck we're going here, and we don't know. We haven't got an idea and no one else does either. Just flip on CNBC or anybody else, the top economists in this country. I might as well go out and get the first guy on the street, it could be just as solid information. No one really knows where this nation is heading, and it's going to affect us here, it's going to affect local governments. Things that you aren't even thinking about will come from Albany or come from the Federal Government and they will have possibly a devastating effect on this County. What we can control on the spending side at this time we should.

**P.O. LINDSAY:**

Legislator Gregory.

**LEG. GREGORY:**

I respect my colleague's comments about not voting for a Police class, but I have to disagree. We are in a tough economic time, I think everyone will agree with that. But we'll also, as we look and

read in the papers, we'll see that the economic crisis is not ending. We also read in the papers and see in the news that crime has increased. We had the incident in Patchogue, we had the incident in Mastic. We had a couple of incidents in my District, in our schools. Particularly, I'm concerned that these incidents are related to our young people. So crime is on the increase and we need more Police Officers, that's a given.

I'm not too satisfied with the numbers that I see in the streets. I gave -- in the Public Safety meeting, I gave a personal situation that happened to a friend of mine, where a friend of hers was held hostage at gunpoint for three hours. Three hours it took the police to respond, three hours. That tells me we don't have enough police on the street. That's not an isolated incident. I'm not being political, I'm just trying to be realistic.

All studies show that when the economy goes down, crime increases. We need more Police. I'm not kowtowing to the Police Unions or anybody else, I'm just being realistic, because I see it every single day. I had a woman in my office who complained about an incident right next to her where the Police, you know, they don't have -- they don't have the troops on the -- in the neighborhoods and the communities to respond in a timely manner and it's going to -- I just wanted to protect Suffolk County so that it doesn't get to the point where it's out of control. You know, it's already going to take until 2010 for us to resolve this issue? We need to -- you know, public safety is our number one issue. We need to address that. We did it in a responsible way. No one favors increasing property taxes, but we're doing it in a way that we're being responsible and we're paying for those officers.

And just a general statement about the budget. You know, the Presiding Officer had mentioned at the last meeting that, you know, we shared the pain. A lot of groups got cut. It's not a budget that, you know, anyone's totally thrilled with, but we made cuts. And, again, I respectfully disagree with you with the County Executive's proposal for early retirement. We have less people on staff than we did the beginning of last year, so we did make some cuts. Yes, not in 2009, but we're less staffed at the beginning -- now than we were at the beginning of the year. So we are making those cuts and there was an agreement that we won't backfill those positions. You know, we're doing the best that we can. We know that the worst possibly may be ahead of us, but I think, overall, we put forward a good budget. I don't see anything in the veto messages that should change our reasoning in what we did. Thank you.

*(Applause)*

**P.O. LINDSAY:**

Legislator Losquadro.

**LEG. LOSQUADRO:**

Thank you. And I just want to point out, I know we keep going back to this point, but I just want to point out a simple fundamental truth which I raised during the Working Group, which is the fact that the overall salary line for the Police budget is not stagnant. When we have those retirements they come off the payroll. So, if 160 people retire and you only replace 80 of them, well, then that's 80 salaries that you're not paying. So this is just, again, just simple accounting. And there seems to be an overall lack of basic accounting principles being put forward in press releases that we see. I just want to point out some of these basic truths here.

The number of officers we have is going down, that is indisputable. To not have these officers available come the middle of 2010 I think will be a tremendous mistake and one that would take years for this County to recover from in terms of the effects on public safety, especially in a time where all the trends that we're seeing and the latest statistics we're seeing is that crime is up, yet another indisputable truth.

**P.O. LINDSAY:**

Legislator Stern, hopefully, the last comment so we could get on with process.

**LEG. STERN:**

Yeah. Thank you, Mr. Presiding Officer. You know, Legislator Barraga is absolutely right when he says that given the current climate, that there are an awful lot of things that we don't know. You can turn on the television and what you come to understand in the morning has changed dramatically just later on that afternoon. So there are an awful lot of things that we don't know and we certainly can't predict how it's going to be in 2009 and through 2010. What I do know is that this Legislature, over the past year-plus, has been proactive. I do know that we've made difficult decisions along the way and have not crossed our fingers and waited with hope that things would change. So I do know that we look at everything that we do in a proactive manner and we act accordingly.

I also know that we just went through a budget process where we defined our priorities, our role as County government, what we think is most important, what we think are things that might need to wait for out-years, but we worked together to determine what our priorities were going forward. And I also know that public safety is our top priority. It is what we do and it is what we are expected to provide. I also know that as I walk through the communities that I represent and I knock on literally hundreds or even thousands of doors every year, that there's been a pretty dramatic change just in the time that I've been here, and public safety becomes more and more of a concern. And we can take a look at moving targets and statistics, but, ultimately, what we hear from our constituents, and we go out and we knock on their doors and speak to them within their communities, we know. We know what the situation is and we certainly know what the trend is. I also know that while we wait to see what may or may not happen with our economy going forward that we don't have the luxury of waiting this next year in providing public safety. The increase in public safety and our Police is something that I am certainly happy to support.

**P.O. LINDSAY:**

Okay.

*(Applause)*

What I'd like to do, we have 12 minutes before we break for lunch. I'd like to get the vote in on process, all right? And we have two resolutions before you, or two motions before you. I believe, Mr. Clerk, one is to take Budget Amendment Number 1 in its entirety and vote it up or down, or the second option is to take it as individual vetoes, so -- am I correct?

**MR. LAUBE:**

You are correct.

**P.O. LINDSAY:**

Okay. And the entire -- the one to take it in its totality was first?

**MR. LAUBE:**

Correct.

**P.O. LINDSAY:**

Okay. So let's take that vote first, and if that is approved, then it certainly makes the second one a moot issue. And did you want to comment, Legislator Montano?

**LEG. MONTANO:**

No I just -- I'm sorry, I stepped out of the room. I had a question. If we approve the first resolution, the second one becomes moot.

**P.O. LINDSAY:**

Correct.

**LEG. MONTANO:**

If we don't approve the first and we don't approve the second, what happens?

**P.O. LINDSAY:**

We drop back and --

**LEG. MONTANO:**

Why are you smiling?

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

We'll cross that bridge when we get to it.

**P.O. LINDSAY:**

We drop back and punt.

**LEG. MONTANO:**

I thought we were supposed to make noise. Who said that, jump up and make noise or pound on the table? All right.

**P.O. LINDSAY:**

Okay. Roll call on the first to take the Budget Amendment Number 1 in it's entirety.

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

**LEG. LOSQUADRO:**

Yes.

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

Yes.

**LEG. ROMAINE:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. BEEDENBENDER:**

No.

**LEG. EDDINGTON:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. BARRAGA:**

No.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. GREGORY:**

Yes.

**LEG. STERN:**

No.

**LEG. D'AMARO:**

No.

**LEG. COOPER:**

Yes.

**P.O. LINDSAY:**

Yes.

**MR. LAUBE:**

Fourteen.

**P.O. LINDSAY:**

So Budget Amendment Number 1 is before you. Would you like me to read the individual clauses?

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

No.

**LEG. MONTANO:**

No.

**LEG. LOSQUADRO:**

I make a motion to override.

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

Motion to override.

**P.O. LINDSAY:**

Okay. All right. We have a motion to override by Legislator Losquadro and a second by Legislator Viloría-Fisher. Counsel, you want to comment?

**MR. NOLAN:**

I just want to clarify that this motion is to override all of the various items that were vetoed in Budget Amendment Number 1.

**LEG. MONTANO:**

Twelve votes.

**MR. NOLAN:**

Ten votes to override -- twelve votes to override.

**P.O. LINDSAY:**

Okay. Anybody want to comment on it or we're talked out? Roll call.

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

**LEG. LOSQUADRO:**

Yes to override.

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

Yes.

**LEG. ROMAINE:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. BEEDENBENDER:**

Yes.

**LEG. EDDINGTON:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. BARRAGA:**

No.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. GREGORY:**

Yes to override.

**LEG. STERN:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. COOPER:**

Yes.

**P.O. LINDSAY:**

Yes.

**MR. LAUBE:**  
Seventeen.

**P.O. LINDSAY:**  
Okay. If you go to the second page of the sheet, 2 of 8, the same thing, we have Budget Amendment Number 2, and I am going to make a motion that that be voted on in its entirety.

**LEG. ALDEN:**  
Second.

**LEG. LOSQUADRO:**  
Second.

**P.O. LINDSAY:**  
Seconded by Legislator Losquadro. Is there any other motions or discussions? Seeing none, all in favor? Opposed? Abstentions?

**MR. LAUBE:**  
Eighteen.

**P.O. LINDSAY:**  
Budget Amendment --

**D.P.O. VILORIA-FISHER:**  
Motion to override.

**P.O. LINDSAY:**  
-- Number 2 is before you and is --

**LEG. LOSQUADRO:**  
Second.

**P.O. LINDSAY:**  
Motion by Legislator Viloría-Fisher to override.

**LEG. LOSQUADRO:**  
Second.

**P.O. LINDSAY:**  
And seconded by Legislator Losquadro.

**MR. NOLAN:**  
I just want to clarify again that this is a motion to override all the various line item vetoes that were in Budget Amendment Number 2.

**P.O. LINDSAY:**  
All right. Any discussion? Okay. Roll call.

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

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

**LEG. LOSQUADRO:**

Yes.

**LEG. ROMAINE:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. BEEDENBENDER:**

Yes.

**LEG. EDDINGTON:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. BARRAGA:**

No.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. GREGORY:**

Yes.

**LEG. STERN:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. COOPER:**

Yes.

**P.O. LINDSAY:**

Yes.

**MR. LAUBE:**

Seventeen.

**P.O. LINDSAY:**

Okay? Again, on the -- the sheets before you --

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

We're on Page 7, I think.

**P.O. LINDSAY:**

Okay. We go all the way to 7 of 8, and we're into stand-alone resolutions that were vetoed, and the first one is *Budget Amendment Number 4. This resolution increases the County's revenue from Park fees by \$800,000 to provide the Suffolk County Vanderbilt Museum with a one-year commitment of \$800,000 in revenue to support the continued operation of the Museum in 2009. The authorization to provide revenue to the museum sunsets on December 31st, 2009, and requires the Museum to submit a formal business plan to the Legislature's Parks and Recreation Committee outlining the Museum's plan to replace the \$800,000 in revenue in 2010. As a result of the current market conditions, the Museum's Endowment Trust Fund is unable to sustain its \$100,000 monthly distribution to the Museum in 2009. The resolution transfers \$800,000 from the County's General Fund to Fund 708 to support the Museum in meeting its 2009 Operating Budget expenses and enables the Museum to continue to operate as an educational resource for the residents of Suffolk County, as well as a tourist attraction for visitors.* Do I have a motion?

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

Motion to override.

**LEG. COOPER:**

Second.

**P.O. LINDSAY:**

Motion by Legislator Viloría-Fisher.

**LEG. COOPER:**

Second.

**P.O. LINDSAY:**

Seconded by Legislator Cooper. On the motion.

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

On the motion.

**P.O. LINDSAY:**

Viloría-Fisher.

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

Thank you, Mr. Chair. In reading the veto message, I would like to underscore the following:

In the third paragraph the veto message states, "In addition to my concern of raising revenue by increasing fees, there is no guarantee that this one-time subsidy will help resolve," etcetera, etcetera. "There must be a more conscious effort by the Museum's Board of Trustees and Administration to raise private revenue and reduce overhead costs." I believe that this body has certainly received a great deal of information from the Trustees and the Director of the Vanderbilt, that they have been very proactive in trying to limit their expenditures, and very visionary in finding -- and very, very open to suggestion in terms of raising revenues. If you recall, when we had this debate when I first introduced the stand-alone, Legislator Cooper said that he had met with Mr. Gittelman, along with Legislators Stern and D'Amario, and discussed -- and suggested that they do some catering and provide food, and today you heard the Trustees and the Director saying that they were moving forward with just that.

This has been an exercise in real mutual cooperation where in the moment of crisis we have come -- proposed to come to the aid of the Vanderbilt Museum, but, as the Director said, they are not just coming here to receive our aid, but to present to us real proposals on how they can help themselves and continue to sustain themselves after this legislation has sunsetted at the end of this year.

Because we have made the commitment to support the Vanderbilt as far as capital programs, and this the one year that because of the economic downturn, of which we are all so cognizant, the Vanderbilt needs our help to keep their doors open. This is a jewel of Suffolk County. We cannot allow its doors to be closed. Without this help, the doors will be closed. And this is -- we have children here who have testified, who are waiting to see how we override this veto. They're going outside to pose for a picture, I think. And I hope that we will let them see that we're on their side and we will be overriding this veto.

**P.O. LINDSAY:**

Does anyone else -- yes, Legislator D'Amaro.

**LEG. D'AMARO:**

Yes. Thank you, Mr. Presiding Officer. I just wanted to clarify again, before voting on this override, that this measure would provide the funding for increasing Park fees, but, in fact, would not affect the increase in Park fees, that would come by a subsequent resolution.

**P.O. LINDSAY:**

That's correct.

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

Yes.

**LEG. D'AMARO:**

And the reason why I bring that up is not to say that we should not ultimately try and help the Vanderbilt, but there are still other ways of doing that that are being explored. I've done some preliminary inquiries myself and been told that, in fact, the other options that I've been speaking to, such as securing a loan, secured by perhaps the endowment itself, would be feasible, and that is continuing to be looked at.

So I'm going to support overriding this veto today, but, again, I would encourage everyone to keep an open mind on how we ultimately help out the Vanderbilt Museum.

**P.O. LINDSAY:**

And if I could just follow-up on the comment. And, you know, the dilemma that we've been hit with the Vanderbilt is -- to close it doesn't save us any money, because we'd have to spend almost the \$800,000 to mothball it. And it foregoes any revenue, and it could lose its operational license, and it creates all kinds of problems. And I know there's a scurry of activity to look for alternatives, and I, myself, have been working on some things as well. And I know Legislator Vilorio-Fisher and Legislator Alden attended the last meeting of the Trustees, and I know they've been involved heavily in trying to figure out some sensible way of saving this institution, not long-term, but short-term, anyway, so I appreciate everybody's activity. Legislator Alden.

**LEG. ALDEN:**

And, just for the record, my vote on this, and it's going to be an affirmative vote, in no way can be interpreted as condoning raising of golf fees, because, along with Legislator D'Amaro, and I salute you for your activity on this part, I think that all of us, it's incumbent on all of us to come up with a fair and equitable way to keep the Vanderbilt open.

The Vanderbilt, you know, some people's lives depend on the income that is generated from that place, but, more importantly, the children and the other people of Suffolk County deserve to have that type of an experience to be able to go to a museum. So, if we can look for some kind of fair

and equitable way, I'm all for it, but I don't want a vote in the affirmative here to be interpreted as, yes, let's lay it on the golfer or the people that own boats in Suffolk County.

**P.O. LINDSAY:**

Okay. There is a bill that will be laid on as a late-starter to fund this proposal that we will debate at our next meeting.

**LEG. ALDEN:**

Good.

**P.O. LINDSAY:**

All right? I'd like to take this vote before the bewitching hour, if it's okay with everybody. We have a motion to override the veto for Budget Amendment Number 4, and roll call.

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

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

Yes.

**LEG. COOPER:**

Yes.

**LEG. ROMAINE:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. BROWNING:**

No.

**LEG. BEEDENBENDER:**

No.

**LEG. LOSQUADRO:**

Yes.

**LEG. EDDINGTON:**

No.

**LEG. MONTANO:**

Yes.

**LEG. ALDEN:**

Yes.

**LEG. BARRAGA:**

No.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. GREGORY:**

Yes.

**LEG. STERN:**

Yes.

**LEG. D'AMARO:**

Yes.

**P.O. LINDSAY:**

Yes.

**MR. LAUBE:**

Fourteen.

**P.O. LINDSAY:**

Okay. All right. We're at 12:30, and what I'd propose to do is if maybe we could come back from the break like 15 minutes early. We still have three or four more vetoes to address, and if we could do them before the public portion starts -- the public hearings start at 2:30, it would give the Clerk's Office time to prepare the tax warrants that we could vote on at the end of our agenda. If that's okay.

**LEG. ALDEN:**

We've got to work quickly -- yes.

**LEG. ALDEN:**

-- on the photo.

**P.O. LINDSAY:**

Yes.

**MR. NOLAN:**

Two-fifteen?

**P.O. LINDSAY:**

Yeah. Okay. So we -- I'll take a motion to adjourn --

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

So moved.

**P.O. LINDSAY:**

To recess. Second. All in favor? Opposed? Abstentions? Please, everybody, get together, let's do the photos so we can go eat.

**MR. LAUBE:**

Eighteen.

**[ THE MEETING WAS RECESSED AT 12:35 P.M.]**

**(\*The following was Taken & Transcribed by  
Alison Mahoney - Court Stenographer\*)**

**P.O. LINDSAY:**

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

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

**LEG. ROMAINE:**

(Not Present).

**LEG. SCHNEIDERMAN:**

(Not present).

**LEG. BROWNING:**

Here.

**LEG. BEEDENBENDER:**

Here.

**LEG. LOSQUADRO:**

Present.

**LEG. EDDINGTON:**

(Not Present).

**LEG. MONTANO:**

Here.

**LEG. ALDEN:**

Here.

**LEG. BARRAGA:**

Here.

**LEG. KENNEDY:**

Here.

**LEG. NOWICK:**

Here.

**LEG. HORSLEY:**

Here.

**LEG. GREGORY:**

Here.

**LEG. STERN:**

Here.

**LEG. D'AMARO:**

Here.

**LEG. COOPER:**

(Not present).

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

(Not present).

**P.O. LINDSAY:**

Here.

**LEG. EDDINGTON:**

Eddington, here.

**MR. LAUBE:**

Fourteen (Not Present: Legislators Romaine, Schneiderman, Cooper & Vilorio-Fisher).

**LEG. ALDEN:**

Did you get Kennedy?

**MR. LAUBE:**

Yes, I did; right behind me.

**P.O. LINDSAY:**

Okay. We have roughly ten minutes before we have to go into Public Hearings, so let's go back to the vetos. I'm on page seven of eight and I think we just approved -- we just overrode Budget Amendment No. 4, so we're up to ***Budget Amendment No. 5. This resolution increases the Senior Citizens Legal Aid Program by 154,594 which is offset by a reduction of 54,594 in the 2008 estimated benefit fund contribution and a reduction of \$100,000 in the 2009 Benefit Fund contribution. The Omnibus Resolution DO 43 provides 200,000 to the Legal Aid Society for contracted services for the elderly. The purpose of this resolution is to provide the additional \$154,694 to bring the 2009 adopted amount to the 2009 requested level.*** Do I have a motion?

**LEG. ALDEN:**

Motion.

**P.O. LINDSAY:**

Motion to override.

**LEG. KENNEDY:**

Second.

**P.O. LINDSAY:**

And seconded by Legislator Kennedy. On the question, does anybody want to speak on this?

**LEG. MONTANO:**

Yeah, I have a question.

**P.O. LINDSAY:**

Legislator Montano.

**LEG. MONTANO:**

I think there are a couple of Legislators missing. If it doesn't get overridden, do we get a second bite later, can we reconsider?

Mr. Nolan?

**LEG. NOWICK:**

Why don't we just see what's doing?

**LEG. MONTANO:**

What was that?

**LEG. ALDEN:**

You don't want to see what's doing.

**LEG. MONTANO:**

You don't want to see what's doing if we don't get a second bite. That's what I'm asking. George?

**LEG. HORSLEY:**

Who's missing?

**LEG. MONTANO:**

Ed Romaine and Jon Cooper.

**MR. NOLAN:**

Generally with overrides it's one bite at the apple. I believe on one previous occasion on an override there was a reconsideration, so we have precedent for that action.

**LEG. SCHNEIDERMAN:**

We can always table it during the vote if the bill is not (inaudible).

**MS. MAHONEY:**

I didn't hear that.

**LEG. MONTANO:**

Yeah, you can.

**MR. LAUBE:**

We need you to use your microphone, Legislator Schneiderman.

**LEG. SCHNEIDERMAN:**

I was just asking whether it could be tabled to a later point in today's meeting if the vote isn't going a particular way, that the Legislator is concerned about.

**LEG. MONTANO:**

We could table it, I think. I don't know if we could table it to a later point.

**LEG. ALDEN:**

We could table it as the votes come.

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

It's a stand-alone.

**LEG. MONTANO:**

Right, but then what are we going to do, table it to the next meeting?

**LEG. ALDEN:**

Later today.

**P.O. LINDSAY:**

Okay. Let --

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

I think Steve wanted to say something.

**P.O. LINDSAY:**

Yes, Legislator Stern?

**LEG. STERN:**

I think we're good. What was it, 17 or 18 last time?

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

I think we're good.

**P.O. LINDSAY:**

All right. If there's no comments, no further comments on it or opinions; Mr. Clerk, could you call the roll?

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

**LEG. ALDEN:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. ROMAINE:**

(Not present).

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. BEEDENBENDER:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. EDDINGTON:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. BARRAGA:**

No.

**LEG. NOWICK:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. GREGORY:**

Yes.

**LEG. STERN:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. COOPER:**

(Not present).

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

Yes.

**P.O. LINDSAY:**

Yeah.

**MR. LAUBE:**

Fourteen **\*\*ACTUAL VOTE: 15-1-0-2 (Opposed: Legislator Barraga - Not Present: Legislator Romaine & Cooper).**

**P.O. LINDSAY:**

All right, *Budget Amendment No. 16-2008.*

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

That's Joe's project.

**P.O. LINDSAY:**

*This resolution will provide \$46,000 in 2009 for the Family Service League Suicide Prevention and Response Program, referred to as Joe's project, was offset by a reduction of a like amount in 2008, the estimated Benefit Fund contribution.*

**LEG. LOSQUADRO:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Losquadro and I'll --

**LEG. BROWNING:**

Second.

**P.O. LINDSAY:**

-- second it.

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

I have a question.

**P.O. LINDSAY:**

Legislator Vilorina-Fisher -- what?

**LEG. LOSQUADRO:**

Okay, never mind.

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

I just have a quick question for Budget Review. Gail, in the veto message it says that the same offset has been used a number of times and that this would result in a shortfall. I know that you looked at these offsets very carefully, so I'm wondering where this statement would come from and if it has any basis and truth.

**MR. REINHEIMER:**

Yeah, based on our analysis, we looked at the 2008 Benefit Fund projected expenditures and this is consistent with our projections.

It would not over estimate expenditures creating a shortfall. No, this is consistent.

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

Okay. I just wanted that on the record. Thank you, Lance.

**P.O. LINDSAY:**

Anybody else? Roll call.

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

**LEG. LOSQUADRO:**

Yes.

**P.O. LINDSAY:**

Yes.

**LEG. ROMAINE:**

(Not present).

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. BEEDENBENDER:**

Yes.

**LEG. EDDINGTON:**

Yes.

**LEG. MONTANO:**

Pass.

**LEG. ALDEN:**

Me, too, I'm passing.

**LEG. BARRAGA:**

No.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. GREGORY:**

Yes.

**LEG. STERN:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. COOPER:**

(Not present).

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

Yes.

**LEG. MONTANO:**

Yes.

**LEG. ALDEN:**

Yes.

**MR. LAUBE:**

Fifteen.

**P.O. LINDSAY:**

Okay, last page, eight of eight. *Budge Amendment No. 17, this resolution increases the temporary salaries in the Health Department by 30,719 and amends the hourly rate for temporary positions in the Classification and Salary Plan for Registered Nurses and Licensed Practical Nurses to a rate commensurate with the permanent salary employees. The increase is offset by \$7,695 in the State Public Health Aide and by a reduction in permanent salaries of \$23,024 in the Office of the County Executive.*

**LEG. ALDEN:**

This is Kate's law.

**P.O. LINDSAY:**

Do I have a motion?

**LEG. BROWNING:**

Motion. Motion to override, I'm sorry.

**P.O. LINDSAY:**

Do I have a second?

**LEG. GREGORY:**

Second.

**P.O. LINDSAY:**

Second by Legislator Gregory. On the question, I know that the Executive Branch had made a plea that this be pulled back and that a different offset be found because it's raiding a permanent salary account in the Executive Branch which is never done vice/versa with the Executive Branch raiding any willing Legislative, which I don't think is totally accurate. But besides that, the observation that I would like to make is that if we pass this, the Executive, right after the New Year, can offer a Budget Amendment to change the offset at any time; we can only do it four times a year, but he could do it at any time.

**LEG. BROWNING:**

Right.

**P.O. LINDSAY:**

And I for one would entertain that at that time. Legislator Browning.

**LEG. BROWNING:**

I understand what you're saying. Am I on? You know, again, if we may -- maybe George can

answer this, that if we go ahead and override this veto, can't he still do an amendment next January?

**P.O. LINDSAY:**

Yes. That's what I said.

**LEG. BROWNING:**

Okay.

**MR. NOLAN:**

Oh, definitely. He could do an amendment to restore the money to this particular budget line, finding an offset from somewhere else.

**LEG. ALDEN:**

Or we could amend it also.

**MR. NOLAN:**

We could do that as well if we're so disposed.

**LEG. BROWNING:**

Yeah, we can. But at this time, I would like to support an override for the budget.

**P.O. LINDSAY:**

Are there any other comments?

**MS. VIZZINI:**

Presiding Officer?

**P.O. LINDSAY:**

Yes.

**MS. VIZZINI:**

Just as a point of information. The appropriation in question has \$2.5 million and the \$23,000 is less than the required amount. The County Executive could do a budget modification without even benefit of a resolution.

**P.O. LINDSAY:**

Okay. Does anybody else want to comment on it; no? Okay, roll call.

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

**LEG. BROWNING:**

Yes.

**LEG. GREGORY:**

Yes.

**LEG. ROMAINE:**

Yes.

**LEG. SCHNEIDERMAN:**

Pass.

**LEG. BEEDENBENDER:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. EDDINGTON:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. ALDEN:**

Pass.

**LEG. BARRAGA:**

No.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. HORSLEY:**

Yes, with the understanding that they're going to change the funding source.

**LEG. STERN:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. COOPER:**

(Not present).

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

Yes.

**P.O. LINDSAY:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. ALDEN:**

Yes.

**MR. LAUBE:**

Sixteen (Opposed: Legislator Barraga - Not Present: Legislator Cooper).

**P.O. LINDSAY:**

Okay, and we've just got two minutes. ***Budget Amendment No. 19, this resolution amends the 2009 Operating Budget to provide \$60,000 for the contracted agency Transitional Services which is offset by an equal decrease in the Department of Public Works, light, power and water expenditures in 2009.*** Do I have a motion?

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

Motion.

**P.O. LINDSAY:**

Motion by Legislator Viloría-Fisher.

**LEG. ALDEN:**

Second.

**P.O. LINDSAY:**

Second by Legislator Alden. On the question?

**LEG. LOSQUADRO:**

Just a reminder of what this --

**P.O. LINDSAY:**

Legislator Losquadro.

**LEG. LOSQUADRO:**

Just a reminder of what service this is providing?

**LEG. ALDEN:**

You want me to answer it?

**P.O. LINDSAY:**

Yeah, Legislator Alden is going to answer that.

**LEG. ALDEN:**

The main thrust of it is employment opportunities and employment training for mentally disabled people.

**LEG. LOSQUADRO:**

Okay.

**P.O. LINDSAY:**

Okay. Seeing nobody else, roll call.

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

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

Yes.

**LEG. ALDEN:**

Yes.

**LEG. ROMAINE:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. BEEDENBENDER:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. EDDINGTON:**

Yes.

**LEG. MONTANO:**

Yes.

**LEG. BARRAGA:**

No.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. GREGORY:**

Yes.

**LEG. STERN:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. COOPER:**

(Not present).

**P.O. LINDSAY:**

Yes.

**MR. LAUBE:**

Sixteen (Opposed: Legislator Barraga - Not Present: Legislator Cooper).

**P.O. LINDSAY:**

Okay. It's the bewitching hour, 2:30, so we're going into Public Hearings. And I need someone out in the hallway with cards; where's the cards?

The first one up is *Public Hearing on IR 1358-08 - A Local Law to reduce the emission of pollutants from the County's diesel-fueled motor vehicles (Cooper)*. And it doesn't appear that I have any cards on 1358. Is there anyone in the audience that would like to speak to us about 1358? Seeing none, I wonder what Legislator Cooper -- I'm going to recess, make a motion to recess.

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

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Sixteen (Not Present: Legislators Cooper & Montano).

**P.O. LINDSAY:**

***Public Hearing on IR 1499-08 - A Local Law to require that Probation Department employees use County vehicles while conducting County business (Losquadro).*** I do not have any cards on this subject. Is there anyone in the audience that would like to talk to us about this issue? Seeing none; where is Legislator Losquadro?

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

Anybody know where Dan is?

**P.O. LINDSAY:**

I'm going to skip over this until Legislator Losquadro comes back in the room to see if he's ready to move the bill, so I'll just skip over that.

Legislator Cooper, we recessed 1358; is that okay?

**LEG. COOPER:**

Yes, it is. Thank you.

**P.O. LINDSAY:**

Okay. ***Public Hearing on IR 1749-08 - A Charter Law to cap County fee increases (Schneiderman).*** I don't have any cards on this subject. Is there anyone in the audience who would like to speak on this subject? Seeing none, Legislator Schneiderman?

**LEG. SCHNEIDERMAN:**

You can recess.

**P.O. LINDSAY:**

Makes a motion to recess, I'll second it. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Seventeen (***\*\*ACTUAL VOTE: 16-0-0-2 - Not Present: Legislators Losquadro & Montano.***)

**P.O. LINDSAY:**

***Public Hearing on IR 1750-08 - A Local Law to increase and improve gasoline price notification to consumers (Losquadro).*** I do not have any cards on this subject. Is there anyone in the audience that would like to speak to us on 1750? Seeing none; again, I don't know what happened to Legislator Losquadro. Can somebody see if he's in the other room?

**LEG. EDDINGTON:**

I just checked.

**P.O. LINDSAY:**

He might be in the men's room, so I'll skip over that one as well.

***Public Hearing on IR 1769-08 - A Local Law to provide parking for "Clean Pass" vehicles at County facilities (The Green Spaces Program) (Horsley).*** 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, what is --

**LEG. HORSLEY:**

Motion to close.

**P.O. LINDSAY:**

Motion to close by Legislator Horsley. Do I have a second?  
I'll second it. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Seventeen (Not Present: Legislator Montano).

**P.O. LINDSAY:**

Okay. Now we can go back to 1499. We just skipped over, Legislator --

**LEG. LOSQUADRO:**

Yeah, I apologize, Mr. Chairman, I had a phone call I had to take.

**P.O. LINDSAY:**

Okay.

**LEG. LOSQUADRO:**

I would like to make a motion to recess.

**P.O. LINDSAY:**

Okay, motion to recess. Do I have a second?

**LEG. ALDEN:**

Second.

**LEG. BEEDENBENDER:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Seventeen (Not Present: Legislator Montano).

**P.O. LINDSAY:**

Okay. And back on 1750.

**LEG. LOSQUADRO:**

Also a motion to recess.

**LEG. ALDEN:**

Second.

**P.O. LINDSAY:**

Motion to recess on 1750.

**LEG. ALDEN:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Seventeen (Not Present: Legislator Montano).

**P.O. LINDSAY:**

Okay. They're telling me 1358 -- I shouldn't have called 1358, it was stricken; is that right, Legislator Cooper? Somebody handed me a note.

**LEG. COOPER:**

Yeah, that's correct.

**P.O. LINDSAY:**

So we shouldn't have even addressed it at all, it got on the agenda unaccounted for?

**LEG. COOPER:**

I believe so.

**P.O. LINDSAY:**

Yeah, so it should be stricken.

**LEG. COOPER:**

Please.

**P.O. LINDSAY:**

Okay, if the Clerk could note that.

**MR. LAUBE:**

Got it.

**P.O. LINDSAY:**

***Public Hearing on IR 1791-08 - A Local Law to reduce the use of disposable bags by retail stores (Viloria-Fisher).*** I have a couple of cards on this. First up is John Woods. Hey, John.

**MR. WOODS:**

Hello. Good afternoon, Presiding Officer Lindsay, Members of the Legislature. My name is John Woods, United Food and Commercial Workers, Local 1500. We have previously testified our objection to this bill, and I'm not going to go through all that again. I'm just going to reiterate the point that we feel that we should allow the bill that we passed last year for recycling to have an effect. It goes into effect January 1st, the retail stores, and there's no retail and food operators here today, but they previously testified that it is going very well in their stores, so I feel that we should continue that before we look to go in another direction.

I do have a point of order, though, that I would like to bring up, and I don't know if it's relevant or not. As I understand the rules of the Legislature, Legislators are given wide latitude with changing bills. This original bill was to ban plastic bags and I believe the headline of that bill was a bill to prohibit the banning of plastic bags. Now we have now changed this bill in its entirety to a taxing of bags at the point of purchase, a five cent per bag fee, if you will. My thoughts on it are if this bill was originally posted to the public as a bill to ban plastic bags, we're now going in a totally different direction, the Legislature is thinking about imposing a five cents per bag fee. I think the public would have a different avenue of the public might want to come out either in support or against that bill, so I would think that the bill would have to be readvertised, and I'm not sure if I'm correct on the rules of the Legislature.

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

Okay. Well, I'll begin to answer that, George, and then I may have to put it to you. But John, we spent some time talking about this in my office and I had listened to what you and the other people who came to testify had said, that banning plastic bags would ultimately cause other difficulties, which would be to increase the use of paper bags which have problems in and of themselves. And so when I met with you and other stakeholders, I said that what we would be doing is to prohibit giving away any bags and that if people wanted to get a bag at the point of sale, that there would be

a five cent fee for each bag.

So that the intent is still the same of reducing the use of plastic bags, but not putting it on to the use of paper bags. And that people, in order to avoid having that five cent per bag fee, would just either reuse bags that they already have or use the totes that most stores are selling. And this, John, would also be something that would not be mutually exclusive with the recycling bill of which I was a cosponsor; they could go hand in hand and really work well together. But I don't want to have a debate with you, I just wanted to answer your question, that the intent remains the same. But I'm going ask Counsel -- and by the way, that's why we had to keep that public hearing open, and public hearings are publicized, you know, because it is still a public hearing. I believe, Mr. Clerk, that it's still posted, right? Because the public -- as long as we have a public hearing, the public hearing titles are still posted.

**MR. LAUBE:**

Correct.

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

So the public, John, is being informed about this.

**MR. WOODS:**

So this change was publicized, you're saying?

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

Yes, with the public notice of the bill.

**MR. WOODS:**

The original or the retitled?

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

The new title would be posted.

**MR. WOODS:**

Because you've changed the title.

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

That's what I'm asking the Clerk.

**MR. LAUBE:**

If the title of the bill changes, it's my understanding that we would have to readvertise the bill.

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

Right. The title of bill changed.

**MR. LAUBE:**

So then we would have to readvertise the bill in the local newspapers.

**MR. WOODS:**

Okay. So that being the case, Legislator Fisher, I would ask that if you have to readvertise and do a new public hearing, that we do a public hearing after holiday time. I mean, people -- we're getting into December and there's much more important work that the Legislature has to do before, you know, the close of the year's business.

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

Right. Well, I had told you, John, that I would be recessing this because I wanted people to have a chance to come and speak about it, and that it would be done after the holidays. Okay, thank you.

**MR. WOODS:**

Okay. Thank you.

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

I think I've answered your --

**MR. WOODS:**

So we have to -- you have to readvertise, is that my understanding.

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

Yeah, because the title changed on it, it's not prohibiting plastic -- it's not banning plastic bags anymore. It's a different title.

**MR. WOODS:**

Okay. And that will be after the 1st of the year you said?

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

Well, it would be -- it should be advertised for the December meeting with the new title. And then for, you know, whenever -- whenever it meets, whenever we have a public hearing on it, it would be advertised with the new title.

**MR. WOODS:**

Okay. No, but my question is can we date-specific the public hearing until after the 1st of the year and the posting? That's why I'm --

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

Let me ask Counsel. If we have a public hearing in December, it will have the new title, would it -- could it be readvertised again for the January meeting or does it no longer --

**MR. NOLAN:**

I would just say, Legislator Viloría-Fisher, that the public hearing requirements have been satisfied.

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

Okay.

**MR. NOLAN:**

Notwithstanding the change of the title of the bill, this is a fairly common practice that as a result of the public hearing process, a bill will change.

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

Right.

**MR. NOLAN:**

Sometimes the title will change. And notwithstanding that, the Legislature has fulfilled the public hearing requirements and can vote on it after the public hearing is closed. I don't think that's what you want to do today, but --

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

No, not --

**MR. NOLAN:**

-- once it's closed, then it can be voted on, it would be eligible to be voted on.

**MR. WOODS:**

Okay. Thank you.

**P.O. LINDSAY:**

Pat Brodhagen.

**MS. BRODHAGEN:**

Hello. My name is Pat Brodhagen, I'm the Vice-President of Public Affairs for the Food Industry Alliance of New York State. I just will be brief today as well, since I know this will be an ongoing discussion.

I also have testified previously on 1791, but I came out today because I did want to call your attention to the fact that the bill, which has now been discussed in the previous testimony, has been changed dramatically from what we commented on to you in the last two hearings. Both myself and several of our members have been out to talk to you about the concept of banning plastic bags, which we opposed, and we do appreciate that Legislator Viloría-Fisher has sought out our input on that. So with the same bill number, you now have a different concept which is to tax all bags, paper and plastic, in all retail establishments as a means of controlling bags, and that's a really very different approach yet again to dealing with the bag issue. So I felt I needed to comment for the record briefly and then hopefully more of my members will be back to discuss it with you as well.

I do need to say, as I've said every time I have been out here this year and last year when you passed the existing bag program, that we have no disagreement with the goal of reducing bags; I don't think anybody disagrees with that goal. But I want to stress again that we already have in place as a result of your actions a year ago a bag strategy, and that strategy is to adapt our own front-end bagging practices, which we do, but to by law now make available for customers the opportunity to recycle all plastic bags that aren't reused for another purpose, all bags; our bags, anybody else's bags, newspaper bags, dry cleaning bags, it doesn't matter. That opportunity, by law, will take effect January 1, under your law or under the State law. And in addition, the promotion of reusable bags. And to that end, some of our members have taken it a step further by offering as much as a nickel back for every reusable bag that's brought to the check-out counter and groceries are packed in that reusable bag instead of a regular bag.

So we have in place a brand new strategy that has been copied, as you know, in other counties and now by the whole State that is just barely getting under way. We haven't collected data in a systematic way yet even pursuant to this bill. But you heard testimony in the two previous hearings that the numbers are looking very good, that the sale of reusable bags is going up, that the claiming of those nickels back for bringing those reusable bags is climbing dramatically, and that we are recycling thousands and thousands of bags in our recycling bins at store level.

So I'm really saying the same thing that I said in response to the bag ban, now to a bag tax, and that is to say let's let the existing law take effect, let's pay close attention to it, let's be on top of it. We now have the full weight of government behind our efforts and we have a much larger universe of retailers involved, let's see where that takes us. Because I for one am very confident that we have consumers on board and that this is going to be a very successful program.

The other thing I just want to say is in addition we don't feel in our industry that this is the time to be considering a tax to be levied in the grocery store; this would be leveled everywhere, but particularly in the grocery store. It's -- we all know what we're facing, the highest unemployment in 14 years, and I don't see a headline any day that doesn't say it's actually going to get worse before it gets better. Eighty-six percent, I just saw a new Nielsen study, 86% of U.S. consumers believe the country is in recession and there is a pervasive feeling of gloom and uncertainty that is affecting their spending patterns. We're seeing an increased use of coupons in our store, we're seeing changed shopping habits. We're seeing people switching from brand names to house brands, sort of down shopping in a to save very small amounts of money, but in the aggregate it all adds up.

And in our view, we just can't support an additional tax on customers at this point in time, particularly since we have in place a very, very promising, thanks to you, strategy for dealing with bags in the environment.

So thank you very much for hearing me out today.

**P.O. LINDSAY:**

Thank you, Pat. I don't have any other cards on this subject. Is there anyone else in the audience that would like to speak on this subject? Seeing none, Legislator Vilorio-Fisher, what's your pleasure?

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

Motion to recess.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Seventeen (Not Present: Legislator Cooper).

**P.O. LINDSAY:**

***Public Hearing on IR 1815-08 - A Local Law to add visitability requirements to the Affordable Housing Program (Stern).*** I don't have any cards on this subject. Is there anyone in the audience who would like to address us on IR 1815? Seeing none, Legislator Stern?

**LEG. STERN:**

Yes, Mr. Presiding Officer. We have been working very closely with the Commissioner of Economic Development & Affordable Housing as well as private industry and we're making great headway. So I'm going to make a motion to recess it at this time and we'll come back next round.

**P.O. LINDSAY:**

Motion to recess, I'll second it. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Seventeen (Not Present: Legislator Cooper).

**P.O. LINDSAY:**

Okay, ***Public Hearing on IR 1886-08 - A Local Law to enact a grading policy for food establishments (Losquadro).***

**LEG. LOSQUADRO:**

I'm still working with members of the industry, Mr. Chairman. I make a motion to recess.

**P.O. LINDSAY:**

Okay. I had some cards, though.

**LEG. LOSQUADRO:**

Oh, I'm sorry. Please.

**P.O. LINDSAY:**

John Ryerson?

**MR. RYERSON:**

Thank you, Bill, Legislators. Dan, I'm sorry, I didn't hear that; did you say that you want to speak with the industry?

**LEG. LOSQUADRO:**

I had several meetings, I still plan more. I have no intention of moving it at this point until we can reach some sort of consensus.

So if you would like to set up any meetings or know anyone who would, please have them contact my office.

**MR. RYERSON:**

Well, it would be either me or Jack McCarthy, the President of the association.

**LEG. LOSQUADRO:**

I've already met with Jack.

**MR. RYERSON:**

You've talked to Jack.

**LEG. LOSQUADRO:**

Yes.

**MR. RYERSON:**

That's fine, then. Most of my comments would have been reiterating what I said the last time, so I thank you for your time.

**P.O. LINDSAY:**

Thank you. Robert Grotell?

**MR. GROTELL:**

Yeah, for --

**P.O. LINDSAY:**

Oh, I'm sorry, I've got the wrong one. I got the wrong one. Okay, I don't have any other cards on 1886 and Legislator Losquadro has made a motion to recess which I'll second. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Seventeen (Not Present: Legislator Cooper).

**P.O. LINDSAY:**

***Public Hearing on IR 1892-08 - A Charter Law to authorize the use of development rights for Smart Growth Community Development and job creation (Lindsay).*** I don't have any cards on this subject. Is there anyone in the audience that would like to speak on this subject? Seeing none, I'm going to make a motion to close.

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

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Seventeen (Not Present: Legislator Cooper).

**P.O. LINDSAY:**

***Public Hearing on IR 1894-08 - A Local Law to reduce the use of fertilizer near surface waters in Suffolk County (Schneiderman).***

I have no cards on this subject. Is there anyone in the audience who would like to address us on this subject? Seeing none, Legislator Schneiderman?

**LEG. SCHNEIDERMAN:**

Motion to close.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Seventeen (Not Present: Legislator Cooper).

**P.O. LINDSAY:**

***Public Hearing on IR No. 1895-08 - A Charter Law to establish Truth and Honesty Zone for clean campaign practices in Suffolk County by banning improper fund-raising (Alden).*** 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 Alden?

**LEG. ALDEN:**

Motion to recess.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Seventeen (Not present: Legislator Cooper).

**P.O. LINDSAY:**

***Public Hearing on IR 1903-08 - A Local Law to prohibit the sale of old vehicle tires (Barraga).*** I don't have any cards on this subject. Anyone in the audience like to speak to us on this subject? Seeing none, Legislator Barraga?

**LEG. BARRAGA:**

Motion to close.

**P.O. LINDSAY:**

Motion to close.

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

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Seventeen (Not Present: Legislator Cooper).

**P.O. LINDSAY:**

***Public Hearing on IR 1951-08 - A Local Law to ensure safe operation of helicopters (Romaine).*** I have a couple of cards. Robert Grotell.

**MR. GROTELL:**

Okay, that's the right number. Good afternoon. My name is Robert Grotell with the Eastern Region Helicopter Council. I just want to thank everyone for the opportunity to speak again before you today.

Last Friday I submitted to everyone a letter of opposition to 1961 which clearly stated for -- stated the Council's opposition to this bill based again on the same language that was included in bill 1673. So again, as -- in keeping with the people who have spoken previously, not to go into the detailed testimony again, you all know how the Council feels about this bill in terms of the opposition, I would like to make just a few points if I can.

Number one, as I've said previous, the -- clearly the Suffolk County Legislature is preempted by the Federal Government on all matters pertaining to the management and oversight of the National Air Space System. Number two, this bill sends clearly the wrong message to Suffolk County residents by promising false hope to those in real need of solutions. Because you are preempted, there is no ability to enforce and, therefore, the bill will not accomplish what it intends to try to accomplish.

What we at the Council believe is a more viable solution is, as I've said, before to vary the route usage, to move aircraft that are currently on the north shore, to move them down to the south shore, and this is an effort that the Council has already begun. The effort surrounding 1951 and this whole bill was just inconsistent with what the ongoing efforts have been with the industry, with the FAA, with the east end airports, with a number of elected officials over the last year, and I really feel that this sets the whole process back.

So as a result, we ask that you withdraw this bill and join us at that table so we can come up with balanced solutions for all. Thank you very much.

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

Thank you. Our next speaker is Diane Crean.

**MS. CREAN:**

Good afternoon. My name is Diane Crean, I am the Regional Executive Manager for the Federal Aviation Administration's Eastern Region. I am here today to speak about the proposed resolution, No. 1951-2008 entitled a Local Law to ensure safe operations of helicopters.

It is the opinion of the Federal Aviation Administration that this ordinance would be preempted by the Federal Aviation Act of 1958, now codified as Title 49 of the United States Code, both because Congress has created a pervasive Federal Regulatory scheme over air space management and because the proposed ordinance conflicts with Federal Regulation regarding operation of helicopters. Preemption is based on the Supremacy Clause of the Constitution which makes the laws of the United States the Supreme law of the land and Local Laws would be preempted where State or Local Law is in conflict with Federal Law or where Federal Law is so comprehensive that commerce left no room for supplementation by State or local government.

Courts have been addressed -- have addressed this issue and they have determined that Local Laws to affect air space management are preempted because Congress left no room for supplementation in the area of air space management when it passed the Federal Aviation Act. The Supreme Court noted in the City of Burbank v. Lockheed Air Terminal, Inc., that Congress has given the FAA exclusive responsibility for the field of air space management. In holding the Federal law preempts air space management by the states, the Supreme Court discussed the pervasive nature of Federal Regulation of aviation. The Federal control -- this is in quotes, "Federal control is intensive and exclusive. Plains do not wander about in the sky like vagrant clouds, they move only by federal permission subject to Federal inspection in the hands of Federally certified personnel and under the intricate system of Federal commands."

The court also endorsed the position of the Secretary of Transportation that, again quote, "The courts have held that the Federal Government presently preempts the field of noise regulation insofar as it involves controlling the flight of aircraft," end quote. In the New York area, even before the Supreme Court spoke in the City of Burbank case, the Second Civil -- correction. The Second Circuit Court of Appeals recognized that Local Laws that aim to control noise by controlling air space management are preempted. In 1956, the Second Circuit invalidated a local ordinance of the Village of Cedarhurst that prohibited flights over the village at less than 1,000 feet based on preemption. In 1968, the Second Circuit again invalidated a Town of Hempstead noise ordinance based on a preemption. The Town of Hempstead ordinance would have required flight patterns for take-offs and landings at JFK International Airport to be changed and would have dictated altitudes of flights arriving at or departing from JFK. As recently as 1998, the Second Circuit invalidated portions of the New York City Special Use Permit for the East 34th Street Heliport that restricted helicopter

sight-seeing routes in the city, reminding the city that the -- quote, "The law controlling flight pass through navigable air space is completely preempted."

The proposed ordinance would also be preempted because it conflicts with Federal regulation. The ordinance prohibits the careless and reckless operation of a helicopter which it defines as a helicopter operation which fails, again quote, "to maintain an altitude of twenty-five hundred feet above the highest obstacle, within 2,000 feet of the helicopter, except as necessary, for take-off or landing, or as weather conditions may dictate."

The Federal Aviation Regulation, Section 91.119, regulate the safe -- correction, regulate the minimum safe altitude of aircraft. Generally, all aircraft, including helicopters, are required to maintain an altitude that will permit an emergency landing if a power unit fails without undo hazard to persons and property on the ground. Section 91.119 also permits helicopters to operate at any altitude as long as that operation is conducted without hazard to persons or property on the surface. A case -- in line of a case law developed at the National Transportation Safety Board through litigation to enforce this section of the Federal Aviation regulations requires that an actual hazard, rather than a theoretical hazard, must be present in order to have a helicopter flight to violate, minimum safe altitudes. Thank you very much.

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

Thank you, Ms. Crean. There is a question by Legislator Kennedy.

**LEG. KENNEDY:**

Welcome. And thank you for coming out to speak to us. This is an issue that has affected a number of us in different ways. And my Legislative district, actually we are in it right now, it is not something that's necessarily been overly impacted, but surprisingly I was at a community meeting last week and I had constituents asking me what we can do about the over bearing noise associated with helicopters. And I've heard my colleagues, Legislator Viloría-Fisher Legislator Romaine, who are heavily impacted out on the east end. Clearly, you're articulating the preemption premise for us. But at the same time, what I would ask you, then, as a Regional Director, what are we to do when we have constituents who are impacted with large aircraft flying low enough to vibrate their windows? These regulations, when they were adopted, probably never contemplated aircraft that are huge in nature and have that, you know, inherent ability to really impact and interfere with residents' daily living? What are we to do?

**MS. CREAN:**

There are a couple of things to do. There's a noise hotline at the Helicopter Association, the residents I'm sure are aware of that. There's also an organization at the Federal Aviation Administration called Flight Standards Organization. We have a Flight Standards District Office out in Farmingdale that oversees this entire area.

And I spoke to them and I asked them what kind of complaints they have and the kind of complaints they would receive are what you had mentioned about low-flying aircraft. They mentioned the amount of opportunities people have taken advantage to identify that there are these problems. In the past four years, the statistics are in 2006 there were only four registered complaints of low-flying aircraft at this place of business, which is the Flight Standards District Office; in 2007 there were 12, in 2008 there were nine. And so far in 2009 -- of course we go by Fiscal Year, from October through September -- there haven't been any. The concern then would be that I asked, "Well, what is the phone number?" May I give the phone number out to all of you if there were some questions about that and I do have that phone number if you would like to advise your constituents.

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

Yes.

**LEG. KENNEDY:**

I'm going to get my pencil out, Ma'am, and I'm going to say to you I then need to do a big mea

culpa. Because as much as ten years ago I attempted to contact your Aviation Regional Office in Jamaica because of complaints in my own community which is proximate to McArthur Airport, which is the site not only of commercial traffic but of military traffic. Look, everybody understands when a National Guard Unit is out doing deployments or practice with the Black Hawks. But when you have large-scale commercial aircraft that are impacting neighborhoods, I tried to get through to that FAA Regional telephone line, there was nobody there that ever answered. So if you have an office and a telephone number where somebody will talk to us to be able to investigate and actually regulate, I'd welcome it.

**MS. CREAN:**

So the number is --

**LEG. KENNEDY:**

Hold on.

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

I've got it, John.

**LEG. KENNEDY:**

You got it?

**MS. CREAN:**

-- 755-1300.

**LEG. KENNEDY:**

And these are --

**MS. CREAN:**

This is for low-flying aircraft. This is not for noise.

**LEG. KENNEDY:**

What is the name of this office again, Ma'am?

**MS. CREAN:**

This the Federal Aviation Administration, FAA, Flight Standards District Office in Farmingdale, New York.

**LEG. KENNEDY:**

Is there a particular person to contact there?

**MS. CREAN:**

No, this is their main number. And if the people -- they do a lot of investigations all over Long Island on a lot of different things. So if there isn't anybody there, they say they always call back their complainants.

**LEG. KENNEDY:**

Do you have a physical address for them, Ma'am?

**MS. CREAN:**

It's at Farmingdale Airport.

**LEG. KENNEDY:**

Well, okay, I'll call and get an address. Thank you. I want to be able to go ahead and assist my constituents, so I guarantee you we'll be calling and writing. Thank you.

**MS. CREAN:**

I understand. Now, one thing I just wanted to make notice, this is for low-flying aircraft, this is not

for noise. This is for low-flying aircraft.

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

What constitutes low?

**MS. CREAN:**

Low-flying is anything that people consider to be a hazard to people and property on the ground, that's considered low-flying aircraft as far as helicopters are concerned.

Now, helicopters can fly at all different altitudes, they can fly below 300 feet, they can fly at all different kinds of altitudes. It says as long as they're not proposed -- they're not creating a hazard to people and property on the ground.

**LEG. KENNEDY:**

Before I yield, can I just ask one other question? Again, it's very important when you're articulating a regulation, I guess, to understand the full ramifications of it. Do you think that this regulation is actually working? Do you think that it meets the needs of those who it's designed to protect?

**MS. CREAN:**

Which regulation are you speaking of, sir?

**LEG. KENNEDY:**

This one that basically says that aircraft, helicopters can fly as low as 300 feet, or 200 feet.

**MS. CREAN:**

Well, it's because of their unique nature, sir. We have a lot of guard, we have a lot of helicopters that do a lot of unique things in the airspace system.

**LEG. KENNEDY:**

Categorically I exclude anything military; absolutely, I said that right from the very beginning.

**MS. CREAN:**

Military.

**LEG. KENNEDY:**

I would not sit here and suppose to go ahead and have this discussion. I'm talking about routine, recreation or commercial helicopter traffic.

**MS. CREAN:**

Well, for commercial helicopter traffic, in order to be able to maintain an altitude that is in visual flight rules where they are operating safely, they need to be able to maneuver up and down and at different altitudes. They have these unique abilities and this rule has been designed to allow for that.

The other piece about helicopters is there may be times when a person may consider them operating lower than a good altitude, let's say, and they may be doing some kind of investigatory work such as -- and not marked as such, such as gas line, looking for grass that is burnt because gas lines are leaking under ground. There's a lot of different activity that's going on out there that the helicopters provide wonderful services to. So when a constituent does hear a lot of noise from a helicopter, it could be for many reasons. It could be news helicopters are out there, it could be Police, but it could also be that somebody is flying hazardously, and if that is the case and that is a situation that a person feels, they should call this number.

**LEG. KENNEDY:**

One last question. Congressman Bishop and Senator Schumer I know have been engaged in

attempting to do some regulatory or Legislative type of oversight with this; are you familiar with those pieces of legislation?

**MS. CREAN:**

Yes, I am.

**LEG. KENNEDY:**

Okay. Do we have any hope of having any of these regulations you speak of changed by that?

**MS. CREAN:**

I have no idea.

**LEG. KENNEDY:**

Has your agency given any kind of evaluation of that legislation?

**MS. CREAN:**

We have spoken with Congressman Bishop's Office and Senator Schumer's, we've worked closely with them on this issue.

**LEG. KENNEDY:**

Are you in favor of doing something to resolve this issue?

**MS. CREAN:**

Resolve -- which issue is that, as far as specifically the noise issue?

**LEG. KENNEDY:**

Noise from helicopters and constituents --

**MS. CREAN:**

Absolutely.

**LEG. KENNEDY:**

-- saying that, "My window frames are rattling."

**MS. CREAN:**

Yes, yes. And any -- we work very well with the communities. We just recently, within the last year, put in new voluntary helicopter routes. We worked very closely with the Helicopter Association, Congressman Bishop's Office, Senator Schumer's Office on putting that regulation in. We printed, the FAA actually printed the charts for that new route that goes on the north shore. That was not happening before and so they are further off the shore, they are flying at a much higher altitude than they were before. Sometimes they have to fly at a lower altitude only because of certain weather conditions, however the majority of them we do find were in compliance.

**LEG. KENNEDY:**

Okay, I'll yield. Thank you very much for coming out today. Thank you.

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

Legislator Romaine.

**MS. CREAN:**

Thank you.

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

Are you ready?

**LEG. ROMAINE:**

Yes. Over here. How are you?

**MS. CREAN:**

Fine. How are you?

**LEG. ROMAINE:**

Good. First of all, thank you for that telephone number. I'm definitely going to include it in my newsletter so that you can understand the scope of this problem. I guarantee you, as everyone around this horseshoe will know, that you will have thousands of telephone calls to the FAA and we will clog the lines.

Let me understand. You're saying the County doesn't have jurisdiction, so the FAA does. Tell me, what minimum altitude do you set for helicopters right now flying over Suffolk County or Long Island?

**MS. CREAN:**

Well, it depends --

**LEG. ROMAINE:**

Do you set a minimum altitude? Let me ask that question.

**MS. CREAN:**

Okay. So I can -- I would like to actually give you an exact answer to that; 14 CFR, Code of Federal Regulations, Part 91 and Parks 135. So in Part 135, Section 203B, "Helicopters over congested areas at an altitude of less than 300 feet."

**LEG. ROMAINE:**

So you said --

**MS. CREAN:**

No, less than --

**LEG. ROMAINE:**

So you said 300 feet as -- so anyone flying under that, would you consider that unsafe or --

**MS. CREAN:**

No, because one of the things that helicopters do have the ability to do is fly lower than that if they need to maintain VFR conditions, which are Visual Flight Rule conditions, so they can fly lower than that. And also if they were to land, obviously they have to fly lower, you know.

**LEG. ROMAINE:**

Well, obviously even my legislation makes account of weather and landing, because you can't control weather and when you land you obviously have to come down from a certain set altitude.

**MS. CREAN:**

Right.

**LEG. ROMAINE:**

Let me ask you this. You say the FAA has it, but you site a regulation, say 300 feet, but it really doesn't apply to helicopters because they could maneuver and there may be other things that would prevent them from flying, that would allow them to fly lower, 200 feet, 100 feet, 50 feet. Okay.

Do you have any set flight plans? Are helicopters, commuter helicopters that fly regular patterns from say Manhattan to Southampton, West Hampton, East Hampton, do any of them have to file any flight plans with you?

**MS. CREAN:**

Not required, no.

**LEG. ROMAINE:**

Thank you. So there's no minimum altitude -- there's a minimum altitude, but it really doesn't apply. There is no flight plan and there is no radio control, and essentially you're on your own. That's what you're telling me. And you can cite all the Federal regulations you want, but it would seem to me as if the FAA says, "Well, we're going to control helicopter flights," and then you ask, "Okay, what are you doing to control them?" Obviously there's no noise standards, there's no altitude standards, there's no flight plan, there's no radio control, so tell me how you're controlling it. Maybe you could explain how the FAA controls helicopter flights over Suffolk County. Because you can cite all the Federal regulations you want but, in essence, what you've told me is, "We control it by not controlling it. We control it because we have the law, but we actually don't control it." And then I say to myself, "Something's wrong with this picture." And if my law does nothing else but wake people up to jump on -- and I'm happy to see a representative of Congressman Bishop is here in the audience, John Schneider, his Chief Aide who has worked on this issue -- if we do nothing else but wake people up about this, we will be doing a great service. Because the Federal Government, if you want the responsibility, as far as I'm concerned you can have it, but then do something with it because to date, you've done nothing. And all you've done is inconvenience hundreds, if not thousands of people on Long Island that are fed up with the noise that is generated by these large helicopters flying over Suffolk County repeatedly. And as these people could tell you, I thought this would be a quiet hearing. If you want, I can pack this room, I can pack any room. In fact, what I would invite you to do is come and tell that song, sing that song to my constituents, come out to Riverhead, I'll have a public hearing, I'll give you a free forum so you can explain to my constituents what the Federal Government is doing to control aircraft flight, since it's their responsibility, over Long Island.

Because quite frankly, you have failed in your responsibility. You can say all the laws -- not you personally, let me say that, the FAA -- I don't mean to be -- believe me, my brother works for the FAA.

*(\*Laughter From Audience\*)*

**LEG. ALDEN:**

Wait a minute; isn't that a conflict?

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

Oh, it's a conflict. Recusal.

**LEG. ROMAINE:**

No, no, he works in Washington. But I've got to tell you, you understand how this looks. This doesn't look good. You're saying, "Oh, we've got this law and that law," and you're preempted." But guess what, we control it but -- and then you ask, "Okay. What about altitude? What about noise? What about unsafe" -- and what about flight plans?

**LEG. BROWNING:**

Gun ranges.

**LEG. ROMAINE:**

And you say, "Well, we don't do that." You know -- my suggestion is that you take back to the FAA the fact that Suffolk County is waiting -- we're happy to let the Federal Government run it, but then run it, do something. Don't hide behind regulations because that will not save the day. And I will tell you, in the end I think many of my colleagues, whether they're -- regardless of the party, will say to themselves, "Well, it may or may not affect my constituency, but we have to send a message to Washington."

And I'm happy to say that I think the message has certainly been well received by Congressman

Bishop and Senator Schumer and I think they're working on solutions and I'm happy to let my bill go away. But there's no solution. You understand where I'm coming from; I'm representing constituents and they'll tell you, every one of my colleagues had to listen to these people out in Riverhead, they probably wanted to shoot me that night because there were a long list of about 90 speakers on this issue.

**LEG. ALDEN:**

Yeah, that would be too kind to shoot you.

**LEG. ROMAINE:**

But I want you to go back to the FAA. I'm going to publish this number in my newsletter and I'm going to specifically encourage everyone with a complaint to call. Now, you're lucky because it's winter, you'll have time to gear up. Because the flights, the special flights that they offer for a bargain, you can get six flights from Manhattan, round-trips, out to East Hampton for \$28,000 at a real bargain. So those things usually start up in the spring and the summer and the fall, so you have some time to gear up to figure out how you're going to answer this question because this is an issue that is not going to go away. But I thank you for coming and addressing us and reminding us how we're preempted and how the Federal Government is actually doing the job for us in this field. I appreciate it.

**P.O. LINDSAY:**

That was a great question, Legislator Romaine.

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

I do have a question.

**P.O. LINDSAY:**

Oh, wait, Legislator Viloría-Fisher has a question.

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

A little bit less impassioned.

**LEG. D'AMARO:**

Excuse me, I thought I was next on the list.

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

No, you're right after me. I had said you were number three.

**LEG. D'AMARO:**

Okay.

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

You just mentioned that a new flight pattern had been set where the helicopters were -- are now in a new flight pattern along the north shore and that's precisely why my constituents and Legislator Romaine's constituents are having a problem. Because the rerouting has been done to the north shore, they're flying right over my constituents homes along Cutchogue and Jamesport and all of the other north shore communities, so that really has exacerbated the problem terribly for the people who live along the north shore. The helicopters are not flying over the water, they're flying over land and they're not flying high enough. So this is a real problem.

And we have discussed this with our Federal representatives and they have been very receptive, and I hope that the FAA is listening that we really do have a problem here.

**MS. CREAN:**

Right. And that is one of the things that was already mentioned, that we are looking at doing some more flights over the south shore also. But one of the things, the reason that this voluntary route

came up on the north shore is because helicopters were flying directly over the houses at low altitudes. So the Helicopter Association, the FAA and the airports, the East Hampton and West Hampton airports and Senator Schumer's Office and Congressman Bishop's Office came together and worked on the new voluntary route which takes them out over the sound and then 2,000, a minimum of 2,000 -- I think 2,500 feet, 2,500 feet, so -- which is pretty high for the helicopters in that area, only because we also have traffic flying in, big jets flying in to Kennedy, Laganardia and also -- so they have to stay below that, but this was a market improvement from the way it was the previous year. So we're still working with the Helicopter Association.

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

But that's if they fly at those altitude and if they fly over the water, that's if they do that. But as Legislator Romaine was just underscoring, there aren't regulations, those are voluntary routes.

**MS. CREAN:**

That's correct.

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

And that's wherein we have a problem. But there are other Legislators waiting to ask questions. Legislator D'Amaro.

**LEG. D'AMARO:**

Good afternoon.

**MS. CREAN:**

Hi.

**LEG. D'AMARO:**

I just -- I want to start -- I want to follow-up on what Legislator Viloría-Fisher brought up asking you about the voluntary route versus the mandated route, an actual airway or air space restriction. But I do want to start off by saying as a pilot myself, I'm familiar with what the FAA does as far as regulating the air space and I think you do a wonderful job.

**MS. CREAN:**

Thank you.

**LEG. D'AMARO:**

It's very well done. It is very sophisticated, especially in the New York, northeastern region. It is -- you're accounting for major airports that are very close together, so it's tough to do.

The regulations are really based on safety, for people on the ground and for people in the air. It's not really about the noise emanating from the aircraft. So I appreciate the fact that you are addressing it working on the Federal level with voluntary routes, let's say. But my question is what would it take to make the routes mandatory or to change the classification of air space in order to keep the commuter flights further away from the residential areas; what would it take to do that? If the County is preempted.

**MS. CREAN:**

As you know, the Kennedy and Laganardia and Newark area, that's under Class B Air Space, Class Bravo Air Space. As you get further out into less populated areas like Islip, the type of classification of control is less. And the more further east you go, the less crowded it is, so the less likely that it would be regulated. It has to do with the amount of traffic that is under the air space that we're talking about regulating. So because of the area that is outside of those airport control areas is very less populated with aircraft, it would not be regulated.

**LEG. D'AMARO:**

What about -- and I understand that, that when you get further east on Long Island you get into the

class G, uncontrolled/unrestricted.

**MS. CREAN:**

Uh-huh.

**LEG. D'AMARO:**

But what about publishing noise abatement procedures from the heliports where these commuter flights are leaving from that, again, I think would be -- well, they don't necessarily have to be voluntary, they could be mandated.

**MS. CREAN:**

That would be up to the airport owners or airport management. The way that works is for any kind of noise mitigation, noise abatement procedures, the airport does a part one-third -- Part 135 study, I believe it is? 151. Part 150 study, and with the Part 150 study, what they do is they, first of all, have to want to do that, they're not required to do that.

**LEG. D'AMARO:**

I see.

**MS. CREAN:**

And when they do that, then they have to do a lot of work. They have to do an environmental review, they send it out for comment they identify certain routes that would be noise mitigation. That would not -- and then when they do that, they have to identify to the people that the -- or the homes that the new routes would go over, "Is this going to be a problem with you?" So it goes out for a big comment period. When that happens, then they develop these routes and these routes can be either voluntary or mandatory, based on what the airport requires in order to land at that airport. So it's an airport -- it's not an FAA issue, it's an airport issue. However, the airport would get some subsidies as far as funding from the FAA to help with that study if they decide to do one.

**LEG. D'AMARO:**

Right, but those procedures really wouldn't go beyond the airport environment.

**MS. CREAN:**

It would be approaches and departures.

**LEG. D'AMARO:**

Right, approaches and departures.

**MS. CREAN:**

So it would be the way the aircraft come in to land, how high they would have to stay, the route that they would take and the departure. So it would be the sids (sic) and the stars kind of a thing.

**LEG. D'AMARO:**

Right, okay. And my last question is is there a way to -- I know there are VFR recommended airways that are published. Are there published airways for the commuter flights that traverse Long Island?

**MS. CREAN:**

That's the voluntary route that's on the north shore and then there's one also --

**LEG. D'AMARO:**

Is that a published route?

**MS. CREAN:**

Yes, that is.

**LEG. D'AMARO:**

It is.

**MS. CREAN:**

We published that, the FAA published that.

**LEG. D'AMARO:**

And that's the route that carries the flights over the sound?

**MS. CREAN:**

Yes, that's correct.

**LEG. D'AMARO:**

And what did you say, twenty-five hundred --

**MS. CREAN:**

Hundred feet, uh-huh.

**LEG. D'AMARO:**

-- feet from a distance. Yeah. Okay. All right, thank you.

**MS. CREAN:**

You're welcome.

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

Legislator Kennedy.

**LEG. KENNEDY:**

Just a couple of more questions, Ma'am. During this process I had an opportunity to just dial this number.

**LEG. NOWICK:**

Oh, I bet that was fun.

**LEG. KENNEDY:**

And I got a recording that basically encouraged me to go ahead and make an appointment with an Inspector of one of two different types of categories? Again, if the object here is for a constituent to be able to make a complaint about a craft that's operating in a manner that they are concerned with, how are we going to accomplish any kind of a response with an appointment? Presumably the aircraft will be long gone before anybody ever comes for an investigation purpose with an appointment.

**MS. CREAN:**

Well, one of the things that they would investigate -- first of all, if the aircraft is low enough to be a hazard, then I would recommend that the people identify what kind of an aircraft is the helicopter; is it a high-wing aircraft? You know, describe it to the best of their capability. Also, every aircraft, every helicopter has what we call an "N" number which is the identification of that particular vehicle, aircraft. If they're low enough they should be able to see that "N" number.

**LEG. KENNEDY:**

Where do you see that on an aircraft, Ma'am?

**MS. CREAN:**

It's usually on the tail.

**LEG. KENNEDY:**

There's an "N" number on the tail?

**MS. CREAN:**

N, it's like -- "N" stands for the United States, so "N" like in Nancy and November?

**LEG. KENNEDY:**

N as in Nancy?

**MS. CREAN:**

And then a number after that, it's usually about five digits; it could be less, but it's usually five digits. And then after they do that, when they report it they need to report to the investigative person, the person who's doing the investigations, what they saw, how high the aircraft was, the "N" number if they can give that, provide that, the type of a -- what it looked like. They don't have to know what aircraft are, but if they could explain in greatest detail what they look like and what they were doing that was considered a hazard. And then -- and the appointments, this is the kind of information the person -- the person who's doing the investigation will ask and they will ask a lot of more detailed information to try and pull out more and more information from the constituent who is calling. And when they get that, they will investigate that "N" number, they will go to the place where the person lives or is reporting it from and then identify where -- you know, say how was the aircraft flying, which direction were they flying and all that kind of stuff. And they would do an investigation, they would do a thorough investigation.

**LEG. KENNEDY:**

Okay, fine. So you're giving me a remedy. Is there -- so the object that I should be telling constituents is capture as much information in the first instance as possible, schedule this and then to contact your office. And there was only 12 calls to this office last year?

**MS. CREAN:**

There were -- no, that was in '07. Yeah, in '08 there were nine, FY '09 -- FY '08, and that's from October through September. But I'm thinking that could only be because people don't know the phone number.

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

People don't know it.

**LEG. KENNEDY:**

None of us knew, Ma'am. And presumably we're representing several tens of thousands of people, so.

**MS. CREAN:**

It's in the -- it's in the FAA website, but it's tough to maneuver sometimes if people aren't real knowledgeable on how to maneuver throughout that website. So you have the number.

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

Thank you.

**LEG. ALDEN:**

We spend hundreds of thousands of dollars promoting numbers, 852-COPS.

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

Thank you very much. Is there anyone else who would like to speak on this matter? Legislator Romaine, what's your pleasure?

**LEG. ROMAINE:**

I'd like to close the hearing so we can bring it to a vote at the quickest possible moment.

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

Okay, I'll second that. All in favor? Opposed? IR 1951 is closed.

**MR. LAUBE:**

Fifteen (Not Present: Legislators Beedenbender, Cooper & Lindsay).

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

***Public Hearing on IR 1964-08***, there are no cards, ***it's a Local Law to require disclosure of the identity of users of clothing donation bins (County Executive)***. Is there anyone in the audience who wishes to address the Legislature on this issue? Okay, is there a motion to close or recess? It's a County Executive bill.

**LEG. ALDEN:**

Where's Ben?

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

Could anybody from the County Executive's Office tell us what you'd like? Okay, what if we pass over it and come back? All right?

***Public Hearing on IR 1965-08 - A Local Law requiring restaurants to disclose prices of specials (Nowick)***. Is there anyone in the audience who would like to address us on this issue? Okay, seeing none, Legislator Nowick, what's your pleasure?

**LEG. NOWICK:**

Motion to close.

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

Motion to close by Legislator Nowick. Seconded --

**LEG. LOSQUADRO:**

Second.

**LEG. EDDINGTON:**

Second.

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

-- by Legislator Eddington. All in favor? Opposed? IR 1965 is closed.

IR 1970 --

**MR. LAUBE:**

Sixteen (Not Present: Legislators Romaine & Montano).

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

I'm sorry. Sorry, Tim.

***Public Hearing on IR 1970-08 - A Charter Law creating a County Department of Consumer Affairs (County Executive)***. There are no cards. Is there anyone in the audience who wishes to address us on this motion, on this public hearing? Is there a motion?

**LEG. ALDEN:**

We need some guidance.

**MR. ZWIRN:**

Close.

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

Okay. Well, actually, Ben, we wanted to ask you about 1964 as well as this one, but right now we're on 1970.

**MR. ZWIRN:**

We would ask for them to be closed. We would ask for them to be closed.

**LEG. ALDEN:**

So moved.

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

Okay. So Legislator Alden makes a motion to close IR 1970. Seconded by Legislator Gregory. All in favor? Opposed? IR 1970 is closed.

**MR. LAUBE:**

Sixteen (Not Present: Legislators Romaine & Montano).

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

And Mr. Zwirn, 1964?

**MR. ZWIRN:**

We ask that be closed as well and go to committee.

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

Okay. Legis -- okay, the Presiding Officer makes a motion to close.

**LEG. ALDEN:**

Second.

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

Seconded by Legislator Alden. All in favor? Opposed? IR 1964 is closed. Thank you.

**MR. LAUBE:**

Sixteen (Not Present: Legislators Romaine & Montano).

**P.O. LINDSAY:**

All right, that completes the Public Hearings for today. I'd like to set the date for the following Public Hearings of December 2nd, 2008 at 2:30 P.M. in the Rose Caracappa Auditorium, Hauppauge, New York; IR 1976, a Charter Law to reform and reconstitute a professional independent Suffolk County Ethics Commission (Montano); IR 2025, a Local Law to promote accurate cost estimates for Capital Projects; IR 2028, a Local Law to adopt a Full Cost Disclosure Policy for Land Acquisition Resolutions; IR 2033, a Local Law amending the Suffolk County Code to prevent deceptive practices in home heating oil industry; and IR 2081, a Local Law to promote the development of residential dwellings for the first time home buyers, and that's it. Do I have a motion?

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

Motion.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Sixteen (Not Present: Legislators Romaine & Montano).

**P.O. LINDSAY:**

Okay. I'll accept a motion on the Consent Calendar.

**LEG. LOSQUADRO:**

Motion, Mr. Chairman.

**P.O. LINDSAY:**

Motion by Legislator Losquadro.

**LEG. SCHNEIDERMAN:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Sixteen (Not Present: Legislator Romaine & Montano).

**P.O. LINDSAY:**

Going to [Resolutions Tabled Till November 18th:](#)

***1023-08- Directing the Suffolk County Sewer Agency, Department of Public Works, to finalize the creation of Sewer District No. 4, Smithtown Galleria (Kennedy).***

**LEG. KENNEDY:**

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

**P.O. LINDSAY:**

Motion to table by Legislator Kennedy.

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

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Sixteen (Not Present: Legislators Romaine & Montano).

**P.O. LINDSAY:**

***1181-08 - Authorizing acquisition of land under the Old Suffolk County Drinking Water Protection Program [former Section C12-5(E)(1)(a) of the Suffolk County Charter] for the South Bay Street Property, Town of Babylon (SCTM Nos. 0103-025.00-02.00-018.000 and 0103-025.00-02.00-019.000) (Horsley).***

**LEG. HORSLEY:**

Motion to approve.

**P.O. LINDSAY:**

Motion to approve by Legislator Horsley.

**LEG. D'AMARO:**

Second.

**P.O. LINDSAY:**

Seconded by Legislator D'Amaro. On the question, anyone?

**LEG. ALDEN:**

Just one.

**P.O. LINDSAY:**

Legislator Alden.

**LEG. ALDEN:**

If anybody remembers why this was tabled last time?

**LEG. HORSLEY:**

It went to CEQ and --

**LEG. LOSQUADRO:**

Use the mike, Wayne.

**LEG. HORSLEY:**

If you recollect, this is -- I've been doing this bill for the last three years now. This is the one that the -- it was agreed upon by -- it was agreed upon by the County Executive -- or it was agreed upon by County that if a property -- if a parks property in Lindenhurst was purchased by the Village that -- this goes back to the old money, back to Bishop's day -- that if it was agreed upon by the County to -- that the County, the Legislature approved planning steps, the County Legislature vetoed -- the County Executive vetoed it and then we overrode the veto, and that was my first day in office only. So we have been traveling this path all along trying to get this committed and paid for.

**P.O. LINDSAY:**

Cameron, if you might -- if I might. You might recall, this goes back to Dave Bishop and we couldn't move fast enough on a property, the Village bought the property, we had an agreement to buy it from the Village when we got -- went through our process and something fell off the table in between the village buying it and us fulfilling our commitment.

**LEG. ALDEN:**

Okay. Traditionally, all the Legislators from that town would have to agree on these type of 12(E)'s.

**LEG. HORSLEY:**

Okay.

**LEG. ALDEN:**

As you've brought it forward, have you consulted with --

**LEG. HORSLEY:**

Lou just seconded this. Steve, you good with this?

**LEG. STERN:**

I'm good with this.

**LEG. HORSLEY:**

You good with this. DuWayne, you're good with this?

**LEG. GREGORY:**

I don't know. What can I get for it?

**LEG. HORSLEY:**

I've consulted.

**LEG. ALDEN:**

DuWayne, you want a couple of minutes to extract a couple of pints of blood? All right. Thank you.

**P.O. LINDSAY:**

Okay. We have a motion and a second and a third and a fourth.  
All in favor? Opposed? Abstentions?

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

Wow, we finally have this off the agenda.

**MR. LAUBE:**

Seventeen (Not Present: Legislator Montano).

**LEG. HORSLEY:**

Yeah. It could be vetoed again, so.

**P.O. LINDSAY:**

Legislator Romaine, you want to be recognized?

**LEG. ROMAINE:**

No, no.

**P.O. LINDSAY:**

Oh, okay.

**LEG. ROMAINE:**

I was just stretching.

**P.O. LINDSAY:**

Oh, okay. ***IR 1695-08 - Authorizing certain technical corrections to Adopted Resolution No. 1129-2007, authorizing acquisition of land under the Suffolk County Multifaceted Land Preservation Program - Open Space - for the Boys and Girls Harbor, Inc. Property - Town of East Hampton (SCTM Nos. 0300-092.00-01.00-011.001 and 0300-074.00-05.00-030.002) (County Executive).***

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

Motion.

**P.O. LINDSAY:**

Motion by Legislator Viloría-Fisher.

**LEG. NOWICK:**

Second.

**P.O. LINDSAY:**

Seconded by Legislator Nowick.

**LEG. ALDEN:**

On the motion.

**P.O. LINDSAY:**

On the motion, Legislator Alden.

**LEG. ALDEN:**

Maybe George would know the answer or maybe Ben, but isn't this property subject to a lawsuit at this point?

**LEG. D'AMARO:**

No.

**LEG. ALDEN:**

Is this the one?

**MR. ZWIRN:**

This was a piece of property that the Legislature authorized the purchase of, I think it was a year ago. And this was a technical correction to that because the residents who lived adjacent to the property asked the town to reconsider their use. Originally they were going to -- the town is joining with it. It's a partnership with the Town of East Hampton and they were going to make this property more active recreation than passive.

There was a meeting at Town Hall, and Legislator Schneiderman can correct me when I -- if I go astray here. The town agreed to modify their original plan. The County really -- since the town is going to manage it, the County said, "Look, what the town wants to do, we'll pretty much go along with what you want." So we put in a technical correction to conform our resolution, even though we've already authorized the purchase of the property, to try to conform to what the town had requested the to make the property more passive in conformance with what the people in the community preferred.

The time that has elapsed, there was a lawsuit by the community for SEQRA issues. We don't believe that has any standing -- there's a lawsuit pending, but we don't think that there's any chance that we could lose this lawsuit. And in the interim, property values have come down. Even though we're still within the window under our acquisition statutes with the appraisals that are in place, they're still valid appraisals. And there was some talk whether we should move forward on this or not and the County Executive said, "Look, I was authorized by the Legislature to go forward." And unless there's a resolution that goes from this Legislature saying to rescind that authorization, then I will go forward with the recommendation and the authority of the Legislature to tell the County Executive to sign this contract, he will do that. But we just wanted to get this resolved, this last portion of it. And since there's no resolution to rescind, the County Executive is really under an obligation to move forward. And this is just the last missing piece, it's a technical correction and if the Legislature moves forward today then we will be done.

**LEG. ALDEN:**

Ben, to your knowledge, we haven't been served with a restraining order or papers in regard to a restraining order on the issue evaluation?

**MR. ZWIRN:**

No.

**LEG. ALDEN:**

Okay. Thanks.

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

Okay. There's a motion and a second.

**P.O. LINDSAY:**

Okay, Legislator Schneiderman wants to weigh in.

**LEG. SCHNEIDERMAN:**

I'll comment because I am the one who has in the past been tabling this, and I've also been receiving e-mails from one of the particular neighbors as well as an attorney representing the neighbors about the question of whether we're paying too much for this property. I wanted time to review the appraisals that were done. I did have questions about those appraisals, I went to Real Estate, they issued, I think, a three page memo to me asserting clearly that the price at the time this deal was made was a fair market price. I'm not going to argue with the professionals, times may have changed and the price may not be what it was then, but we had approved this. This is merely a technical correction referencing a different town board, Town Board meeting, as Mr. Zwirn said.

The County Executive hasn't yet signed this contract and I think ultimately, if it moves up to his level, he has to make that decision. But it appears that we have done everything by the book and properly and that's really what I wanted an opportunity to make sure we were doing this correctly.

**P.O. LINDSAY:**

Just to weigh in myself, if this was coming before us as a new resolution today, I probably wouldn't go along with it because I really think that we have to look at it. But this is at least five years old from when this first started, I know it goes back a long ways. And I think that we made a commitment and we should fulfill that commitment.

**MR. ZWIRN:**

If I might, Mr. Presiding Officer. Just to make the Legislature -- I know the Legislature has had some reservations about enriching, you know, people along the way with this. This is a -- Boys and Girls Harbor is a -- the money will go to under privileged kids. The board there is looking for property Upstate, New York, to buy more property and this money is not going to an individual but it's going to help inner city kids have a chance to get out into the country and enjoy some of the advantages of being in a rural environment for part of the summer. So it's -- and that's good news.

**LEG. SCHNEIDERMAN:**

I just have to comment on that, because Mr. Zwirn has brought --

**P.O. LINDSAY:**

Legislator Schneiderman.

**LEG. SCHNEIDERMAN:**

Mr. Zwirn has brought this up before and, you know, the owner, whether it's for profit or not-for-profit, whether it's a good guy or a bad guy is really irrelevant. We can't pay more than fair market value for something, even if it's a terrific, you know, organization that's getting the extra money. I think that I really needed to determine that we were paying fair market value. And it's tricky because we're going back to appraisals from 2006 that were done with comparables going back to 2005, which was the height of the market. The market's changed, we're in 2008, the end of 2008. But there is the question, does the County walk away from a deal and compromise its program, or does it stick with its commitments? We made a deal, I think we have to stick with our deal.

**P.O. LINDSAY:**

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

**LEG. ALDEN:**

Opposed.

**LEG. BARRAGA:**

Opposed.

**MR. LAUBE:**

Fifteen (Opposed: Legislators Alden & Barraga - Not Present: Legislator Montano).

***Introductory Resolutions for November 18, 2008***

**P.O. LINDSAY:**

Okay, ***Budget & Finance:***

***IR 1931-08 - To enhance consumer responsibility and ensure depositories informed transactions (credit) in Suffolk County (Horsley).*** Do I have a motion?

**LEG. HORSLEY:**

Motion to approve.

**LEG. COOPER:**

Second.

**P.O. LINDSAY:**

Motion to approve by Legislator Horsley, seconded by Legislator Cooper. Anything -- anybody want to talk on the question. All in favor? Opposed? Abstentions?

**LEG. BARRAGA:**

Opposed.

**MS. ORTIZ:**

Sixteen (Opposed: Legislator Barraga - Not Present: Legislator Montano).

**P.O. LINDSAY:**

**Consumer Protection:**

***1816-08- Adopting Local Law No. 2008, a Local Law to toughen anti-dumping prohibitions (Stern).***

**LEG. STERN:**

Motion to approve.

**P.O. LINDSAY:**

Motion to approve by Legislator Stern.

**LEG. COOPER:**

Second.

**P.O. LINDSAY:**

Second by Legislator Cooper. Anybody want to discuss it, no?  
All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Seventeen (Not Present: Legislator Montano).

**P.O. LINDSAY:**

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

***1866-08 - Adopting Local Law No. 2008, a Local Law to establish uniform procedures for issuance of film permits (County Executive).***

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

Motion.

**LEG. COOPER:**

Motion to approve.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Seventeen (Not Present: Legislator Montano).

**P.O. LINDSAY:**

***1867-08- Adopting Local Law No. 2008, a Local Law amending the Suffolk County Empire Zone Boundaries to include NBTY, Inc. (SCTM No. 0100-126.01-01.00-004.050) (County Executive).***

**LEG. HORSLEY:**

Motion to approve.

**LEG. GREGORY:**

Second.

**P.O. LINDSAY:**

Motion to approve by Legislator Horsley, second by Legislator Gregory. All in favor? Opposed? Abstentions?

**LEG. ALDEN:**

Abstain.

**LEG. BARRAGA:**

Opposed.

**MR. LAUBE:**

Fifteen (Opposed: Legislator Barraga - Abstention: Legislator Alden - Not Present: Legislator Montano).

**P.O. LINDSAY:**

***1893-08 -Reappoint Nancy J. Duncan as a member of the Suffolk County Citizens Advisory Board for the Arts (Eddington).***

**LEG. EDDINGTON:**

Motion to approve.

**P.O. LINDSAY:**

Motion to approve by Legislator Eddington. I'll second it. Any discussion? All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Seventeen (Not Present: Legislator Montano).

**P.O. LINDSAY:**

**Environment, Planning & Agriculture:**

***1857-08 - Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) - Open Space Component - for the Elgart Property - Patchogue River Wetlands addition, Town of Brookhaven (SCTM Nos. 0200-892.00-02.00-045.000, 0200-892.00-02.00-049.000 and 0200-892.00-02.00-050.00) (County Executive).***

**LEG. EDDINGTON:**

Motion to approve.

**P.O. LINDSAY:**

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

Abstentions?

**LEG. ALDEN:**  
Abstain.

**LEG. BARRAGA:**  
Opposed.

**MR. LAUBE:**  
Fifteen (Opposed: Legislator Barraga - Abstention: Legislator Alden - Not Present: Legislator Montano).

**P.O. LINDSAY:**  
*1859-08 - Authorizing acquisition of a conservation easement under the Suffolk County Multifaceted Land Preservation Program - Open Space Preservation Program - for the Jacoby Limited Family Partnership Property - Laurel Lake addition, Town of Southold (SCTM No. 1000-125.00-01.00-005.001 p/o (County Executive)).*

**LEG. ROMAINE:**  
Motion.

**P.O. LINDSAY:**  
Motion by Legislator Romaine.

**LEG. KENNEDY:**  
Second.

**P.O. LINDSAY:**  
Second by Legislator Kennedy.

**LEG. ALDEN:**  
On the motion.

**P.O. LINDSAY:**  
On the motion, Legislator Alden.

**LEG. ALDEN:**  
Just explain the difference between a conservation easement and the actual purchase of the property; what can they use the property for?

**MR. NOLAN:**  
I think they basically agreed to leave the property as it is in its natural state. There was some discussion at committee that in terms of -- they're trying -- after this is approved, they will try to work out some type of an agreement or access agreement that would put a trail through the property to connect with other trails around this lake.

**LEG. ALDEN:**  
So as of right now, Suffolk County doesn't really benefit except for the fact that this property will not be developed? Are they still going to pay the property tax on this piece?

**MR. NOLAN:**  
I believe that is correct, I believe they do pay the taxes on the property; I think that was the testimonial at the committee.

**LEG. ALDEN:**  
If we're paying taxes (inaudible).

**P.O. LINDSAY:**

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

**LEG. ALDEN:**

Abstain.

**LEG. BARRAGA:**

Opposed.

**MR. LAUBE:**

Fifteen (Opposed: Legislator Barraga - Abstention: Legislator Alden - Not Present: Legislator Montano).

**LEG. ROMAINE:**

Could you please list me as a cosponsor on that one?

**MR. LAUBE:**

Yes, sir.

**P.O. LINDSAY:**

***1877-08 - Appointing Patchogue Village Mayor Paul Pontieri as a member of the Long Island Regional Planning Council (County Executive).***

**LEG. EDDINGTON:**

Motion to approve.

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

Motion.

**P.O. LINDSAY:**

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

**CHAIRMAN MONTANO:**

Cosponsor that.

**MR. LAUBE:**

Yes, sir. Seventeen (Not Present: Legislator Montano).

**P.O. LINDSAY:**

***1888-08 - Authorizing planning steps for the acquisition of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 (Boatyard Vistas, Inc., Property) - Town of Brookhaven (Schneiderman).***

**LEG. SCHNEIDERMAN:**

Motion.

**LEG. ROMAINE:**

Second.

**P.O. LINDSAY:**

Motion by Legislator Schneiderman, seconded by Legislator Romaine.

**LEG. ALDEN:**

On the motion.

**P.O. LINDSAY:**

On the motion, Legislator Alden.

**LEG. ALDEN:**

Is this parcel part of our Master Plan, and what's the plan for it?

**LEG. SCHNEIDERMAN:**

Well, I'll look to see if it's part of the Master Plan. I could tell you this is a priority for --

**LEG. LOSQUADRO:**

Use the mike, Jay.

**LEG. SCHNEIDERMAN:**

I believe it's on. I know this is a priority for Brookhaven Town, it's in the East Moriches area. It's entirely waterfront. A portion of it, a large portion of it is bulk headed.

**LEG. ALDEN:**

Also, is it under development pressure?

**LEG. ROMAINE:**

Yes.

**LEG. ALDEN:**

How much was -- how much taxes do they pay on the property?

**LEG. ROMAINE:**

It's vacant, Cameron.

**LEG. SCHNEIDERMAN:**

It's vacant land. I don't know what the taxes are.

**LEG. ROMAINE:**

It's vacant now, but there is a proposal to develop this and try to put condos. Whether the town would grant that or not, it's, as I said, all water front on Hart's Cove.

***[THE FOLLOWING WAS TAKEN AND TRANSCRIBED.  
BY LUCIA BRAATEN - COURT STENOGRAPHER]***

**LEG. ALDEN:**

And you don't know if it is or isn't part of our Master Plan?

**LEG. SCHNEIDERMAN:**

I'm looking at --

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

I don't think it is.

**LEG. ALDEN:**

No? Okay.

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

I don't think it's part of the Master Plan.

**P.O. LINDSAY:**

Do you want to ask Mr. Kent that, Legislator Romaine?

**LEG. ROMAINE:**

It's Legislator Schneiderman's District.

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

Chris.

**P.O. LINDSAY:**

Who's asking the question?

**LEG. ALDEN:**

I was asking the question.

**P.O. LINDSAY:**

Oh, Legislator Alden.

**LEG. SCHNEIDERMAN:**

I don't think it's part of the --

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

Chris Kent is here.

**LEG. SCHNEIDERMAN:**

-- the Master List.

**P.O. LINDSAY:**

Do you want to ask?

**LEG. SCHNEIDERMAN:**

I don't believe it's on the Master List.

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

I don't think so.

**LEG. ALDEN:**

Chris, would you know whether it's on the Master Plan?

**MR. KENT:**

No, these were -- this was the subject of a planning steps resolution, so it was not on the Master Plan, no.

**LEG. ALDEN:**

Oh, it's not on the Master Plan.

**MR. KENT:**

It was separate planning steps.

**LEG. ALDEN:**

Okay.

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

May I ask a question, Mr. Chair?

**MR. KENT:**

I believe Legislator Schneiderman might have been the sponsor of that also, right?

**LEG. SCHNEIDERMAN:**

Yes.

**P.O. LINDSAY:**

Okay. Legislator Vilorina-Fisher.

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

Mr. Kent, before you go, is there a possibility of partnering with Brookhaven Town on this?

**MR. KENT:**

No, not on this. Brookhaven Town right now, in 2008, is not partnering with us on acquisitions at this point. I think they're --

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

They don't have any money left at all?

**MR. KENT:**

They're looking to dedicate some monies towards acquisition in 2009.

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

Say that again, Chris.

**MR. KENT:**

They're looking -- actually, Legislator Romaine might know the answer to this. I've been made aware that they're trying to allocate some monies for 2009 for acquisition, but they don't have monies for acquisition in 2008.

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

They have none left in 2008, so we're doing this 100% County.

**MR. KENT:**

That's correct.

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

Okay.

**P.O. LINDSAY:**

Legislator Romaine.

**LEG. ROMAINE:**

Yeah, very briefly. I believe the Town of Brookhaven is -- I believe the Town Board is meeting tonight, but I'm not sure, but I know when they meet that they have approved in concept and have a majority for a 10 million dollar Capital Program for five years, for a total of 50 million dollars for acquisitions, so there will be money. And since this is planning steps, by the time it's ready for acquisition, there certainly will be money there for the Town, if, at that point, the decision is made to partner. And this is just simply a planning steps resolution that Legislator Schneiderman has introduced. But at the time of this acquisition, I'm sure there'll be money there from the Town.

**P.O. LINDSAY:**

Thank you. Legislator Alden.

**LEG. ALDEN:**

That's nice that Brookhaven might have some money, but my point would be that even if it's a planning steps, it costs the County money to do that. And the biggest point is that we're now up to

35,000 acres of like a wish list for purchasing property. This isn't on that wish list, this would be in addition to the wish list. So you have to ask yourself when is enough enough, and how much are we going to require of the taxpayers to purchase in open space where we don't really even have a cognizant plan as to how we're going to use it or protect it. Even with what we passed before and overrode the veto, we still don't have enough Park Police to protect the property that we own right now, and to actually allow the parks to operate, the active parks to operate.

So I think that, you know, maybe a little restraint in spending of the taxpayers' money, because some of these things we're not going to be done paying for for another 10 or 20 years. Maybe it's time to give the taxpayers a break and get a plan in place, and then represent it to the taxpayers and see if they want to impose a tax on themselves to go ahead with this acquisition program, which is very expensive.

**P.O. LINDSAY:**

Okay. Anybody else? We have a motion and a second. All in favor? Opposed?

**LEG. ALDEN:**

Opposed.

**LEG. HORSLEY:**

Opposed.

**LEG. BARRAGA:**

Opposed.

**P.O. LINDSAY:**

I'm going to call the role on this one. Roll call.

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

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. ROMAINE:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. BEEDENBENDER:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. EDDINGTON:**

Yes.

**LEG. MONTANO:**

(Not Present)

**LEG. ALDEN:**

No.

**LEG. BARRAGA:**

No.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. GREGORY:**

No.

**LEG. STERN:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. COOPER:**

Yes.

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

Yes.

**P.O. LINDSAY:**

No.

**MR. LAUBE:**

Thirteen. (Not Present: Leg. Montano)

**P.O. LINDSAY:**

Okay. *1889 - Authorizing planning steps for the acquisition of land under the Suffolk County Drinking Water Protection Program, as amended by local Law No. 24(2007), Lack Property, Town of Southampton.*

**LEG. SCHNEIDERMAN:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Schneiderman.

**LEG. BROWNING:**

Second.

**P.O. LINDSAY:**

Second by Legislator Browning.

**LEG. ALDEN:**

On the motion.

**P.O. LINDSAY:**

On the motion, Legislator Alden.

**LEG. ALDEN:**

Is Mr. Kent still here?

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

Yes.

**LEG. ALDEN:**

The question would be, is this part of our Master Plan?

**MR. KENT:**

No, this is a planning steps resolution --

**LEG. ALDEN:**

Thanks.

**MR. KENT:**

-- being offered by Legislator Schneiderman.

**LEG. ALDEN:**

Thank you.

**P.O. LINDSAY:**

Any other questions? Okay. All in favor? Opposed?

**LEG. ALDEN:**

Opposed.

**LEG. BARRAGA:**

Opposed.

**P.O. LINDSAY:**

Abstentions?

**MR. LAUBE:**

Fifteen. (Not Present: Leg. Montano)

**P.O. LINDSAY:**

***1905 - Authorizing planning steps for the acquisition of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24(2007), Little Portion Friary property, Town of Brookhaven.***

**LEG. LOSQUADRO:**

Interesting. Motion to approve.

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

Oh, that's so sad.

**LEG. LOSQUADRO:**

We retained a section.

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

I'll second the motion. I'm just -- I've always loved the Friary.

**P.O. LINDSAY:**

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

**LEG. ALDEN:**

On the motion.

**P.O. LINDSAY:**

On the motion, Legislator Alden.

**LEG. ALDEN:**

First question is, is this part of our Master Plan as far as property that we wanted to purchase?

**LEG. LOSQUADRO:**

I can answer that. No, it was not part of the Master Plan, because, at the time, as Legislator Viloría-Fisher indicated, that was not seen as an interest in selling this property.

**LEG. ALDEN:**

Actually, though, Legislator Losquadro, the Master Plan did include 25,000 acres and then was expanded to 35,000.

**LEG. LOSQUADRO:**

This just wasn't on the radar screen at the time.

**LEG. ALDEN:**

It was all -- every wish list that anybody could come up with, they threw in property to -- and that was what we made our Master Plan.

**LEG. LOSQUADRO:**

Well, we had to also --

**LEG. ALDEN:**

Whether it would all fail or not.

**LEG. LOSQUADRO:**

So, obviously, someone missed along the way.

**LEG. ALDEN:**

Okay. And how much tax did they pay?

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

It's a Friary. I don't think they would pay tax, would they? Isn't it like a church?

**LEG. ALDEN:**

Well, that's some of the questions that should be asked.

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

I don't think they pay tax, I think it's a church property.

**LEG. ALDEN:**

Do we know for sure --

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

Chris.

**LEG. ALDEN:**

-- that they don't pay tax or do pay tax?

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

Mr. Kent? I mean, basically they bake bread and pray there.

**MR. KENT:**

Well, if it's a religious corporation, they're not paying property taxes, but I can't confirm or deny that. This is not our resolution.

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

Well, it's a working Friary. I mean, I've been there. I don't think they pay tax.

**LEG. ALDEN:**

So we're guessing that they don't pay tax. Under --

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

I'm pretty sure they don't pay tax.

**LEG. ALDEN:**

Is it under development pressure? Mr. Kent wouldn't know that, because --

**MR. KENT:**

I don't know. We didn't prepare this resolution, so I didn't really work on it at all. I can't tell you yes or no. But, if it's a religious corporation --

**LEG. ALDEN:**

Anybody know the answer to that?

**MR. KENT:**

-- they're not paying property taxes.

**P.O. LINDSAY:**

Cameron, it's a monastery, they don't talk.

**LEG. ALDEN:**

That explains it. Thank you. All right.

**LEG. SCHNEIDERMAN:**

A vow of silence?

**LEG. ALDEN:**

Well, wait a minute. Wait, wait, wait. It's a Monastery?

**P.O. LINDSAY:**

I don't know.

**LEG. ALDEN:**

Where does that separation of church and state come in? We can't give money to an organized religion?

**P.O. LINDSAY:**

I think you could buy it, though.

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

We buy diocesan property all the time.

**LEG. ALDEN:**

I'm not so sure you can buy religion.

**P.O. LINDSAY:**

No, I don't think you can buy religion.

**LEG. SCHNEIDERMAN:**

You could buy anything in this country.

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

Okay. We're getting punchy.

**P.O. LINDSAY:**

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

**LEG. ALDEN:**

Opposed, God forgive me.

**LEG. GREGORY:**

Opposed.

**LEG. BARRAGA:**

Opposed.

**MR. LAUBE:**

Fifteen. *(Vote Amended to 14 Yes, 3 Opposed, 1 Not Present: Leg. Montano)*

**P.O. LINDSAY:**

*1913 - Approving planning steps for the acquisition of Farmland Development Rights, September 2008.* What does that mean?

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

Oh, that's in that series when you have a bunch.

**P.O. LINDSAY:**

Okay.

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

That's when you have a list of the Farmland Committee recommendations of properties.

**P.O. LINDSAY:**

Okay. All right. Do I have a motion?

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

Yes.

**P.O. LINDSAY:**

Motion by Legislator Viloría-Fisher.

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

Ed?

**P.O. LINDSAY:**

Do I have a second.

**LEG. ROMAINE:**

Yes.

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

Do you want to second farmland preservation?

**LEG. ROMAINE:**

Yes.

**LEG. ALDEN:**

I have a question, then.

**P.O. LINDSAY:**

Okay. You have a motion and a second. And Legislator Alden has a question.

**LEG. ALDEN:**

And maybe Mr. Kent would know the answer to this. Is this part of our Master Plan for --

**MR. KENT:**

This is farmland, so all farmland is -- anything that comes out of the Farmland Committee is part of our plan, yes.

**LEG. ALDEN:**

Great. Thank you.

**P.O. LINDSAY:**

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

**LEG. BARRAGA:**

Opposed.

**MS. ORTIZ:**

Sixteen. (Not Present: Leg. Montano)

**LEG. ROMAINE:**

Would the Clerk please list me as a cosponsor?

**MS. ORTIZ:**

Yes.

**P.O. LINDSAY:**

*1914 - Authorizing the acquisition of Farmland Development Rights under the New Suffolk County Drinking Water Protection Program for the Amsler Family Limited Partnership property, Richter's Orchard, Town of Huntington.*

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

I have a question of Chris?

**P.O. LINDSAY:**

Let's see -- let me get a motion first.

**LEG. NOWICK:**

Motion.

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

Second.

**P.O. LINDSAY:**

Motion by Legislator Nowick, second by Legislator Kennedy. And Legislator Viloría-Fisher has a question.

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

Chris, is this a working farm?

**MR. KENT:**

Yes, it is.

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

Is it a crop farm?

**MR. KENT:**

A co-op?

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

Crop.

**MR. KENT:**

Oh, crop, yes.

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

A row crop --

**MR. KENT:**

It's an orchard, it's apples and --

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

Oh, it is an orchard.

**MR. KENT:**

Yes.

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

So it's a working orchard.

**MR. KENT:**

Yes. It's in Huntington, and this is a partnership with the Town of Huntington, 50/50 partnership between the County and the Town.

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

So I could go there and buy some apples for --

**MR. KENT:**

Yes.

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

Okay. All right. Good. Thank you.

**P.O. LINDSAY:**

Okay. We have a motion and a second. All in favor? Opposed? Abstention?

**LEG. BARRAGA:**

Opposed.

**MR. LAUBE:**

Sixteen. (Not Present: Leg. Montano)

**P.O. LINDSAY:**

***1928 - Authorizing planning steps for the acquisition of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law 24, Town of Brookhaven.***

**LEG. ROMAINE:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Romaine.

**LEG. BROWNING:**

Second.

**P.O. LINDSAY:**

Second by Legislator Browning.

**LEG. ALDEN:**

On the question.

**P.O. LINDSAY:**

On the question, Legislator Alden.

**LEG. ALDEN:**

Mr. Kent, you're still here, I guess. Is this part of the --

**MR. KENT:**

I'm trying to stay out of your view, yeah.

**LEG. ALDEN:**

Was this part of our Master Plan?

**MR. KENT:**

No.

**LEG. ALDEN:**

No. Thanks.

**MR. KENT:**

Can I just explain that? If there's a planning steps introduced by a Legislator, it's not part of the Master Plan, because all the Master Plan parcels were approved by legislation years ago, so they don't need planning steps.

**LEG. ALDEN:**

One point of clarification. We jumped, though, from 25,000 acres to 35,000 acres and that was only a year ago; is that not correct?

**MR. KENT:**

Are you referring to the goal of how much land we're going to acquire? That was not our -- the 35,000 acres identified as our goal was not done by the County, that was done by an outside -- outside organization.

**LEG. ALDEN:**

It wasn't done by the Regional Planning, it wasn't done by Suffolk County's Planning Commission, or Suffolk County Planning -- no?

**MR. KENT:**

No. It was done by a group of organizations, the Nature Conservancy, Pine Barrens Commission --

Pine Barrens Society, excuse me, not Pine Barrens Commission. There was a few organizations that got together and said the critical mass of open space to be preserved on Long Island would be 35,000 acres. That would be a goal. That was not done by the County.

**LEG. ALDEN:**

I wonder what the critical mass of affordability for the taxpayer is? All right. Thank you.

**P.O. LINDSAY:**

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

**LEG. ALDEN:**

Opposed.

**LEG. BARRAGA:**

Opposed.

**LEG. MONTANO:**

Opposed.

**LEG. ROMAINE:**

Opposed.

**MR. LAUBE:**

Fourteen.

**P.O. LINDSAY:**

*1936 - Amending the adopted 2008 Operating Budget to transfer funds from Fund 477 Water Quality Protection, amending the 2008 Capital Budget and Program, and appropriating funds in connection with the installation of anti-litter signage on County roads.* Do I have a motion?

**LEG. LOSQUADRO:**

Motion.

**LEG. BROWNING:**

Motion.

**LEG. EDDINGTON:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Losquadro.

**LEG. BROWNING:**

Second.

**LEG. EDDINGTON:**

Second.

**P.O. LINDSAY:**

Second by Legislator Eddington.

**LEG. ALDEN:**

Explanation.

**P.O. LINDSAY:**

On the question, Legislator Alden, explanation.

**LEG. ALDEN:**  
Who's resolution is this?

**P.O. LINDSAY:**  
This is the --

**D.P.O. VILORIA-FISHER:**  
County Executive's.

**P.O. LINDSAY:**  
-- County Executive's.

**LEG. ALDEN:**  
Is somebody here from the County Executive's Office?

**D.P.O. VILORIA-FISHER:**  
It's a pilot program.

**LEG. ALDEN:**  
Yeah, but 477 is to protect the groundwater.

**D.P.O. VILORIA-FISHER:**  
Well, litter.

**LEG. ALDEN:**  
I mean, this is a little bit of a stretch to buy signs for an anti-litter campaign, but I might be able to be convinced.

**LEG. ROMAINE:**  
Well, hey, they could --

**LEG. ALDEN:**  
I guess not.

**LEG. ROMAINE:**  
-- hire a P.R. firm to design the signs.

**D.P.O. VILORIA-FISHER:**  
And, Cameron, you know, they didn't have money to enforce my plastic bag throw-away program.

**P.O. LINDSAY:**  
Okay. You want to make --

**LEG. ALDEN:**  
No one wants --

**P.O. LINDSAY:**  
You want to make a different motion?

**LEG. ALDEN:**  
No, I'll just vote against it.

**LEG. LOSQUADRO:**  
If I may.

**P.O. LINDSAY:**  
Legislator Losquadro.

**LEG. LOSQUADRO:**  
I don't want to be in the business of defending this, but I did ask the same question in Committee, and, as I recall, the explanation was --

**LEG. KENNEDY:**  
You got the same answer?

**LEG. LOSQUADRO:**  
No. Actually, someone was here to explain, someone was around to explain it. I wish they were here now, because I can't remember the exact explanation. I don't want to be the person answering for a resolution that's not my own.

**P.O. LINDSAY:**  
So why don't we table it?

**LEG. HORSLEY:**  
And have it wrong.

**D.P.O. VILORIA-FISHER:**  
Trash contaminates our surface water --

**LEG. LOSQUADRO:**  
Right.

**D.P.O. VILORIA-FISHER:**  
-- as it goes in the storm -- along with the, you know, storms.

**LEG. ALDEN:**  
So does somebody walking down the street spitting or something, but, you know, come on.

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

**LEG. ALDEN:**  
This is a stretch. 477 was to build little drains, I think, right?

**P.O. LINDSAY:**  
Mr. Hillman is going to attempt an answer.

**LEG. HORSLEY:**  
We're ready.

**MR. HILLMAN:**  
I'll give it a shot. It's a little bit of a stretch for me to answer it, too, but I do know a little bit about this. Our Highway Maintenance Department has some statistics to back up that these signs are fairly effective. And when you remove the trash from the roads, or if you can prevent the trash from actually being deposited on the road, you'll remove it from the wastewater stream, which would then, as Legislator Viloría-Fisher said, clean up the waters.

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

**LEG. BEEDENBENDER:**

Your reprieve walked in, Bill.

**P.O. LINDSAY:**

Who -- well, who would -- who's going to install the signs? Carrie.

**COMMISSIONER GALLAGHER:**

Yes.

**P.O. LINDSAY:**

Commissioner Gallagher.

**COMMISSIONER GALLAGHER:**

Yes. Good afternoon.

**P.O. LINDSAY:**

Who's going to install the signs?

**COMMISSIONER GALLAGHER:**

It would be DPW. This -- actually, there was some -- there was a lot of discussion about this, actually, at the Water Quality Review Committee meeting, and the decision to recommend it was that the -- with the caveat that this would be a pilot project, it would be a one-time expense, \$30,000 out of 477 funds, DPW would install the signs, would monitor the effectiveness of the program. If it seemed like it was actually having, you know, a positive effect, DPW would then -- it would then become an expense of DPW to do any additional signs. So it was not going to be a project that was constantly being funded out of 477 funds and --

**P.O. LINDSAY:**

Commissioner Gallagher.

**COMMISSIONER GALLAGHER:**

Yes.

**P.O. LINDSAY:**

The \$30,000 pays for the signage.

**COMMISSIONER GALLAGHER:**

It pays for the signs.

**P.O. LINDSAY:**

It doesn't pay for the salaries to the DPW workers.

**COMMISSIONER GALLAGHER:**

No.

**P.O. LINDSAY:**

Okay. Legislator Kennedy, and then Losquadro.

**LEG. KENNEDY:**

Thank you, Mr. Chair. Commissioner, I guess this is for you or Mr. Hillman. Do we have "Do Not Litter" signs now on County roads?

**COMMISSIONER GALLAGHER:**

I will have to defer.

**MR. HILLMAN:**

I don't know that specifically. In my travels, I haven't seen many. The ones that I've seen are more for the private cleanups that we -- that get sponsored.

**LEG. KENNEDY:**

You write "Adopt a Road" and those types of things?

**MR. HILLMAN:**

"Adopt a Road", that's it.

**LEG. KENNEDY:**

But I know I've seen -- I'm trying to remember the phraseology. But I know there's been "Do Not Litter" signs in some places on County roads. I have 16 and 76 running right through my District, so I'm --

**MR. HILLMAN:**

"No Littering \$500 Fine", that type of thing?

**LEG. KENNEDY:**

Yeah, yeah, yeah.

**MR. HILLMAN:**

Yeah.

**LEG. KENNEDY:**

And those have been around for awhile, right?

**MR. HILLMAN:**

They have. And, you know, at spot -- we might have them at spot locations where there's dumping or, you know, where there's prevalent dumping, but --

**LEG. KENNEDY:**

Who does those signs, do we buy them or do you make them up in-house? Do we have a sign shop still?

**MR. HILLMAN:**

It's a little bit outside my expertise, but I believe we do.

**COMMISSIONER GALLAGHER:**

(Nodding yes).

**LEG. ALDEN:**

Carrie is nodding her head in some way.

**LEG. KENNEDY:**

Okay.

**COMMISSIONER GALLAGHER:**

I'm nodding, yeah. Yes, we have a sign shop, and our understanding is that we would, hopefully, be using the sign shop at DPW. And one of the, actually, issues that was raised at Committee in discussing this was the concern to make sure that the signs do indicate not only that you shouldn't litter but what the fines are, and to somehow try to link it, if at all possible, to the fact that these types of floatables that get into surface waters carry -- you know, something that links it to not just littering and recycling, but also that it contaminates our waterways.

**LEG. KENNEDY:**

Thank you, Commissioner. Mr. Chair, if I can, just with BRO for a second, please.

**P.O. LINDSAY:**

Go ahead.

**LEG. KENNEDY:**

Can you tell me anything about what we have available at this point under 477 that's not paying salaries and all those other kind of things?

**MS. VIZZINI:**

There was a 2008 estimated fund balance of about 28 million dollars.

**LEG. KENNEDY:**

I'm sorry, say again.

**MS. VIZZINI:**

Twenty-eight million dollars in 2008.

**LEG. KENNEDY:**

Twenty-eight million?

**MS. VIZZINI:**

Yeah, end of year fund balance.

**LEG. KENNEDY:**

In 477?

**MS. VIZZINI:**

Yes.

**P.O. LINDSAY:**

Okay. You're speechless John, leave it at that.

**LEG. KENNEDY:**

All right, all right, all right.

**P.O. LINDSAY:**

Legislator Losquadro.

**LEG. EDDINGTON:**

A first, a first.

**LEG. KENNEDY:**

Yeah, really, seriously.

**LEG. LOSQUADRO:**

As I do recall, the one piece of dialogue I recall from the Committee meeting was that I did request that the language on these signs be discussed, because what was originally not contemplated was putting our current laws on the books, such as was mentioned before about the dollar figure involved with violations of our current laws. So, you know, \$500, \$1,000, whatever it may be, I did ask that we have some dialogue with that, so those type of things are included on the signage if it does move forward.

**P.O. LINDSAY:**

Legislator Viloría-Fisher.

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

Commissioner Gallagher, question for you or for Mr. Hillman, I'm not sure whose purview this would be. But we do have a law on the books regarding the materials that are tossed on driveways that

are encased in plastic bags, which do become problems with drains and surface water. And yet, when we have had complaints about it, there's no department that is willing to step up to the plate and enforce them. And we've been told that there's no money available, and it seems to me that this is also a storm water protection effort and there should be some kind of enforcement of this law in order to protect our surface waters.

**COMMISSIONER GALLAGHER:**

Yeah. We'd have to explore that. There's -- it's very -- it's pretty easy to do stuff when it's on County roads, and it's education, and it pertains directly to SPDES permit requirements for reducing floatables in the water. That's something we'd have to investigate whether that could be -- we've actually been getting inquiries now from other places about general litter cleanup, could we fund trash cleanups or, you know, pick up along roadways with this.

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

Well, this is a very specific County law.

**COMMISSIONER GALLAGHER:**

Right, right.

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

And it's plastic bags, it's floatables.

**COMMISSIONER GALLAGHER:**

Right.

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

It's actually being illegally discarded on people's driveways and it's contrary to a law that was passed here. So, you know, if you could take a look at that and let me know what you're coming up with, because Brookhaven Town seems to think that we're doing it, and it goes back and forth, so nobody's claiming jurisdiction and it's a problem.

**COMMISSIONER GALLAGHER:**

Right. I just did want to clarify before the figure that Gail mentioned is the entire fund balance, which includes everything that comes out of the quarter percent. It's not the fund balance available for water quality, just water quality projects, so -- because that's not separated in the information that Gail has, so.

**LEG. KENNEDY:**

Well, then how much is for water quality projects?

**MS. VIZZINI:**

Three point -- 3.29 million.

**LEG. KENNEDY:**

Which is a lot less than 28.

**MS. VIZZINI:**

I processed your question as to what the fund balance was, and it's not differentiated in the budget, although it is differentiated.

**P.O. LINDSAY:**

Okay.

**LEG. KENNEDY:**

Okay. Thank you.

**P.O. LINDSAY:**

Okay. Legislator Browning, you didn't want to talk right?

**LEG. BROWNING:**

No.

**P.O. LINDSAY:**

Okay. Legislator Alden.

**LEG. ALDEN:**

1936, this resolution is for \$30,000?

**COMMISSIONER GALLAGHER:**

Yes.

**LEG. ALDEN:**

How many signs do we get for that?

**COMMISSIONER GALLAGHER:**

I'm not sure how many signs we get.

**LEG. ALDEN:**

But this is -- they're going to be produced by County workers? So this would --

**COMMISSIONER GALLAGHER:**

Yeah, so it would be for the materials.

**LEG. ALDEN:**

Are we going to call -- the question really is, are we going to call a sign company up and say, "Make me two signs that say, "Do No Litter" for 18-something thousand dollars apiece?

**COMMISSIONER GALLAGHER:**

No. We're anticipating a much larger amount of signs. It depends, though, on the final design of the sign, the size, etcetera, and so they were, again, trying for a \$30,000 pilot project and there's -- DPW still looking --

**LEG. ALDEN:**

We're not going to go with the signs that we already make that say, "Do Not Litter", and then put the section of the law in there?

**MS. VIZZINI:**

Well, I don't know that we're aware of those signs, so we'd have to --

**LEG. ALDEN:**

None of this money is going to go for an outside consultant to come in and design a sign for us or any of that?

**COMMISSIONER GALLAGHER:**

No.

**LEG. ALDEN:**

We have the materials to -- this is just for production?

**COMMISSIONER GALLAGHER:**

Yes, so that we can get more -- as many signs made and installed as possible.

**LEG. ALDEN:**

If we already have the -- if we already have the material --

**COMMISSIONER GALLAGHER:**

Well, we don't already have the --

**LEG. ALDEN:**

-- we're going to design it in-house, what are we paying \$30,000 for?

**MS. VIZZINI:**

For, actually, the material. We don't have the material.

**LEG. ALDEN:**

There's no -- we don't keep a little extra material on hand to whip up a sign, like a 55 mile an hour sign or some of those things?

**COMMISSIONER GALLAGHER:**

Maybe one sign, I'm not sure. This is, again, getting outside of my -- I don't oversee the sign shop, I couldn't give you the particulars on that, but my understanding of the project, as it presented to, applied for, and recommended by the Water Quality Review Committee, is that we were looking at doing this on a variety of County roads where there are hot spots that are near surface waters and --

**LEG. ALDEN:**

Okay. If there was a presentation, then, you know, somebody came up with \$30,000, how many signs, one sign, a hundred signs?

**COMMISSIONER GALLAGHER:**

I would have to get back to you on that. It was not specified how many signs they thought they could make for \$30,000.

**P.O. LINDSAY:**

Okay. Legislator Viloría-Fisher.

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

When does the Water Quality Review meet? Is that on the website what time and place the meetings are, Carrie?

**COMMISSIONER GALLAGHER:**

No, it's not on the website. We send out a notice. It's just two meetings a year, unless there's a Special Meeting, if we have a couple of projects that have come in and there's some urgent need to review them, or sometimes where we've tabled it and they want to come back with additional information for the Committee. There's usually a Spring meeting in April and a Fall meeting in September. We do send a notice out to --

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

Right, because we had our Storm Water group that went to the September meeting.

**COMMISSIONER GALLAGHER:**

Right.

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

And when will the next meeting be, Carrie?

**COMMISSIONER GALLAGHER:**

So the next regularly scheduled meeting would be in April, unless we had, you know, compelling new projects or evidence of a project that was tabled that would require a Special Meeting of the Committee.

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

Okay. I'll tell my group about that. Thank you.

**P.O. LINDSAY:**

Okay. Any other questions? We have a motion and a second. All in favor? Opposed?

**LEG. ALDEN:**

Opposed.

**LEG. MONTANO:**

Opposed.

**LEG. BARRAGA:**

Opposed.

**LEG. ROMAINE:**

Opposed.

**P.O. LINDSAY:**

Okay. Just four, right? Okay. You got it?

**MR. LAUBE:**

Fourteen.

**P.O. LINDSAY:**

Romaine, Montano, Alden, Barraga.

**MR. LAUBE:**

Fourteen.

**LEG. BEEDENBENDER:**

Mr. Chairman.

**P.O. LINDSAY:**

Yes.

**LEG. BEEDENBENDER:**

If I may, both of our Chief Engineers are in the audience and they wanted to talk about the CNs, so -- and I know at least Mr. Hillman has another obligation, so if I might suggest that we take the CNs out of order at this point so we can hear from them.

**P.O. LINDSAY:**

Yeah. I was trying to go through --

**LEG. BEEDENBENDER:**

Environment?

**P.O. LINDSAY:**

-- Environment, but it's really bogged down. So, if the rest of the body agrees, I don't really have a problem.

**LEG. BEEDENBENDER:**

If you want to do the last two in Environment, then do it, that's fine with me as well.

**P.O. LINDSAY:**

All right. Well, let's see. Let's see how it goes.

**LEG. ALDEN:**

We've got three, right.

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

Three.

**LEG. BEEDENBENDER:**

Three.

**LEG. ALDEN:**

These could go slow.

**P.O. LINDSAY:**

Why don't we just take them, what they need, and so they can go about their business, all right?

**LEG. BEEDENBENDER:**

All right. Then I'll make a motion to take the CNs out of order, I suppose. That would be the motion, if that would be appropriate.

**P.O. LINDSAY:**

Okay. So you want to take out of order which ones?

**LEG. BEEDENBENDER:**

Well, actually, all the CNs are Public Works related, four of them. Mr. Wright is here for it, because they're sewer-related, and one is traffic related, so Mr. Hillman's here for it.

**P.O. LINDSAY:**

Okay. If we just take them in order, will that help you guys; is that all right?

**MR. HILLMAN:**

That's fine.

**P.O. LINDSAY:**

All right. So I'm going to make a motion to take Resolutions 2012, 13, 2016, 2017, and what is --

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

Seventy.

**P.O. LINDSAY:**

2070 out of order. Do I have a second?

**LEG. BEEDENBENDER:**

Second.

**P.O. LINDSAY:**

Second by Legislator Beedenbender. All in favor? Opposed? Abstentions? All right. We have up first --

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

**-- I.R. 2012 - Resolution calling for a Public Hearing for the purpose of considering a proposed increase in improvement to sewer district facilities for Sewer District No. 14 - Parkland.** Do I have a motion? I'll make the motion.

**LEG. ALDEN:**

Second.

**P.O. LINDSAY:**

Second by Legislator Alden. Any questions? Mr. Wright, would you like to comment on this?

**MR. WRIGHT:**

Yeah. I guess, first, my apology for bringing these at a late time. I had to get reports done for them and thought there was an extra Legislative meeting. But this project, with the other three also, we really need to preserve the funding in this year, which means that we have to have the Public Hearing December 2nd, go through the findings resolution, the appropriating resolution. So it's essential that we have a CN today to set the hearing for December 2nd.

**P.O. LINDSAY:**

Okay. Thank you. Thank you. Any other questions on this? Thank you for that explanation.

**LEG. D'AMARO:**

I had a question.

**P.O. LINDSAY:**

Yes, Legislator D'Amaro.

**LEG. D'AMARO:**

Yeah. I would just like a brief explanation of what this -- what the bill actually does. This is a Public Hearing only? This is just for the Public Hearing?

**MR. WRIGHT:**

Yeah, it's calling for a Public Hearing. It will be on December 2nd. Each of you had received four reports, one for each of these, that is the backup for the Public Hearing.

**LEG. D'AMARO:**

Okay.

**MR. WRIGHT:**

This is for Sewer District 14, Parkland, which is in the Holbrook area.

**LEG. D'AMARO:**

Okay, that's fine. It's just for the Public Hearing.

**MR. WRIGHT:**

Yeah.

**LEG. D'AMARO:**

Yeah. Thank you. Thank you, Mr. Chairman.

**P.O. LINDSAY:**

Okay. And it's -- and it's like a million-and-a-half in improvements to that sewer district, that sewer plan.

**MR. WRIGHT:**

Yes, yes. It covers for tanks, odor control, some other mechanical --

**P.O. LINDSAY:**

Yeah, and it desperately needs it. Yes, Legislator Kennedy.

**LEG. KENNEDY:**

Just a quick question. I saw two of those reports, I guess, on 7 and 14, Parkland, and whatever the other one is. Are we going to have an opportunity to discuss the actual actions, or is this, once the Public Hearing is held, for all intent and purposes, we're approving those improvements?

**MR. WRIGHT:**

There's a findings resolution that was also submitted that can't be placed on the table until the hearing is held, so there's an opportunity to discuss it at the hearing.

**LEG. KENNEDY:**

I want to be able to talk about the calculations, and, in particular, the way some of the costs are arrived as the per anum charges. But I don't want to do it today if all we're doing is just authorizing a Public Hearing.

**LEG. HORSLEY:**

That's all we're doing.

**LEG. BEEDENBENDER:**

Yeah, that's all we're doing.

**P.O. LINDSAY:**

Yeah, it has to come back to us again.

**LEG. KENNEDY:**

Okay, fine.

**P.O. LINDSAY:**

All right. We have a motion and second. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*2013 - A resolution calling for a public hearing for the purpose of considering the proposed increase and improvements to sewer system facilities for Sewer District No. 7 in Medford.*

**LEG. EDDINGTON:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Eddington, seconded by Legislator Beedenbender. Any questions on the resolution? Seeing none, all in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*2016 - Calling for a Public Hearing for the purpose of considering the proposed increase and improvements to -- of facilities for Sewer District No. 3 - Southwest.*

**LEG. ALDEN:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Alden. Do I have a --

**LEG. D'AMARO:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*2017 - Calling for a Public Hearing for the purpose of considering proposed increases and improvements of facilities for Sewer District No. 3 - Southwest.*

**LEG. ALDEN:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Alden, second by Legislator Stern. Any questions? All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*2070 - Amending the 2008 Capital Budget and Program and appropriating funds in connection with the County share for participation in the installation of the Closed Loop Signal System on various County roads, Capital Program No. 3309.* I'll make the motion, second by Legislator Beedenbender. Any --

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

What's a Closed Loop Signal System?

**P.O. LINDSAY:**

Oh, Bill. Yes, Bill Hillman, you want to answer? I'm just being asked by Legislator Viloría-Fisher what is a Closed Loop System. I know this, but I'll let you answer it.

**MR. HILLMAN:**

Thank you. It's a computerized system from signal to signal that coordinates the signals. It then takes that information, puts it back to a desktop computer back in Yaphank, and we can see virtual time, realtime, what's happening with the traffic signal. We could determine if the loop detectors are failed, if communications are good, if the signals are out of whack, if the cycle length is -- and the splits, and if the signal's operating properly. So, instead of dispatching people out into the field, we'll be able to see things right from a desktop. Tremendous savings in manpower and effort.

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

Thank you, Bill.

**P.O. LINDSAY:**

I knew that, but Legislator Alden has a question.

**LEG. ALDEN:**

Bill, do you know about the financing; do we lay it all out and then get reimbursed?

**MR. HILLMAN:**

Correct. It's first-instance funding.

**LEG. ALDEN:**

Good. And eighty percent, right?

**MR. HILLMAN:**

Yes. We'll most likely get 15% Marcheselli State funding. That happens once a year in April. It can't be guaranteed, but, in all likelihood, we would receive that, so it will probably go down to a 5% County share.

**LEG. ALDEN:**

Thanks.

**P.O. LINDSAY:**

Legislator Kennedy, and then Eddington.

**LEG. KENNEDY:**

Two questions. Various roads, any ones in particular?

**MR. HILLMAN:**

This is actually Phase II of the program. Phase I, I believe, is installing 150 signals, and Phase II, I think, is in the order of 200, 250. We have about 700-plus signals. I wouldn't be able to name all the roads.

**LEG. KENNEDY:**

So this is monitoring that actually goes on the traffic signal itself on a County road?

**MR. HILLMAN:**

Correct. Whatever intersection on any County road, as long as it's slotted to -- slated to get a Closed Loop System, we would be able to monitor that.

**LEG. KENNEDY:**

And so you'll be able to see this on a screen?

**MR. HILLMAN:**

Correct.

**LEG. KENNEDY:**

Okay. Do you have anybody to watch those screens?

**MR. HILLMAN:**

Eight hours a day, we do. We're also going to be coordinating with INFORM, which is the New York State DOT Intelligent Transportation System.

**LEG. KENNEDY:**

Right, they do the 24-hour.

**MR. HILLMAN:**

Correct. So we'll probably give them access to our just in -- specific areas along the service roads, if there was an accident, and even on Route 112, if there was an accident and they wanted to re-route traffic onto County Road 83 or County Road 97.

**LEG. KENNEDY:**

Okay.

**MR. HILLMAN:**

They'd only be able to monitor our -- and modify our signal timings.

**LEG. KENNEDY:**

Okay.

**P.O. LINDSAY:**

Legislator Eddington.

**LEG. EDDINGTON:**

Yeah. You can monitor the signals. Is this in all of Suffolk County?

**MR. HILLMAN:**

Yes.

**LEG. EDDINGTON:**

Yes.

**MR. HILLMAN:**

Well, when it's -- when it's all installed, we're prioritizing roadways. Obviously, roadways such as County Road 97, County Road 83, real high volume roadways, some of the ones that are on the west, County Road 3, Wellwood, Wellwood Avenue. You know, some of these real big roads with a lot of volume, those are our priorities for Phase I, and then -- but, ultimately, the whole County.

**LEG. EDDINGTON:**

Can you manipulate them, I mean, can you change them?

**MR. HILLMAN:**

Correct. So --

**LEG. EDDINGTON:**

So, not to get crazy, but in the latest Die Hard movie, or whatever it was, when they did like in a terrorist attack, they manipulated that stuff. Now what kind of defense do we have that some crazy doesn't get in there and start playing with traffic?

**LEG. ROMAINE:**

Bruce Willis.

**LEG. EDDINGTON:**

I mean, I heard Legislator Kennedy ask and we have somebody there for eight hours a day. What about the other 16, because I think, if you're going to do some mayhem, it probably won't be between 9 and 5.

**MR. HILLMAN:**

Well, there --

**LEG. KENNEDY:**

Why not, Jack?

**LEG. EDDINGTON:**

Somebody's there.

**MR. HILLMAN:**

I can tell you the room will be locked, there'll be access codes and pass codes, so nobody will be able to log on to our computers. We'll keep our local site very secure and safe. As far as somebody hacking into the system, I hate computers, I wouldn't be able to answer that question.

**LEG. EDDINGTON:**

I'd be interested, as Chair of Public Safety, just to get a report on what kind of security is going to be put in place.

**MR. HILLMAN:**

Sure. I'm sure we have standard firewalls and things of that nature, but --

**LEG. EDDINGTON:**

Okay.

**MR. HILLMAN:**

-- that's the extent of my knowledge.

**LEG. EDDINGTON:**

Thank you.

**P.O. LINDSAY:**

Legislator D'Amaro.

**LEG. D'AMARO:**

Yeah, thank you. The total cost, what's the total cost of this capital project? Maybe Budget Review could answer that.

**P.O. LINDSAY:**

I think it says 9 1/2 million in the resolution.

**MS. VIZZINI:**

According to the resolution, it's 9.5 million dollars.

**LEG. D'AMARO:**

9.5 million dollars. And it's reimbursed to what extent? I'm sorry.

**MS. VIZZINI:**

Well, this resolution appropriates a million-two-fifty.

**LEG. D'AMARO:**

Right, I see that.

**MS. VIZZINI:**

Two hundred fifty thousand would be the County's local share, which will be in the form of serial bonds. The million dollars is the Federal Aid, which we first-instance fund, but we'll do short-term borrowing for that, Bond Anticipation Notes.

**LEG. D'AMARO:**

And that's for the Closed Loop System that we're talking about?

**MR. HILLMAN:**

Correct.

**LEG. D'AMARO:**

Traffic lights?

**MR. HILLMAN:**

Correct. That full 9 million is for design and construction.

**LEG. D'AMARO:**

I mean, we hit an awful lot of traffic here on Long Island. Is this going to really make a difference?

**MR. HILLMAN:**

It will make a difference when there's incidents. For example, if there's an -- specifically along the service roads, let me give you an example on that. I know in the Inform System, when there's an accident -- actually, on my way here, L.I.E. eastbound was closed right before Nicolls Road. There's no signal at Nicolls Road, but everyone was getting off and getting back on after Nicolls Road. If there had been a signal at Nicolls Road, the local -- the Inform Center could go in, modify that signal timing, so that you could put an extensive amount of time on the service road to get all that traffic through, and then, after the event has occurred, go back to normal signal timing. So that's one very good benefit.

The other is more manpower. And, for example, the Towns maintain our traffic signals presently, we don't maintain our traffic signals. They're not a vested -- they don't have a vested interest in that. So, quite often, the Towns will take more time than we would like to fix some of these things, also, more time to investigate them than we would like. With this, we will be able to identify problems, almost realtime, when they happen. There's bells and whistles, alarms on these things, so if a loop detector fails, which is the sensor in the roadway that tells the signal to go green or red, if that fails, an alarm goes off. We come in 8 a.m. that morning, we know automatically. We tell the Town, "All right, go fix this." So there are tremendous benefits to this.

**P.O. LINDSAY:**

Okay. Legislator Barraga.

**LEG. BARRAGA:**

So, Gail, if the overall project is about 9 1/2 million, there's 80% reimbursement from the Feds. So we get back what, between 7 million and 7 1/2 million dollars, then, right, on an 80% reimbursement?

**MR. HILLMAN:**

Yes, about that.

**LEG. BARRAGA:**

But we have to expend the monies first?

**MR. HILLMAN:**

Correct.

**LEG. BARRAGA:**

All right.

**MS. VIZZINI:**

We have to do the first-instance funding.

**LEG. BARRAGA:**

Okay. Thank you.

**P.O. LINDSAY:**

A follow-up on that. So, Gail what do we -- what do we do? We don't puts out long-material serial bonds, we must finance it short term and --

**MS. VIZZINI:**

To the extent that we would actually need the cash for this project, there's an authorization to do a short-term bond.

**P.O. LINDSAY:**

Okay.

**MS. VIZZINI:**

A Bond Anticipation Note.

**P.O. LINDSAY:**

Okay. Okay. All right. Any other questions? Thank you, Bill. Thanks for your patience of waiting around.

**MR. HILLMAN:**

If I could just one --

**P.O. LINDSAY:**

Yes, go ahead.

**MR. HILLMAN:**

-- add one more thing.

**P.O. LINDSAY:**

Go ahead.

**MR. HILLMAN:**

I'm trying to think of the numbers in my head, and, Gail, you might be able to help me with this. I believe we've spent to date one million for design, which is designed probably close to four to five hundred traffic signals, another 1 1/2 for construction for Phase I, and then this will be construction for Phase II. So with three -- probably about 4 million dollars, we're doing the major roads and probably more than half the County. So that 9 1/2 overall estimate to do the entire County is probably very conservative. I don't believe we'll ever achieve that level.

**P.O. LINDSAY:**

And when do you anticipate, if we approve this today, this going out for bid?

**MR. HILLMAN:**

Actually, Gail, this is the next design phase, correct?

**P.O. LINDSAY:**

Ms. Vizzini?

**MS. VIZZINI:**

What's the question?

**P.O. LINDSAY:**

What we're approving is design? No, we're approving --

**LEG. HORSLEY:**

I apologize for --

**P.O. LINDSAY:**

No. We're appropriating the funds for the County share and participation and the installation of the closed loop. It's the installation.

**MS. VIZZINI:**

Yes.

**LEG. D'AMARO:**

Yeah, it's installation.

**MR. HILLMAN:**

Okay. So --

**P.O. LINDSAY:**

Oh, this is just the design. But we're approving the whole thing now, right?

**MS. VIZZINI:**

No, the resolution is just approving the million-two.

**P.O. LINDSAY:**

Okay.

**MS. VIZZINI:**

Appropriating -- there was an earlier question in terms of the total cost.

**P.O. LINDSAY:**

Okay.

**MS. VIZZINI:**

Which happens to be included in --

**MR. HILLMAN:**

But the million-two is for design, correct?

**MS. VIZZINI:**

Yes.

**P.O. LINDSAY:**

Okay.

**MR. HILLMAN:**

Correct, okay. So we funded right now Phase I for design and construction. The construction for Phase I will hit the streets probably in the Spring. We're still coordinating with New York State DOT and we're using some of their software so we can plug and play with them, if you will. So we're ironing out those details and we should hit the streets in the Spring for Phase I.

**P.O. LINDSAY:**

And now, any idea how big that contract is, Bill?

**MR. HILLMAN:**

I believe 1.5 million, construction.

**P.O. LINDSAY:**

1.5 in the Spring?

**MR. HILLMAN:**

I believe so.

**P.O. LINDSAY:**

All right. Any other questions? Thank you, Bill. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

Okay. On the accompanying bonding resolution, **2070A**, same motion, same second. Roll call.

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

**P.O. LINDSAY:**

Yes.

**LEG. BEEDENBENDER:**

Yes.

**LEG. ROMAINE:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. EDDINGTON:**

Yes.

**LEG. MONTANO:**

Pass.

**LEG. ALDEN:**

Yes.

**LEG. BARRAGA:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. HORSLEY:**

Yep.

**LEG. GREGORY:**

Yes.

**LEG. STERN:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. COOPER:**

Yes.

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

Yes.

**LEG. MONTANO:**

Yes.

**MR. LAUBE:**

Eighteen.

**ENVIRONMENT, PLANNING & AGRICULTURE**

**P.O. LINDSAY:**

Okay. Back to the agenda. *1938 in the Environment, Amending the adopted 2008 Operating Budget to transfer funds from Fund 477 Water Quality Protection, amending the 2008 Capital Budget and Program, and appropriating funds in connection with a Village of Babylon Storm Water Runoff Filter Installation Program.* Do I have a motion?

**LEG. HORSLEY:**

Motion to approve.

**P.O. LINDSAY:**

Motion by Legislator Horsley. Do I have a second? I'll second it.

**LEG. ALDEN:**

On the motion.

**P.O. LINDSAY:**

On the motion, Legislator Alden.

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

It's good, Alden, filtration.

**P.O. LINDSAY:**

Go ahead.

**LEG. ALDEN:**

The one question is how much is this for?

**MR. REINHEIMER:**

It's for 310,000, with a match from the Village of Babylon, also of 310,000.

**LEG. ALDEN:**

So the project's 620. And how many actual filters do we get, or is this multiple filters or just one filter system?

**MR. REINHEIMER:**

Yeah, I don't have that information here.

**LEG. ALDEN:**

Wayne, would you know?

**LEG. HORSLEY:**

They have been, and I believe this is what these dollars are for, but they have been putting in a series of these sponge filters, not only on some of our lakes and streams, but at the end points of where the street pipes go into the bay, and they've been doing it one after another. In fact, we're taking a picture tomorrow with one, so it's -- this is an ongoing program. So I think it's more than one. They generally run about 20,000, 25 a street.

**COMMISSIONER GALLAGHER:**

It's for 93.

**LEG. HORSLEY:**

Ninety-three, there you go.

**P.O. LINDSAY:**

Ninety-three.

**LEG. ALDEN:**

Ninety-three filters.

**COMMISSIONER GALLAGHER:**

Yes. This would actually be -- this is an interesting project, because it encompasses the entire Village of Babylon. It's to address every single direct discharge outfall that they have to surface waters, so it would be 93 total when the project is completed.

**LEG. ALDEN:**

Good.

**LEG. HORSLEY:**

Go, Carrie.

**LEG. ALDEN:**

Now, Carrie, did you partner just with the Town of Babylon, or did you have to go with New York State.

**COMMISSIONER GALLAGHER:**

It's the --

**LEG. HORSLEY:**

Village.

**COMMISSIONER GALLAGHER:**

We're doing it just with the Village of Babylon, so it's a 50/50 match.

**LEG. ALDEN:**

Okay. And so all the approvals and all that kind of thing --

**COMMISSIONER GALLAGHER:**

They -- yes. The --

**LEG. ALDEN:**

-- they expedited all that for us?

**COMMISSIONER GALLAGHER:**

In terms of the resolution, allowing them to enter into an agreement with us, appropriating the funds, etcetera and so forth, we have that. Now, in terms of the permits to install, that would be a next step. We need to make -- you know, they're going to make sure the funding's in place.

**LEG. ALDEN:**

Okay, good.

**P.O. LINDSAY:**

Could I just jump in here?

**LEG. ALDEN:**

Okay.

**LEG. HORSLEY:**

Yeah, please.

**P.O. LINDSAY:**

And why I found this interesting, because this is a subject that always interests me is the stormwater runoff filtration. And correct me if I'm wrong, Commissioner Gallagher, but any Village or Town has -- can access the -- our 477 money, because that's really theirs as well, with a matching program like this. And I went with Legislator Horsley, maybe a year or so ago, down there to visit the Mayor and they are very aggressive on this whole thing about cleaning up, their responsibilities that dumps into the bay, and they have -- I've always advocated for these inserts in the stormwater drains. They take the other approach of filtering the end product just before it goes in the bay and they do it with this great big chamber that they -- they call it sponges. It's a series of filters that clean the end product. So it might encompass -- one of these might encompass filtering 20, 30, 40 storm drains at one location. So it's a pretty good -- I was very impressed by their initiative and what they're doing down there.

**LEG. ALDEN:**

But this technology isn't the lava or --

**P.O. LINDSAY:**

No, no.

**LEG. HORSLEY:**

No, it's not, it's sponges.

**P.O. LINDSAY:**

It's all sponges.

**LEG. ALDEN:**

Okay. And what's the maintenance or the upkeep on these?

**P.O. LINDSAY:**

There's a --

**LEG. HORSLEY:**

The Village -- oh, I'm sorry, go ahead.

**P.O. LINDSAY:**

There's a -- it looks like -- it's a chamber, maybe six, eight feet long, and in it is a rack with a series of -- they call them sponges, they look like long filters. And they maintain it with Village employees, and they rotate them until one gets dirty and then takes it out and replaces it with a new one.

**LEG. ALDEN:**

So we build them, we're done with it, and then the Village will pick up --

**P.O. LINDSAY:**

Yes.

**LEG. ALDEN:**

-- all the maintenance on the --

**LEG. HORSLEY:**

I have a feeling that they're going to build it as well.

**COMMISSIONER GALLAGHER:**

Right. They're actually -- they're actually building these as well, which is one of the things that they came in and showed us, and they put six in a row, six of these filters in a row. After the first one is completely dirty, so to say, it's been completely used up, it's absorbed as many pollutants as it can, they remove that one, they slide the other ones forward, put a new one in the back. They -- what's also unique in the Village, which is why this is an interesting place to test this out, and we will be doing some monitoring as a result of this project, is that they have street sweepers go through their commercial district every single day and residential district every two weeks. So they're already removing a lot of the, you know, particulates and debris that normally would clog up on County roadways, might clog up these types of filters where you don't have that type of ongoing maintenance.

**LEG. ALDEN:**

Upstream in the filter, do they use the Venturi filter or no?

**COMMISSIONER GALLAGHER:**

No, not that I'm aware of, but I -- that was --

**LEG. ALDEN:**

Because that Venturi technology takes out --

**COMMISSIONER GALLAGHER:**

Right.

**LEG. ALDEN:**

-- you know, larger debris, bottles and wood.

**COMMISSIONER GALLAGHER:**

No. In most of the -- actually, in most of the villages' storm drains, they don't have curb drains, so they aren't getting a lot of those larger floatables getting into their system.

**LEG. HORSLEY:**

Yeah. They also, when they -- how they've designed it, there's a catchment area before the sponges that the larger stuff collects in before it actually hits the sponges itself, so --

**COMMISSIONER GALLAGHER:**

Right.

**LEG. HORSLEY:**

And they just clean it off after every so often. It's a maintenance issue, but the Village is ready to --

**LEG. ALDEN:**

Well, this is encouraging to see the money used for --

**P.O. LINDSAY:**

Yes.

**LEG. ALDEN:**

-- what it was envisioned.

**LEG. HORSLEY:**

Real stuff.

**LEG. ALDEN:**

Neat.

**LEG. HORSLEY:**

They look like baseball bases, that's what the sponges look like. You take a second base, that's it, that's what they look like.

**P.O. LINDSAY:**

And the other interesting thing is I think they've purchased it. They were looking to purchase it when they were talking to them, because they wanted 477 money for this, too. Instead of the traditional street sweeper, they have like a vacuum truck.

**COMMISSIONER GALLAGHER:**

Right.

**P.O. LINDSAY:**

It sucks up the big bottles, particulates, leaves, anything that would clog up, you know, this filtration system, you know, which really helps in the whole process. Okay.

**LEG. HORSLEY:**

And this Ralph's baby, if you remember Ralph Scordino.

**P.O. LINDSAY:**

Yeah.

**LEG. ALDEN:**

Yeah. Tell Ralph I said hello, by the way.

**LEG. HORSLEY:**

Yeah, right.

**P.O. LINDSAY:**

And it's big, though, it's bigger than second base. You couldn't miss it, Cameron.

Okay. Any other question? Very interesting project, though. I salute the bill. And I hope more of our Towns and Villages adopt a similar program. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*1944 - Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program, open space component, for the Kasper property, Hauppauge Springs, Town of Smithtown.*

**LEG. KENNEDY:**

I'll make the motion, Mr. Chair.

**P.O. LINDSAY:**

Motion by Legislator Kennedy.

**LEG. NOWICK:**

I'll second.

**P.O. LINDSAY:**

Seconded by Legislator Nowick. For affordable housing? No.

**LEG. KENNEDY:**

This is all wetlands, Mr. Chair.

**P.O. LINDSAY:**

I'm only teasing.

**LEG. KENNEDY:**

If we put housing in there --

**P.O. LINDSAY:**

I'm only teasing. I'm only teasing.

**LEG. KENNEDY:**

-- you'd here me carping more about wet basements.

**P.O. LINDSAY:**

I'm only teasing. Okay. We have a motion and a second. All in favor? Opposed? Abstentions?

**LEG. ALDEN:**

Abstain.

**LEG. BARRAGA:**

Opposed.

**LEG. ALDEN:**

You're taking it off the tax rolls, you can't build on it.

**MR. LAUBE:**

Sixteen.

**P.O. LINDSAY:**

1946 --

**LEG. KENNEDY:**

Co-Chair, Mr. -- I mean, cosponsor, Mr. Presiding Officer.

**P.O. LINDSAY:**

*1946 - Authorizing --*

**MR. LAUBE:**

Yes, sir.

**P.O. LINDSAY:**

-- *acquisition of land under the Suffolk County -- the Old Suffolk County Drinking Water Protection Program for the Kerendian property, Carlls River watershed addition, Town of Babylon.* Motion by Legislator Gregory, seconded by Legislator D'Amaro. On the question anybody? All in favor? Opposed? Abstentions?

**LEG. ALDEN:**

Abstain.

**LEG. BARRAGA:**

Opposed.

**MR. LAUBE:**

Sixteen.

**HEALTH AND HUMAN SERVICES**

**P.O. LINDSAY:**

Health and Human Services: *1879 - Implement Welfare to Work Commission recommendations*. Legislator Kennedy?

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

Mr. Clerk, cosponsor on that, please.

**MR. LAUBE:**

Gotcha.

**LEG. ROMAINE:**

Cosponsor.

**P.O. LINDSAY:**

Okay. I need a --

**LEG. KENNEDY:**

Yes, motion.

**P.O. LINDSAY:**

I need a motion.

**LEG. KENNEDY:**

Motion. Motion.

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

Second.

**P.O. LINDSAY:**

Legislator Kennedy made a motion.

**LEG. KENNEDY:**

Motion to approve.

**P.O. LINDSAY:**

Second by Legislator Viloría-Fisher. I'll -- you want to go over the recommendations, Legislator Kennedy?

**LEG. KENNEDY:**

Sure, Mr. Chair. The recommendations, if you recall, the Welfare to Work Commission had done a review of a variety of different options, and their least inclusive option, I believe, was to hold Social Service Centers open one evening a week. And this was an effort that came out of Parish Outreach Coordinators and a variety of other folks that do advocacy and assistance on the behalf of those seeking food stamp applications, Medicaid, and things like that. And, as I had said, I believe it was at our Special Meeting on November 5th, we voted to add 172 new employees to the Department of Social Services, quite astoundingly I might add. So based on that, I think our lack of staff issue to implement kind of went out the window, so that's what prompted me to look to move it forward.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**LEG. ALDEN:**

Cosponsor.

**P.O. LINDSAY:**

*1948 - To prevent windfall profits by landlords doing business with the Department of Social Services.*

**LEG. BROWNING:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Browning.

**LEG. EDDINGTON:**

Second.

**P.O. LINDSAY:**

Seconded by Legislator Eddington. On the question? All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**LEG. ALDEN:**

Cosponsor.

**LEG. ROMAINE:**

Cosponsor.

**LEG. BROWNING:**

Thank you.

**LEG. GREGORY:**

Cosponsor, Tim.

**LEG. KENNEDY:**

Cosponsor.

**P.O. LINDSAY:**

*1897 - Authorizing the sale of County-owned real estate (property) pursuant to Section 72-h of the General Municipal Law to the Town of Brookhaven for affordable housing purposes.*

**LEG. EDDINGTON:**

Motion.

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

Second.

**P.O. LINDSAY:**

Motion by Legislator Eddington, seconded by Legislator Viloría-Fisher. On the question?

**LEG. ALDEN:**

One quick question.

**P.O. LINDSAY:**

On the question, Legislator Alden.

**LEG. ALDEN:**

I thought our policy was to get reimbursed for the taxes that we paid the municipality on these properties, even when they go for affordable housing, because I noticed these are for a dollar, right, or for nothing? And no one here -- there's no one here from the County?

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

Dennis is here.

**LEG. HORSLEY:**

From the County?

**LEG. ALDEN:**

County Executive's Office I was going to say. Oh, Dennis, all right. I didn't see him.

**LEG. HORSLEY:**

Nobody here from the County.

**MR. BROWN:**

I'm not from the County Executive's Office, but I don't know the consideration that's being paid. The transfer is pursuant to 72-h of the General Municipal Law, applying terms and conditions. They could be for free without consideration, or they could be -- could be supported by consideration. These particular ones that are listed here, I do not know if there is a dollar amount attached to them.

**LEG. ALDEN:**

All right. Thanks.

**LEG. D'AMARO:**

Bill. Bill.

**P.O. LINDSAY:**

Yes, Legislator D'Amaro.

**LEG. D'AMARO:**

I have a question. Does anyone know what the size of this property is? Is there anyone here that can answer that question?

**LEG. ALDEN:**

He's got a point in asking that. I hope somebody can answer it.

**LEG. D'AMARO:**

Does anyone from the Committee have the tax map available?

**MR. NOLAN:**

Just from looking at the map, it looks like a 60 by 100 lot.

**LEG. D'AMARO:**

It's a 60 by 100 and that's -- George, do you know what Town we're talking about here?

**LEG. BEEDENBENDER:**

Brookhaven.

**LEG. D'AMARO:**

What Town is it, Town of Brookhaven?

**LEG. BEEDENBENDER:**

It looks like it's in the Hamlet of Mastic, Legislator D'Amaro, that's what my note says.

**LEG. D'AMARO:**

Okay, 60 by 100. Okay, thank you.

**LEG. ALDEN:**

Lou, it's interesting, right? That's undersized.

**LEG. D'AMARO:**

Yeah, that's interesting.

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

That's interesting.

**P.O. LINDSAY:**

Okay.

**LEG. D'AMARO:**

Yeah. Counsel stated it was 60 by 100.

**P.O. LINDSAY:**

Okay.

**LEG. D'AMARO:**

That was the answer. Thank you.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*1916 - Authorizing the sale of County-owned real property pursuant to Section 72-h of the General Municipal Law to the Town of Brookhaven for affordable housing purposes.*

Motion?

**LEG. EDDINGTON:**

Motion.

**LEG. LOSQUADRO:**

Second.

**LEG. BROWNING:**

Second.

**P.O. LINDSAY:**

Motion by Legislator Eddington, seconded by Legislator Losquadro. On the question, same question?

**LEG. D'AMARO:**

Same question, please.

**P.O. LINDSAY:**

Same question, do we know the size?

**LEG. D'AMARO:**

If anyone knows, or, George, if you know.

**LEG. BEEDENBENDER:**

There's six different parcels, I believe, in this resolution.

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

Yeah, it says six parcels here.

**MR. NOLAN:**

There's different sizes. Some are 80 by 100, I see a 75 by 100, and what looks to be a 50 by 100.

**LEG. D'AMARO:**

Okay. It's combining lots for the -- to support a home, a dwelling, or is it more than one lot?

**LEG. ALDEN:**

Separate areas.

**LEG. D'AMARO:**

Separate lots? So it's more than one lot for affordable housing.

**P.O. LINDSAY:**

Probably six.

**LEG. D'AMARO:**

All right. I don't want to delay. I'm still going to support it for the affordable workforce housing purpose anyway. I'll take a look at it after the meeting. Thank you.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*J.R. 1920 - Amending Suffolk County Classification and Salary Plan in connection with a new position title in the Police Department, Helicopter Mechanic Supervisor.*

**LEG. BROWNING:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Browning.

**LEG. EDDINGTON:**

Second.

**P.O. LINDSAY:**

And seconded by Legislator Eddington. And is he the guy that's going to put the twenty-five hundred foot tapes on them?

**LEG. EDDINGTON:**

Never ends.

**LEG. BEEDENBENDER:**

Mr. Chairman.

**P.O. LINDSAY:**

Yes.

**LEG. BEEDENBENDER:**

In Committee --

**P.O. LINDSAY:**

Legislator Beedenbender.

**LEG. BEEDENBENDER:**

I don't remember who came and gave this explanation off the top of my head, but I think it might have been Mr. Zwirn. It had to do with the fact that there's an immense amount of paperwork that the mechanics have to fill out. So this position was going to fill out the paperwork so the mechanics could continue to work on the helicopters.

**P.O. LINDSAY:**

That's a good idea.

**LEG. HORSLEY:**

That's a good idea.

**P.O. LINDSAY:**

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

**LEG. KENNEDY:**

Opposed.

**MR. LAUBE:**

Seventeen.

**LEG. BARRAGA:**

Make it 16. I oppose that.

**MR. LAUBE:**

Sixteen.

**P.O. LINDSAY:**

***1941 - Amending the Suffolk County Classification and Salary Plan in connection with a new position title in the Department of Public Works Pre-Treatment Program Coordinator).*** Do I have a motion?

**LEG. BEEDENBENDER:**

Sure.

**P.O. LINDSAY:**

Motion by Legislator Beedenbender. Do I have a second?

**LEG. STERN:**

Second.

**P.O. LINDSAY:**

Second by Legislator Stern.

**LEG. BEEDENBENDER:**

Mr. Chairman, at Committee --

**P.O. LINDSAY:**

Thank you.

**LEG. BEEDENBENDER:**

-- they said this was a result of a desk audit. The person who's been doing this job for many years has a ton more responsibility, so --

**P.O. LINDSAY:**

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

**LEG. BARRAGA:**

Opposed.

**MR. LAUBE:**

Sixteen. (Not Present: Leg. Montano)

**PARKS AND RECREATION**

**P.O. LINDSAY:**

Parks and Recreation: ***1846 - Amending the 2008 Capital Budget and Program and appropriating funds in connection with the planning for the construction of maintenance and operations facilities at West Sayville and Cathedral Pines.***

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

Motion.

**P.O. LINDSAY:**

Motion by Legislator Viloría-Fisher.

**LEG. BROWNING:**

Second.

**P.O. LINDSAY:**

Seconded by Legislator Browning. On the question? Nobody? All in favor? Did you have a question, Legislator D'Amaro?

**LEG. D'AMARO:**

Did I? No.

**P.O. LINDSAY:**

No, oh, okay.

**LEG. D'AMARO:**

No. I heard it in Committee. Thank you.

**P.O. LINDSAY:**

Okay. All in favor? Opposed? Abstentions?

**LEG. BARRAGA:**

Opposed.

**LEG. D'AMARO:**

I'm opposed also.

**MR. LAUBE:**

Fifteen. (Not Present: Leg. Montano)

**P.O. LINDSAY:**

And the accompanying bond resolution, **1846A**, same motion, same second. Roll call.

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

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

Yes.

**LEG. BROWNING:**

Yes.

**LEG. ROMAINE:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. BEEDENBENDER:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. EDDINGTON:**

Yes.

**LEG. MONTANO:**

(Not Present)

**LEG. ALDEN:**

Yes.

**LEG. BARRAGA:**

No.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. GREGORY:**

Yes.

**LEG. STERN:**

Yes.

**LEG. D'AMARO:**

No.

**LEG. COOPER:**

Yes.

**P.O. LINDSAY:**

Yeah.

**MR. LAUBE:**

Fifteen. (Not Present: Leg. Montano)

**P.O. LINDSAY:**

Okay. It's a split bond, there's one for each park, so **1846B**, same motion, same second. Roll call.

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

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

Yes.

**LEG. BROWNING:**

Yes.

**LEG. ROMAINE:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. BEEDENBENDER:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. EDDINGTON:**

Yes.

**LEG. MONTANO:**

(Not Present)

**LEG. ALDEN:**

Yes.

**LEG. BARRAGA:**

No.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. GREGORY:**

Yes.

**LEG. STERN:**

Yes.

**LEG. D'AMARO:**

No.

**LEG. COOPER:**

Yes.

**P.O. LINDSAY:**

Yes.

**MR. LAUBE:**

Fifteen. (Not Present: Leg. Montano)

**P.O. LINDSAY:**

Okay. *I.R. 1906 - Historic trust recommendations concerning dedication of the Flanders Club/Smithers property within the Hubbard County Park in the Town of Southampton to the Suffolk County Historic Trust.* Motion by Legislator Schneiderman.

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

Second.

**P.O. LINDSAY:**

Second by Legislator Viloría-Fisher. On the question, anybody? Okay. Seeing none, all in favor? Opposed? Abstentions?

**MS. ORTIZ:**

Seventeen. (Not Present: Leg. Montano)

**P.O. LINDSAY:**

*I.R. 1917 - Approving license agreements for various County historic and culturally significant properties.*

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

Motion.

**P.O. LINDSAY:**

Motion by Legislator Viloría-Fisher, I'll second it.

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

These are 11 rental agreements, which we want to see.

**P.O. LINDSAY:**

Okay. All in favor? Opposed? Abstentions?

**MS. ORTIZ:**

Seventeen. (Not Present: Leg. Montano)

**P.O. LINDSAY:**

*1921 - Appropriating funds in connection with improvements to water supply systems in County Parks.*

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

Motion.

**P.O. LINDSAY:**

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

**LEG. BARRAGA:**

Opposed.

**LEG. D'AMARO:**

Opposed.

**MS. ORTIZ:**

Fifteen. (Not Present: Leg. Montano)

**P.O. LINDSAY:**

Okay. And the accompanying bond, **1921A**, same motion, same second. Roll call.

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

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

Yes.

**P.O. LINDSAY:**

Yes.

**LEG. ROMAINE:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. BEEDENBENDER:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. EDDINGTON:**

Yes.

**LEG. MONTANO:**

(Not Present)

**LEG. ALDEN:**

Yes.

**LEG. BARRAGA:**

No.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. GREGORY:**

Yes.

**LEG. STERN:**

Yes.

**LEG. D'AMARO:**

No.

**LEG. COOPER:**

Yep.

**MS. ORTIZ:**

Fifteen. (Not Present: Leg. Montano)

**P.O. LINDSAY:**

Okay. *1956 - Amending the 2008 Capital Budget and Program and appropriating funds in connection with renovations to Long island Maritime Museum.* I'll make a motion.

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

Second.

**P.O. LINDSAY:**

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

**LEG. BARRAGA:**

Opposed.

**MS. ORTIZ:**

Sixteen. (Not Present: Leg. Montano)

**P.O. LINDSAY:**

On the accompanying bond resolution, *1956A*, same motion, same second. Roll call.

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

**P.O. LINDSAY:**

Yes.

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

Yes.

**LEG. ROMAINE:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. BEEDENBENDER:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. EDDINGTON:**

Yes.

**LEG. MONTANO:**

(Not Present)

**LEG. ALDEN:**

Yes.

**LEG. BARRAGA:**

No.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. GREGORY:**

Yes.

**LEG. STERN:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. COOPER:**

Yes.

**MS. ORTIZ:**

Sixteen. (Not Present: Leg. Montano)

**P.O. LINDSAY:**

Okay. *1972 - Amending the 2008 Capital Budget and Program and appropriating funds in connection with replacement of the GOTO Projector at the Vanderbilt Museum and Planetarium.*

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

Motion.

**LEG. COOPER:**

Second.

**P.O. LINDSAY:**

Motion by Legislator Viloría-Fisher.

**LEG. COOPER:**

Second.

**P.O. LINDSAY:**

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

**LEG. BARRAGA:**

Opposed.

**LEG. EDDINGTON:**

Opposed.

**MS. ORTIZ:**

Sixteen.

**P.O. LINDSAY:**

Okay. Same --

**MS. ORTIZ:**

I'm sorry, 15. (Not Present: Leg. Montano)

**P.O. LINDSAY:**

Okay. Same motion, same second. Roll call on the bond, **1972A**.

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

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

Yes.

**LEG. COOPER:**

Yes.

**LEG. ROMAINE:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. BEEDENBENDER:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. EDDINGTON:**

No.

**LEG. MONTANO:**

(Not Present)

**LEG. ALDEN:**

Yes.

**LEG. BARRAGA:**

No.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. GREGORY:**

Yes.

**LEG. STERN:**

Yes.

**LEG. D'AMARO:**

Yes.

**P.O. LINDSAY:**

Yes.

**MS. ORTIZ:**

Fifteen. (Not Present: Leg. Montano)

**PUBLIC SAFETY**

**P.O. LINDSAY:**

Okay. Public Safety: *1810 - A Local Law to amend Probation Department fees.*

**LEG. LOSQUADRO:**

Motion to approve.

**P.O. LINDSAY:**

Motion to approve by Legislator Losquadro, I'll second it.

**LEG. LOSQUADRO:**

Madam Clerk, Co-Chair, please.

**P.O. LINDSAY:**

Any --

**LEG. LOSQUADRO:**

Not Co-Chair, cosponsor.

**P.O. LINDSAY:**

Any comments? All in favor? Opposed? Abstentions?

**MS. ORTIZ:**

Seventeen. (Not Present: Leg. Montano)

**P.O. LINDSAY:**

*1868 - A Local Law clarifying the use of forfeitures upon conviction of the misdemeanor crime of reckless driving.*

**LEG. EDDINGTON:**

Motion.

**LEG. BROWNING:**

Motion.

**P.O. LINDSAY:**

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

**MS. ORTIZ:**

Seventeen. (Not Present: Leg. Montano)

**P.O. LINDSAY:**

***1919 - Accepting and appropriating grant funds received from the New York State Division of Criminal Justice Services, District Attorney's Recruitment and Retention Program.*** Do I have a motion? Legislator Eddington makes a motion, second by Legislator Browning. On the question, none? All in favor? Opposed? Abstentions?

**MS. ORTIZ:**

Seventeen. (Not Present: Leg. Montano)

**P.O. LINDSAY:**

***1963 - Authorizing execution of an intermunicipal agreement with the Town of Islip for use of Town-owned property at MacArthur Airport during local disasters and other emergencies.*** Motion by Legislator Eddington, seconded by Legislator Browning. All in favor? Opposed? Abstentions?

**MS. ORTIZ:**

Seventeen. (Not Present: Leg. Montano)

**PUBLIC WORKS AND TRANSPORTATION**

**P.O. LINDSAY:**

Public Works and Transportation: ***(1809) Authorizing fee modifications in the Suffolk County Department of Human Resources, Personnel and Civil Service and the Department of Public Works.*** I'll make a motion.

**LEG. COOPER:**

Second.

**P.O. LINDSAY:**

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

**MS. ORTIZ:**

Seventeen. (Not Present: Leg. Montano)

**P.O. LINDSAY:**

***1922 - Approving maps and authorizing the acquisition of lands together with Findings and Determinations pursuant to Section 204 of the Eminent Domain Procedure Law in connection with the acquisition of properties for drainage improvements on County Road 39, North Road, Town of Southampton, Suffolk County, New York.***

**LEG. SCHNEIDERMAN:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Schneiderman. Do I have a second?

**LEG. BEEDENBENDER:**

Second.

**P.O. LINDSAY:**

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

**MS. ORTIZ:**

Seventeen. (Not Present: Leg. Montano)

**P.O. LINDSAY:**

***1924 - To facilitate the sale of surplus scrap metal.*** I think this -- I think I'm going to make a motion to table. I think there has to be some modification made to this.

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

I'll second that.

**P.O. LINDSAY:**

Is it the other one? Is it the other one?

**LEG. BEEDENBENDER:**

It's the other one, Bill.

**P.O. LINDSAY:**

Oh, okay. Then I'll make a motion to approve.

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

Second.

**P.O. LINDSAY:**

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

**MS. ORTIZ:**

Seventeen. (Not Present: Leg. Montano)

**P.O. LINDSAY:**

***1927 - Amending the 2008 Capital Budget and Program and appropriating funds in connection with the design of a replacement pedestrian bridge over County Road 4, Commack Road.***

**LEG. STERN:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Stern.

**LEG. D'AMARO:**

Second.

**P.O. LINDSAY:**

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

**LEG. BARRAGA:**

Opposed.

**MS. ORTIZ:**

Sixteen. (Not Present: Leg. Montano)

**P.O. LINDSAY:**

On the accompanying bond, **1927A**, same motion, same second. Roll call.

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

**LEG. STERN:**

Yes.

**LEG. D'AMARO:**

Yes.

**LEG. ROMAINE:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. BROWNING:**

Yes.

**LEG. BEEDENBENDER:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. EDDINGTON:**

Yes.

**LEG. MONTANO:**

(Not Present)

**LEG. ALDEN:**

Yes.

**LEG. BARRAGA:**

No.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. GREGORY:**

Yes.

**LEG. COOPER:**

Yes.

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

Yes.

**P.O. LINDSAY:**

Yes.

**MS. ORTIZ:**

Sixteen. (Not Present: Leg. Montano)

**P.O. LINDSAY:**

***1930 - Authorizing transfer of 34 surplus County computers, monitors, mouses and keyboards to RSVP.***

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

You always have to take a breath before you say that.

**P.O. LINDSAY:**

Well, I always want to say meese.

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

Meeses to pieces.

**P.O. LINDSAY:**

Do we have a motion? I make a motion.

**LEG. BROWNING:**

Second.

**P.O. LINDSAY:**

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

**MS. ORTIZ:**

Seventeen. (Not Present: Leg. Montano)

**P.O. LINDSAY:**

***1933 - Authorizing transfer of two surplus (County) computers, monitors, mouses and keyboards to Southeast Concerned Civic Association.*** Legislator Stern?

**LEG. STERN:**

Motion.

**P.O. LINDSAY:**

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

**MS. ORTIZ:**

Seventeen. (Not Present: Leg. Montano)

**P.O. LINDSAY:**

***1943 - Authorizing the purchase of up to 23 transit buses for Suffolk Transit, including related equipment, and amending 2008 Capital Budget and Program and accepting and appropriating Federal Aid and State Aid and County funds.***

**LEG. BROWNING:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Browning.

**LEG. BEEDENBENDER:**

Second.

**P.O. LINDSAY:**

Second by Legislator Beedenbender. On the question, Legislator Viloría-Fisher.

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

I just wanted to ask Legislator Alden's perennial question, which is are any of these alternative buses, and if not, why not?

**LEG. BEEDENBENDER:**

Legislator Viloría-Fisher, they're not.

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

They're not.

**LEG. BEEDENBENDER:**

They're not. As for the why not, I don't think I could give you an answer, but these are not.

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

Okay. You know, last week there was a New York State Program where they were discussing grants available for monies through different agencies, and alternative fuel buses were a good source of looking for grants to help us pay for them. So I'm not going to vote to approve this, because I think we should be looking at that.

**LEG. BEEDENBENDER:**

Well, I think -- I don't have the full background, but from the conversations I've had with DPW and Transportation, they do have grants and we will be getting some, and they are looking -- they're looking towards applying for more grants to get even more additional buses, that would be on any alternative fuel. It's a whole host of -- it will be compressed natural gas or other. But I think these came off a contract. Perhaps Mr. Zwirn has more information, but I know they're not alternative fuels.

**MR. ZWIRN:**

If I just might, let me say they're 90% reimbursed on the funding for this. One of the problems that they've had with alternative fuels with our bus fleet in the past has been the distance they have to travel. Our bus fleet, unlike Nassau County, which is a much smaller county, some of our routes are so long that they would have to refuel somewhere along the way and it would have impacts on scheduling. So until we can get -- some of the shorter routes, I think they're ones that they're looking for for alternative buses, but some of these routes, like the S-92 out on the East End, goes from Orient Point all the way around to Riverhead and then back out to Montauk. So that's a route that is so long that I don't think -- that was one of the problems that they've had with trying to use just gas, where in Nassau County they do have mostly compressed gas.

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

And these are for specific routes, is that what you're saying?

**MR. ZWIRN:**

I am not sure where these -- but I'm sure these are going to be for the longer --

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

Okay.

**MR. ZWIRN:**

-- the longer routes, and I --

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

I just can't --

**MR. ZWIRN:**

-- would like to get public transportation, if we can get --

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

I've been trying to get this for nine years, so I think, like --

**MR. ZWIRN:**

So you're right on schedule.

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

-- Legislator Alden, I think I've run out of patience. Thanks, Ben.

**P.O. LINDSAY:**

Legislator Alden.

**LEG. ALDEN:**

Ben, while you're up there, would you know if we do like stop counts and things of that nature on a regular basis to analyze what type of equipment should be running on these different routes? If you don't know the answer, I'll contact you during the week.

**MR. ZWIRN:**

I don't know. I'll ask Bob Shinnick and I'll get back to you.

**LEG. ALDEN:**

Thanks.

**LEG. BEEDENBENDER:**

Legislator Alden, at the next Public Works Committee, Mr. Shinnick is going to come to answer a whole bunch of questions about SCAT that were brought up in -- from people that came to the Public Works Committee, as well as the stops, where the study is, since it's been promised to us a whole bunch of times. So, if there are questions you'd like us to ask or if you'd like to come down, I'd like you to come down, because he'll be there to answer the questions on Tuesday, as a matter of fact.

**LEG. ALDEN:**

Good. Thank you.

**P.O. LINDSAY:**

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

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

Opposed.

**P.O. LINDSAY:**

Abstentions?

**LEG. ALDEN:**

Opposed.

**LEG. D'AMARO:**

Opposed.

**MR. LAUBE:**

Fourteen. (Not Present: Leg. Montano)

**P.O. LINDSAY:**

Okay. And on the accompanying bond, **1943A**, same motion, same second, roll call.

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

**LEG. BROWNING:**

Yes.

**LEG. BEEDENBENDER:**

Yes.

**LEG. ROMAINE:**

Yes.

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. LOSQUADRO:**

Yes.

**LEG. EDDINGTON:**

Yes.

**LEG. MONTANO:**

(Not Present)

**LEG. ALDEN:**

No.

**LEG. BARRAGA:**

Yes.

**LEG. KENNEDY:**

Yes.

**LEG. NOWICK:**

Yes.

**LEG. HORSLEY:**

Yes.

**LEG. GREGORY:**

Yes.

**LEG. STERN:**

Yes.

**LEG. D'AMARO:**

No.

**LEG. COOPER:**

Yes.

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

No.

**P.O. LINDSAY:**

Yes.

**MR. LAUBE:**

Fourteen. (Not Present: Leg. Montano)

**P.O. LINDSAY:**

*1950 - Amending Resolution No. 555 of 2007, requiring the use of biodiesel fuel in the Suffolk County Fleet to reduce emissions, and improve air quality, and promote the use of alternative fuels.*

**LEG. BEEDENBENDER:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Losquadro.

**LEG. BROWNING:**

Second.

**P.O. LINDSAY:**

Seconded by Legislator Browning. On the motion, Legislator Alden.

**LEG. ALDEN:**

Ben, it's your intention just to go with this biofuel or --

**LEG. LOSQUADRO:**

This is actually just an amendment to my original resolution because of the volatility in the market and the fluctuation prices we've seen. We're actually extending the deadline for the conversion for our diesel fleet for another year so we can just track how things are moving. We may actually move away from it, but this is giving another year so we can take a look at where the market is going with these fuels.

**LEG. ALDEN:**

But it's bio -- it's diesel to biodiesel, right?

**LEG. LOSQUADRO:**

Yes.

**LEG. ALDEN:**

Not CNG?

**LEG. LOSQUADRO:**

No, it's B-20, the 20% biodiesel blend.

**LEG. ALDEN:**

Okay.

**P.O. LINDSAY:**

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

**MS. ORTIZ:**

Seventeen -- oh, 16. (Not Present: Legs. Montano and Cooper)

**P.O. LINDSAY:**

*1961 - Amending the 2008 adopted Operating Budget and the 2008 Capital Budget and Program and accepting and appropriating funds in connection with Sewer District No. 21 SUNY - Improvement Project.*

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

Motion.

**P.O. LINDSAY:**

Motion by Legislator Viloria-Fisher. Do I have a second?

**LEG. BEEDENBENDER:**

Second.

**P.O. LINDSAY:**

Second by -- was that Legislator Beedenbender? On the question, Legislator Alden.

**LEG. ALDEN:**

This is for SUNY University?

**P.O. LINDSAY:**

No, no, no, no. We have a sewer plant there on the campus, but it serves that whole area, does it not?

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

It serves a large area.

**P.O. LINDSAY:**

It serves a large area.

**LEG. ALDEN:**

Okay. It's not just New York State.

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

No.

**LEG. ALDEN:**

So they're subject to the -- they have to increase fees by up to 3% a year to be eligible to tap into this fund; is that not correct?

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

I don't have -- I think so.

**LEG. BEEDENBENDER:**

It's a County Sewer District, so, yeah, it's subject to the same as Sewer District 3 and 14 and 7 and 11, and all of them.

**LEG. ALDEN:**

Okay.

**P.O. LINDSAY:**

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

**MS. ORTIZ:**

Sixteen. (Not Present: Legs. Montano and Cooper)

**VETERANS & SENIORS**

**P.O. LINDSAY:**

Veterans and Seniors: *1869 - A Local Law extending tax exemptions granted to spouses and unmarried surviving spouses of veterans.*

**LEG. STERN:**

Motion.

**LEG. ROMAINE:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Stern, second by Legislator Romaine. Any questions? No. All in favor? Opposed? Abstentions?

**LEG. D'AMARO:**

Cosponsor.

**LEG. GREGORY:**

Cosponsor.

**LEG. EDDINGTON:**

Cosponsor.

**LEG. ROMAINE:**

Cosponsor.

**MS. ORTIZ:**

Sixteen. Can I see all the cosponsors? (Cosponsors: Legs. Romaine, Schneiderman, Browning, Losquadro, Eddington, Kennedy, Nowick, Horsley, Gregory and D'Amaro)

**P.O. LINDSAY:**

*1684 - Sale of County-owned real estate pursuant to Local Law 13, Patrick R. Dillon.*

**LEG. D'AMARO:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator D'Amaro, seconded by Legislator Horsley. On the question, Legislator Alden.

**LEG. ALDEN:**

Ben, I have a question on this program. We're authorized to transfer to adjacent owners up to \$20,000 of appraised value?

**MR. ZWIRN:**

I'm not sure. I'd have to ask --

**LEG. ALDEN:**

I'm pretty sure that's --

**LEG. D'AMARO:**

That's correct, Cameron.

**LEG. ALDEN:**

The problem is we have three -- at least three pieces of property in Suffolk County right now that would actually qualify for transfer to adjacent owners. They're not big enough to build on. The

approximate value, though, is over the \$20,000. I think two of them are in the 30, or all three of them might be in the 30,000 range, or 25,000, 30,000 range. Do we have anything in place right now to change that valuation, because there's another \$70,000 we could pick up fairly quickly just by modifying our -- I think it's a Local Law.

**MR. ZWIRN:**

I'd have to check. But if you -- we can talk about it later, you give me the parcels, maybe we can do --

**LEG. ALDEN:**

Good, because there's a little bit of money sitting there. As long as they're not buildable, then I think, you know, getting that money would be good.

**MR. ZWIRN:**

I agree.

**LEG. ALDEN:**

Thanks, Ben.

**P.O. LINDSAY:**

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

**MS. ORTIZ:**

Sixteen. (Not Present: Legs. Cooper and Montano)

**P.O. LINDSAY:**

***J.R. 1926 - Sale of County-owned real estate pursuant to Section 72-h of the General Municipal Law, Town of Islip.*** I'll make a motion.

**LEG. ALDEN:**

Second.

**P.O. LINDSAY:**

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

**MS. ORTIZ:**

Seventeen. (Not Present: Leg. Cooper)

**P.O. LINDSAY:**

***1935 - Directing the Commissioner of Information Technology to complete a feasibility study for the implementation of "Project Sunlight" program in Suffolk County.***

**LEG. BEEDENBENDER:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Beedenbender.

**LEG. D'AMARO:**

Second.

**P.O. LINDSAY:**

Second by Legislator D'Amaro. I just like that name, Project Sunlight, that's great. Okay. All in favor? Opposed? Abstentions?

**LEG. ALDEN:**

I'm on as a cosponsor, right? If not, put me on.

**LEG. GREGORY:**

Cosponsor.

**MR. LAUBE:**

She'll put you on. Seventeen. (Not Present: Leg. Cooper)

**P.O. LINDSAY:**

Okay. *I.R. 1942 - Amending Resolution No. 1186 of 2007, extending existing one-quarter of one percent sales and compensating use tax for the period beginning December 1, 2007, and ending December 31st of 2030, pursuant to the authority of Section 1210-A of Article 29 of the Tax Law of the State of New York.* I need a motion.

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

Motion.

**LEG. ROMAINE:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Viloría-Fisher, seconded by Legislator Romaine. And Counsel's going to give us an explanation.

**MR. NOLAN:**

The resolution we passed last year implementing this sales tax extension under the quarter percent sales tax for open space incorrectly extended it out to December 31st, 2030. It should have been the end of November, 2030, so this makes the correction.

**P.O. LINDSAY:**

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

**LEG. ALDEN:**

Abstain.

**LEG. MONTANO:**

Abstain.

**MR. LAUBE:**

Fifteen. (Not Present: Leg. Cooper)

**P.O. LINDSAY:**

*I.R. 1957 - Authorizing the issuance of a certificate of abandonment of the interest of the County of Suffolk in property designated as Town of Riverhead, pursuant to Section 40-D of the Suffolk County Tax Act.* Do I have a motion?

**LEG. D'AMARO:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator D'Amaro.

**LEG. BEEDENBENDER:**

Second.

**P.O. LINDSAY:**

Second by Legislator Beedenbender.

**LEG. ROMAINE:**

Explanation.

**P.O. LINDSAY:**

Explanation from -- Legislator Romaine wants an explanation. Certificate of Abandonment.

**MR. NOLAN:**

Yeah. This is a Certificate of Abandonment where the County abandons their interest in the property that we took. The resolution indicates that the prior owner did not get proper notice, so we're abandoning our interest in the property.

**P.O. LINDSAY:**

It isn't Legislator Romaine's Office, is it?

**LEG. ROMAINE:**

I just want to make it clear for everyone voting on it.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*J.R. 1962 - Authorizing the Suffolk County Attorney to execute a supplemental consent judgment in United States of America versus the Estate of Joseph Vazzanna, Sr.*

**LEG. D'AMARO:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator D'Amaro.

**LEG. STERN:**

Second.

**P.O. LINDSAY:**

Second by Legislator Stern. On the question, anybody? All in favor?

**LEG. ROMAINE:**

Explanation.

**LEG. SCHNEIDERMAN:**

Explanation.

**P.O. LINDSAY:**

Oh, explanation?

**LEG. ROMAINE:**

Please.

**P.O. LINDSAY:**

Mr. Brown, can you explain that for us, please?

**MR. BROWN:**

Yeah. It says it's a settlement with respect to a circle lien, which was perfected in August of 1997. The U.S. expended in excess of a million dollars in cleanup costs. The State expended approximately \$950,000. Taxes owed to the County to date are in excess of approximately a million dollars. But in the event of a sale, and there's litigation pending on this, in the event of a sale, this is a -- this was a settlement agreement that was agreed to, a consent judgment with the Feds. So, in the event of the sale, if the sale proceeds are equal to or greater than approximately 1.3 million dollars, the County will receive 230 -- approximately 233 million, and if they're in excess of 1.33, the County will get 5% of the sales price.

**LEG. HORSLEY:**

Dennis, how much was that, 200 --

**LEG. BEEDENBENDER:**

Not 233 million.

**MR. BROWN:**

233,000, right.

**LEG. BEEDENBENDER:**

I think, because if that, then --

**MR. BROWN:**

We would balance -- the budget is balanced, right.

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

We'll take it.

**LEG. HORSLEY:**

Wow, that's pretty good.

**LEG. BEEDENBENDER:**

Then you should have told us that before the budget.

**LEG. HORSLEY:**

You got our attention, Dennis.

**P.O. LINDSAY:**

Okay. Anybody else? Okay. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

All right. That finishes the regular agenda. We still have more business, so nobody run. There's a manilla folder with additional vetoes, if we could go to them.

**MR. LAUBE:**

No, tax resolutions.

**P.O. LINDSAY:**

Yeah, I'm going to do the tax resolutions, too.

**MR. LAUBE:**

Oh, the additional vetoes.

**P.O. LINDSAY:**

Vetoed. We're going to do the vetoes first, then we'll do the tax resolutions; all right? Okay. It's in front of me. You should be looking at **Resolution 745 - A Local Law to require the licensing of sign hangers in Suffolk County**. I'll make a motion to override.

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

Second.

**P.O. LINDSAY:**

Seconded by Legislator Viloría-Fisher. Anybody on the question? All in favor? Opposed? Abstentions?

**LEG. BARRAGA:**

Opposed.

**LEG. ROMAINE:**

Opposed.

**LEG. MONTANO:**

Opposed.

**MR. LAUBE:**

I'm sorry. Could I get a count on the --

**P.O. LINDSAY:**

Hold up your hand if you're opposed. One, two, three.

**MR. LAUBE:**

Fifteen (Opposed: Legs. Romaine, Montano and Barraga).

**P.O. LINDSAY:**

Okay. **Resolution 850 - Adopting Local Law, a Charter Law to restrict holdover period for certain appointed Department Heads**.

**LEG. COOPER:**

Motion.

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

Second.

**P.O. LINDSAY:**

Legislator Cooper makes a motion to override, seconded by Legislator Viloría-Fisher. On the question, does anybody want to speak on the question? All in favor? Opposed.

**LEG. LOSQUADRO:**

Opposed.

**LEG. ALDEN:**

Opposed?

**P.O. LINDSAY:**

Abstentions?

**MR. LAUBE:**

Sixteen.

(\*The following was Taken & Transcribed by  
Alison Mahoney - Court Stenographer\*)

**P.O. LINDSAY:**

Okay. And then we have *Procedural Resolution No. 32, to set a Public Hearing regarding the authorization for approval to extend license for South Ferry Company, Inc.* Do I have a motion?

**LEG. ROMAINE:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Romaine.

**LEG. BEEDENBENDER:**

Second.

**P.O. LINDSAY:**

Second by Legislator Beedenbender, was it?

**LEG. BEEDENBENDER:**

Yes.

**P.O. LINDSAY:**

Okay. On the question, all in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

Okay. And *Procedural Motion No. 33 - Procedural Resolution authorizing funding for community support initiatives, Phase 10*, and there's just one on there, *family Counseling Services*. Legislator Schneiderman, would you like to make a motion?

**LEG. SCHNEIDERMAN:**

I make a motion.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

Okay, that concludes that folder.

Now if you'll go to another manilla folder, shorter, is there is the Tax Warrants.

The first one is Resolution 2071-08 - Levying unpaid sewer rents and charges in Suffolk County Sewer District No. 3, Southwest in the Towns of Babylon, Huntington and Islip. I'll make a motion. Do I have a second?

**LEG. EDDINGTON:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*2072-08 - Levying unpaid sewer rents and charges in Suffolk County Sewer District No. 13 - Windwatch, Suffolk County Sewer District No. 14 Parkland, Suffolk County Sewer District No. 15 - Knob Hill and Suffolk County Sewer District No. 18, Hauppauge Industrial in the Town of Islip.*

**LEG. KENNEDY:**

Motion.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*2073-08 - Levying unpaid sewer rents and charges in Suffolk County Sewer District No. 1 - Port Jefferson, Suffolk County Sewer District No. 7 - Sewer District No. 10 - Stony Brook, Sewer District No. 11 - Selden, Sewer District No. 12 - Birchwood, Sewer District No. 14 - Parkland, Sewer District No. 19- Haven Hills, Sewer District 20 - William Floyd, and Sewer District No. 23 - Country Manor in the Town of Brookhaven.*

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

Motion.

**P.O. LINDSAY:**

Motion by Legislator Viloría-Fisher.

**LEG. EDDINGTON:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*2074-08- Levying unpaid Sewer rents and charges in Sewer District No. 6 - Kings Park, Sewer District No. 13 - Windwatch, Sewer District No. 15 - Knob Hill, Sewer District No. 18 - Hauppauge Industrial, Sewer District No. 22 - Hauppauge Municipal, and Sewer District No. 28 - Fairfield at St. James in the Town of Smithtown.* Do I have a motion?

**LEG. NOWICK:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Nowick. Second by Legislator Kennedy. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*2075-08 - Approving the return of the fund balance of the General Fund, Police District Fund and District Court District to the taxpayers of the Towns of Suffolk County.* And I think this was the one we had a revised schedule.

**MR. LAUBE:**

Yes.

**P.O. LINDSAY:**

So you should have two bills, one's marked "revised", we're voting on the one that said "revised".

**LEG. BEEDENBENDER:**

Motion.

**P.O. LINDSAY:**

Motion by?

**LEG. BEEDENBENDER:**

Beedenbender.

**P.O. LINDSAY:**

Legislator Beedenbender.

**LEG. LOSQUADRO:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*IR 2076-08 - Determining equalized real property evaluation for the assessment rolls of the ten towns.* I'll make motion. Do I have a second.

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

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*2077-08 - Approving the tabulation of town charges and fixing the tax Levies and charges to the towns under the County Budget for Fiscal Year 2009.* I'll make a motion.

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

Second.

**P.O. LINDSAY:**

Second by Legislator Viloría-Fisher. All in favor?

**LEG. BEEDENBENDER:**

Mr. Chairman?

**P.O. LINDSAY:**

Yes, on the question.

**LEG. BEEDENBENDER:**

I just have a question.

**P.O. LINDSAY:**

Go right ahead.

**LEG. BEEDENBENDER:**

On the second page of this, I just saw something I've never seen before. On the second charge on the second page, there's a column "Tax Levy for School Superintendent's Salary"? I'm just curious, I hadn't seen that before. Is that a reflection of, I guess -- I mean, my question is what is that? I mean, the title seems pretty clear, but I'm just trying to get a grasp on how I should think about the number that's in that category. Is that something that's routine?

**MR. LIPP:**

Yes, that is. It's something that's routine, it appears every year in the same resolution. We -- there are a couple of adjustments to the apportionment of our tax, there's an adjustment for -- we pay the School Superintendent salaries based upon the distribution in the property values and there's a couple of different districts, so it's distributed that way.

**LEG. BEEDENBENDER:**

So that's a reflection -- so there is a -- we vote on what the total -- could you try that again, Bob?

**MR. LIPP:**

Okay, sure. When we adopt the budget, okay, and the property tax and we apportion the tax, implicit in there also are a couple of adjustments that are like under the table, so to speak -- I don't mean to say under the table, I take that back.

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

Under the radar?

**MR. LIPP:**

They're under the radar screen, okay. There's an adjustment for the Superintendent, we pay that bill implicit in the General Fund Tax, a very small dollar amount, I believe it's like -- I'll have to look up the dollar amount, if you bear with me.

**LEG. BEEDENBENDER:**

So does that mean that the salaries of the Superintendent are set by the warrant?

**MR. LIPP:**

Correct. Well, by the Levy here.

**LEG. BEEDENBENDER:**

By the Levy.

**MR. LIPP:**

And it's implicit in the Warrant, too. You'll see a separate -- you will actually see when we do the Warrant on the 18th a separate line item in each of the towns for this.

**LEG. BEEDENBENDER:**

But this isn't something that we have control over, it's just part of the Levy.

**MR. LIPP:**

Correct. Right, it's pro forma.

**LEG. BEEDENBENDER:**  
All right.

**LEG. ALDEN:**  
We can't lower it?

**MR. LIPP:**  
You cannot, no.

**P.O. LINDSAY:**  
And Legislator Beedenbender, I am shocked that Mr. Lipp has confused you.

**LEG. BEEDENBENDER:**  
Well, I just -- it seemed as though we had --

**P.O. LINDSAY:**  
You don't have to explain.

**LEG. BEEDENBENDER:**  
I can't explain myself, so I was just going to mumble.

**P.O. LINDSAY:**  
Once in a while he confuses me, too.

**MR. NOLAN:**  
We didn't vote on that, did we?

**P.O. LINDSAY:**  
No. We've got a motion and a second, right.

**MR. LAUBE:**  
Correct.

**P.O. LINDSAY:**  
Okay. All in favor? Opposed? Abstentions? That was 77, right?

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

**MR. LAUBE:**  
Eighteen.

**P.O. LINDSAY:**  
*2078-08 - Approving and directing the Levy of Taxes and Assessments for Sewer Districts of Suffolk County under the Suffolk County Budget for Fiscal Year 2009.*

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

**P.O. LINDSAY:**  
Motion by Legislator Viloría-Fisher.

**LEG. BARRAGA:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*2079-08 - Affirming, confirming and adopting the Assessment Roll for Suffolk County Sewer District No. 3 - Southwest and directing the Levy of Assessments and charges within the Towns of Babylon, Islip and Huntington for the Southwest Sewer District in the County of Suffolk for the Fiscal Year 2009.* I'll make a motion.

**LEG. BARRAGA:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

*2080-08 - Extending the time for the annexation of the Warrant to the tax rolls.* I'll make a motion.

**LEG. BROWNING:**

Second.

**P.O. LINDSAY:**

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

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

Okay, that should conclude what we have to vote on.

**Late Starters:**

If you take --

**MR. BROWN:**

Excuse me, Mr. Presiding Officer?

**P.O. LINDSAY:**

Yes, sir?

**MR. BROWN:**

May I just ask of you for one second? I just want to make sure procedurally we're okay, that on the first -- I think it was the first veto message that you did with respect to the sign hangers?

**P.O. LINDSAY:**

Yes.

**MR. BROWN:**

And I was just checking on the Charter and it says that the vote has to occur within 30 days and at the next regularly scheduled meeting, and I just wanted to verify if this was the next regularly scheduled meeting or whether November 5th was.

**MR. NOLAN:**

We voted timely.

**MR. BROWN:**

Okay.

**MR. NOLAN:**

We did. Because it's presented to us at the next regular meeting, so it was presented to us today for the first time, we have 30 days from today to vote on the override.

**MR. BROWN:**

Okay. Thank you, George.

**MR. NOLAN:**

You're welcome.

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

We can't vote on it until we get it.

**LEG. ALDEN:**

That's slick.

**P.O. LINDSAY:**

Okay. I'd like to make a motion to waive the rules and lay on the table the following Late Starters:

2082 to Public Works, 2083 to EPA, 2084 to Public Works, 2085 to Ways & Means; 2086 to Budget & Finance, 2087 to Budget & Finance; 2088 to Budget & Finance, 2089 to Public Works, 2090 to EPA, 2091 to Public Works, 2092 to Vets & Seniors and setting the Public Hearing for December 2nd at 2:30 in Hauppauge, 2093 to Public Safety and setting the Public Hearing for December 2nd, 2:30 in Hauppauge; 2094 is assigned to Parks; 2095 to Economic Development, Education & Energy, 2096 to Public Works, 2097 to Ways & Means, and that's it. So --

**MR. NOLAN:**

2098.

**P.O. LINDSAY:**

Oh, I didn't have 98 there. Wait a minute, wait a minute. Up, skipped 98, to Health & Human Services. So I need a motion.

**LEG. GREGORY:**

Motion.

**P.O. LINDSAY:**

Motion by Legislator Gregory, seconded by myself. All in favor? Opposed? Abstentions?

**MR. LAUBE:**

Eighteen.

**P.O. LINDSAY:**

I've got one announcement and then you can go. Legislator Barraga pointed out to me earlier in the day about flu shots that are being given out at the Dennison Building always happen on a day that we have a meeting. And we contacted the Health Department and they will be giving out flu shots here on December 2nd, during lunch break was it? Yeah, 11:30 to 2, or something like that.

**LEG. NOWICK:**

If you live in Nassau and you're over 60 you get them for free; I couldn't get it.

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

So we can get it for free here.

**P.O. LINDSAY:**

So if you didn't get your flu shot yet and you want to get your flu shot, you can get it here December 2nd. With that, I'll accept a motion to adjourn.

**LEG. LOSQUADRO:**

So moved.

**P.O. LINDSAY:**

By Legislator Losquadro. A second?

**LEG. SCHNEIDERMAN:**

Second.

**P.O. LINDSAY:**

By Legislator Schneiderman. All in favor? Opposed? Abstentions?  
We stand adjourned.

**MR. LAUBE:**

Seventeen (Not Present: Legislator Romaine).

*(\*The meeting was adjourned at 5:24 P.M. \*)*

*{ } - Denotes Spelled Phonetically*